

KENT COUNTY COUNCIL

ENVIRONMENT & TRANSPORT CABINET COMMITTEE

MINUTES of a meeting of the Environment & Transport Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 7 September 2016.

PRESENT: Mrs P A V Stockell (Chairman), Mr C R Pearman (Vice-Chairman), Mr M Baldock, Mr A H T Bowles, Mr C W Caller, Mr I S Chittenden, Dr M R Eddy, Mr P J Homewood, Mr C Simkins, Mr A Terry (Substitute for Mr B E MacDowall), Mrs C J Waters, Mr J N Wedgbury (Substitute for Mr J M Ozog), Mr M E Whybrow and Mr M A Wickham

ALSO PRESENT: Mr P M Hill, OBE and Mr M A C Balfour

IN ATTENDANCE: Mr R Wilkin (Director of Highways, Transformation and Waste), Mrs K Stewart (Director of Environment Planning and Enforcement), Ms A Agyepong (Corporate Lead - Equalities and Diversity), Mr R Fitzgerald (Performance Manager), Ms S Holt (Head of Culture & Sport Group), M D Beaver (Head of Network Management and Performance), Mr J Farmer (Projects Manager - Major Projects), Mr P Lightowler (Head of Public Transport), Mrs C Valentine (Highway Manager), Ms K Pettitt (Principal Transport Planner - Strategy) and Ms C A Singh (Democratic Services Officer)

UNRESTRICTED ITEMS

198. Apologies and Substitutes

(Item A2)

Apologies were received from Mr MacDowall substituted by Mr Terry and Mr Ozog substituted by Mr Wedgbury.

199. Declarations of Interest by Members in items on the Agenda

(Item A3)

Mr Wedgbury made a declaration regarding Item C3 as this was an area within his electoral division and he had participated in the negation.

200. Minutes of the meeting held on 8 July 2016

(Item A4)

RESOLVED that the Minutes of the meeting held on 8 May were correctly recorded and that they be signed by the Chairman subject to the word county being altered to read "country" in Minute 187 (3) bullet point five and paragraph 188 (3) £475 being altered to read "£475m".

201. Verbal updates

(Item A5)

1. The Cabinet Member for Community Services, Mr Hill, introduced his verbal update advising on three issues:

Emergency Planning

Mr Hill explained the role of the multi-agency response to the 12-hour delays at the Port of Dover on 23 and 24 July 2012 that had been declared a major emergency by Kent Police. The delays were due to heightened security checks at the French borders. KCC had led the delivery of humanitarian welfare to those affected by the delays and issued bottles of water to stranded motorists. The Corporate Management Team would consider lessons learnt from this incident at its next meeting.

Mr Balfour further explained that the UK government had held discussions with the French government who advised that their borders would be properly manned. He said he did not have information about the number of French Border Police/workers on duty but he considered that there were not enough. The UK Border Agency had offered support to deal with the backlog.

Exercise Surge 27 – 29 September

The Exercise Surge was part of the annual Kent Resilience Forum's programme of activities and its aim was to validate key elements of the Kent Resilience Forums plans, processes and training. The exercise would be led by the Kent Resilience Team and would include the following:

- Kent Police
- Met Office
- Kent Fire and Rescue Service
- Southeast Coast Ambulance Service
- Maritime and Coastguard Agency
- National Health Service
- Kent County Council
- Environment Agency
- Borough and district councils
- Medway Council
- Dungeness (EDF) Nuclear Power Station
- Ministry of Defence (local military assets)
- Kent Voluntary Sector Emergency Group Members
- Utility Providers

Mr Hill said a report on the event would be submitted to a future meeting of this Cabinet Committee.

Volunteer Support Wardens (VSW)

This Cabinet Committee had received a report in March 2016, on the transformation of the Community Warden Service including the possibility of using volunteers within the service. A small number of towns and parishes (Swanscombe & Greenhithe, Lower Halstow, Great Chart with Singleton, Tenterden, Bridge, and Kingsnorth) had taken part in a pilot scheme to test how volunteers might work alongside Community Wardens. Data had been collected from the towns and parishes, the Community Warden Service and the VSW's to establish the benefits of the scheme and how it

might be improved. A formal review of the pilot was taking place in September 2016 and a report would be submitted to this Cabinet Committee in November.

2. Mr Balfour gave his verbal update on the following:

Kent Mineral and Waste

The Minerals and Waste Plan had been agreed at the County Council meeting in July. There have been no legal challenges. Mr Balfour thanked the Head of the Planning Applications Group, Mrs Sharon Thompson, her team and the cross party Member Group for all their hard work. Members noted that this Cabinet Committee would receive a further report to a future meeting.

Pothole Blitz

Mr Balfour said that this year KCC had invested a further £3 million undertaking a Pothole Blitz Find and Fix campaign. £1.4m came from a Government grant and the remainder from KCC. Contracts for the work were procured by Commercial Services Kent Ltd and the work was carried out by 6 local contractors with each contractor working in 2 district council areas. Since 1 June 2016, KCC had spent approximately £1.1m and had carried out repairs to 947 potholes and to 32,193 square metres of roads with multiple and larger potholes. He said the scheme would continue until early Autumn. Mr Balfour reminded Members that potholes should be reported via the KCC website and that the website also gave details about repairs completed at district level.

Kent and Medway Smart Card

On 26th September the Connected Kent and Medway Smartcard KCC would be launched for a trial period in West Kent. Bus passengers would be able to purchase a Pay-As-You-Go card by visiting the Connected Kent website or local libraries and the card could be used on services provided by ASD, Autocar, Chalkwell, County Connect, Farleigh, Go-Coach and, Nu-Venture but it was anticipated that this list would expand once the card became more widely used. Agreement by Arriva was awaited. Funds could be added to the card either by paying the bus driver or via an auto-top up where credit for a pre-determined value was automatically added once the balance fell below £8. Members noted that if they required further information on the project, the KCC contact name was Annette Bonner.

A299 Thanet Way

An investigation was due to be undertaken on the ground movement in the A299 Thanet Way. As a result a 50-mile per hour speed limit would be implemented during this time. Remedial works would follow to address the findings.

Mr Balfour and Mr Wilkin responded to questions by Members as follows:

- (a) Mr Balfour said he had not seen the Swale Area Report that referred to defects in Swale highways so could not comment.
- (b) Mr Wilkins commented on the shape of the repairs to potholes explaining that manual cutting had to be square which could lead to problems with the corners of the repairs of the potholes but the feedback from local councils was that the quality of the repairs had been high.
- (c) Mr Balfour read out the substantive [Motion](#) 24 carried at the County Council meeting on 16 July 2016 that set out the County Council's position regarding Manston and assured Members that there had been no change. He said that

officers would prepare a response to a planning application as part of the usual process. Members of the County Council would receive a copy of the response. .

- (d) Mr Wilkin said that 50 mile per hour speed limit would be implemented on parts of the Thanet Way because of problems with the road surface, known as undulations, caused by alternating very wet and very dry weather.
- (e) Thanks were received for the work carried out at Station Road and Court Road, Deal and roads in Maidstone
- (f) In response to traffic delays in Dover this morning, Mr Balfour said delays to traffic in Dover earlier in the morning had been caused by cows on the grass on the A20 towards Dover. Kent Police had been called and they led the cows off the dual carriage way.

3. RESOLVED that:

- (a) the information in the verbal updates and the responses to questions by Members be noted;
- (b) reports on Kent Minerals and Waste; and Volunteer Support Wardens be submitted to future meetings of this Cabinet Committee; and
- (c) Members receive a copy of the response to a planning application at Manston.

202. Performance Dashboard

(Item B1)

1. The Business Intelligence Manager - Performance, Mr Fitzgerald, introduced a report setting out the progress made against targets set for Key Performance Indicators. This was the second report for the 2016/17 financial year with results up to the end of June 2016. He said the report provided an insight into the variances. Performance was good with most targets being achieved. Significant variances from target included street lighting, both for LED rollout and maintenance although performance for maintenance had improved since the last report. Country Parks also had a variance for income generated because of a particularly cold and wet June.

2. Mr Fitzgerald and Mr Wilkin responded to questions by Members as follows:
- Mr Wilkin said delays in the LED conversions were caused by supply problems. A batch of units had to be returned to the manufacturer as they had been delivered in test mode. The contractor had been running with 10 crews but had increased the crews to 18 to catch up against the programme for roll out. He undertook to provide advice on the position in Gravesham within the schedule outside the meeting.
 - Mr Balfour said that there was not enough resource to count the number of people who visited the country parks. He suggested that as the country parks had undergone a major transformation they should be given the time to settle down. He asked Members to contact officers with any concerns regarding individual country parks.
 - Mr Balfour agreed to forward the definition of "Priority faults" referred to in the PROW performance indicator to the Members of this Cabinet Committee.

- Officers and the contractor were praised for the roll out of the LED street lighting conversion.
- Mr Wilkin explained that there were two issues regarding the Central Management system for the LED street lighting. There had been glitches in the system but there was confidence that they could be resolved. Once those glitches were remedied the dimming facility for the LED lighting would be available. Members were reminded that the dimming of the LED street lighting could be achieved on a street by street basis when the Central Management system was fully operational. Mr Wilkins considered that this facility would be available by the winter. Mr Balfour said that requests by residents for LED street lighting to be dimmed would not be brought to this Cabinet Committee. A progress report on the LED street lighting conversion would be submitted to this Cabinet Committee at the end of 2017.
- Members noted that there was a time lag regarding the data provided in the report. Mr Fitzgerald agreed to provide the most up to date data available in future reports and look at improving the labelling of the columns and dating the results within the Dashboard.
- Mr Balfour explained that Kent Scientific Services was undergoing a restructure.
- Mr Fitzgerald said that the number of enquiries for action for highways maintenance was reported as a year to date figure and work in progress as a snapshot. The difference between the figures was therefore roughly the number of enquiries completed.
- Mr Hill thanked Members for their comments regarding Trading Standards and said that Trading Standards had forged a strong relationship with Kent Police. The Chairman said that Trading Standards also kept Members well informed about their activities.
- Mr Wilkin explained that selling compost to individual members was not commercially viable and that he would provide further information outside the meeting.
- Appreciation was given for this standard item being brought forward on the agenda to allow a full debate.

3. RESOLVED that:

- (a) the responses to comments and questions by Members and the report be noted;
- (b) the definition of "Priority faults" be forwarded to Members outside the meeting; and
- (c) a progress report on the LED street lighting conversion would be submitted to this Cabinet Committee at the end of 2017.

203. 2015/16 Growth, Economic Development and Transport Equality and Diversity Review
(Item B2)

1. The Corporate Lead - Equality and Diversity, Mrs Agyepong, and the Head of Culture & Sport Group, Miss Holt, introduced an annual report that set out a position statement for services within the Growth, Environment and Transport

Directorate regarding equality and diversity work and progress in delivering KCC's equality and diversity objectives for 2015/16 in accordance with the requirements of the Equality Act 2010. Mrs Agyepong said the Growth, Environment and Transport Directorate had gone from strength to strength in the past year. The directorate's objectives were currently under review focusing on the following:

- The needs of protected groups within all highways and transport schemes
- Investment in roads, facilities and utilities
- Access to the county's landscape and environment irrespective of age, disability, race or belief
- The Libraries, Registration and Archives Services in Kent continue to understand its local communities needs
- Responsive to communities
- Continue to apply equalities to all decisions made

2. Miss Holt said an overarching Equality and Diversity Group was working to ensure that equality and diversity were embedded in the work of the directorate.

3. Officers were thanked for the detailed report.

4. In response to concerns and questions

(a) Mr Wilkin said the Member Group reviewing the Waste Disposal Strategy would consider the needs of residents unable to get to the waste management facilities through a public consultation which would inform the development of the Strategy.

(b) Miss Holt added that the techniques for profiling and customer insight data were imperfect but a huge step forward and that the Equality and Diversity Group were considering how this could be improved.

(c) Agreement was given to amendments to be highlighted in future annual reports to allow Members to see the changes.

5. RESOLVED that:

(a) the responses to questions by Members be noted;

(b) the current performance outlined in the report be noted; and

(c) future reports be received annually indicating any amendments made to the previous year's report.

204. Decision Number: 16/00074 - Public Service Vehicle Framework (Item C1)

1. Head of Public Transport, Mr Lightowler, introduced a report that asked the Cabinet Committee to consider and endorsement or make recommendations on a proposed decision to combine the current two approved lists for the procurement of the Council's Public Service Vehicle contracts (which have a 10 year value of £123M) into one list.

2. Mr Lightowler said the procurement of supported services and mainstream home to school transport was currently delivered through two distinct approved

supplier lists. The approved list for supported bus services included 31 operators and the mainstream home to school transport list includes 125 operators. Tenders, based on service type, were directed at the most appropriate list. In addition to combining the lists it was proposed to revise the present "lotting" strategy which would provide an opportunity for KCC to package home to school and local bus work in ways that would reduce costs and make lots more attractive to suppliers. In respect of any potential savings that could be achieved, Mr Lightowler was not able to quantify this.

3. In response to concerns raised and questions by Members, Mr Lightowler, Mr Balfour and Mr Wilkin responded as follows:

- (a) Mr Balfour said this decision did not preclude the current Select Committee on Bus Transport and Public Subsidy considering and/or making recommendations regarding the issues raised in the report. The Select Committee report and its recommendations would be submitted, for consideration and decision, to a future County Council meeting.

Post meeting note

The Terms of reference for the Bus Transport and Public Subsidy Select Committee are:

- 1. To examine the current delivery model of local bus transport in Kent.
 - 2. To assess the extent to which KCC can prioritise support of the current delivery model of local bus transport in Kent, while having due regard to the resource implications and the budget setting processes.
 - 3. To explore whether alternative models of local bus transport delivery are available and, if so, to consider their viability and effectiveness.
 - 4. To consider the implications of the recent Bus Services Bill for bus transport in Kent.
 - 5. For the Bus Transport Select Committee to make recommendations after having gathered evidence and information throughout the review.
- (b) Comments were made on the benefits of putting the two categories together.
 - (c) Mr Wilkin explained that this was a purchasing mechanism and would not determine what was bought or from whom. Having one list would make the contracting system easier and would not tie the County Council into any contracts. This would be no impact of staffing.
 - (d) Mr Balfour said that all the operators on the list would be able to choose what to tender for. This approach would open up more competition/opportunity.

4. The Chairman invited Members to vote on the recommendation in the report. The votes cast were as follows: *8 for, 0 against and 5 abstained*. The recommendations were carried.

5. RESOLVED that:

- (a) the comments and responses to Members questions and the report be noted; and

- (b) the proposed decision to be taken by the Cabinet Member for Environment and Transport to combine the current two Public Service Vehicle supplier list into one list as set out in Appendix A to the report be endorsed.

205. Decision Number: 16/00072 -The award of contract(s) for the disposal of additional local authority collected waste:

(Item C2)

1. The Head of Commercial Management and Waste Services, Mr Beaver, introduced a report which asked the Cabinet Committee to consider and endorse or make recommendations to the Cabinet Member on a proposed decision relating to the disposal of additional local authority collected waste. He said there were two waste streams processed through the Allington incinerator under contract by Kent Enviropower Ltd (KEL). A condition of this contract was Service Commencement which was triggered once KCC delivered the threshold of 325,000 tonnes of waste per annum to the plant. This threshold had been met and KEL had served notice that this minimum tonnage commitment must now be maintained for the duration of the contract. As waste was forecast to grow in line with housing and population growth, Mr Beaver said there was an opportunity to commission alternative contractual arrangements for the additional waste in order to reduce current disposal costs.

2. Mr Beaver responded to questions by Members as follows:

- (a) Mr Beaver advised that there may be different suppliers. There were review periods used to look at providers and any changes would be brought to this Cabinet Committee.
- (b) A comment was made that this was good thinking outside the box.
- (c) Mr Beaver advised that the process was open to all and there was already significant market interest.

3. RESOLVED that:

- (a) the responses to questions by Members be noted; and
- (b) the proposed decision to be taken by the Cabinet Member for Environment and Transport to award a contract for the disposal of additional local authority collected waste as set out in Appendix A to the report be endorsed.

206. Decision Number: 14/00091(a) - A28 Chart Road Improvement, Ashford

(Item C3)

1. The Project Manager, Mr Farmer, introduced the report which as the Cabinet Committee to consider and endorse or make recommendations to the Cabinet Member for Environment and Transport on his proposed decision relating to the delivery the A28 Chart Road Improvement, Ashford Scheme. He said the proposal was to move to a dual carriageway scheme that was first considered by this Cabinet Committee in 2014. Since that initial report public consultation had been held and the preferred scheme to take forward was approved in early 2016. Network Rail was engaged and Local Growth Funding had been approved. Land acquisition discussions had started and a compulsory purchase order was also required to give

programme certainty. There was therefore a requirement to update the original proposed decisions considered by Members to ensure robustness of governance and decision clarity.

2. Mr Farmer received thanks for his work and discussions with Ashford Borough Members and local residents

3. The concerns and questions by Members were responded to by Mr Farmer as follows:

- (a) . A Member asked that the scheme be as close to the commercial side of the A28 as possible and agreed that, along with the improvements to junction 10 proposed by Highways England, the scheme would relieve congestion. He also asked that officers liaise with Highways England to minimise the disruption caused by the road works
- (b) A comment was made that there was already too much development across Kent.
- (c) Mr Farmer thanked Members for their comments and said as much of the scheme as possible was being taken towards the industrial side of the A28 to retain as much land as possible on the Godinton Park side for landscaping and noise mitigation. Construction would commence in spring 2018 and would take approximately 18 months.
- (d) Mr Farmer assured Members that if East Lodge was acquired the asset would be well managed until such time as it was resold.
- (e) A further comment was made that the Chilmington Green development was the worst development in Kent.
- (f) Mr Farmer agreed to discuss negotiations with Network Rail on another scheme with Mr Whybrow outside the meeting.
- (g) Mr Baldock asked that his opposition to the recommendations be noted.

4. RESOLVED that:

- (a) the responses to comments and questions by Members and the report be noted; and
- (b) the Environment and Transport Cabinet Committee endorsed, the proposed decision to be taken by the Cabinet Member for Environment & Transport as shown at Appendix A of the report to give approval to:
 - (i) all acts required to carry out and complete the A28 Chart Road Improvement scheme;
 - (ii) all acts required to acquire the land and rights for the carrying out and completion of the A28 Chart Road Improvement scheme, including by means of a compulsory purchase order and/or blight notices;
 - (iii) the delegation to the Corporate Director of Growth, Environment and Transport, and any further or other decisions as may be appropriate to deliver the A28 Chart Road Improvement scheme.

207. Decision Number: 16/00076 - Winter Service Policy for 2016/17
(Item C4)

1. The Highway Manager (West), Mrs Valentine, introduced the report which asked the Cabinet Committees to consider and endorse or recommendations on the proposed decision to be taken by the Cabinet Member for Environment and Transport to agree proposed changes to the Winter Service Policy for 2016/17 as set out in Appendix B of the report.

2. Mr Valentine gave a short presentation that highlighted data on the winter months over the past six years accompanied by National Guidance that had been used to refine the final proposed decisions.

3. Mr Wilkin advised Members that the mild damp winters had led to an increased highway soft landscaping growth, including grass and weeds and any underspend as a result of the mild winter would be used to deal with the issue of soft landscaping.

4. The Cabinet Committee endorsed the intention to roll forward any underspend for soft landscape maintenance particularly for dealing with grass and weeds. It was also suggested that parish councils could be approached to carry out some of the local soft landscaping.

5. In response to concerns raised and questions by Members, Mrs Valentine, Mr Wilkin and Mr Balfour advised the following:

- (a) the question on the minimum salt run over six days would be answered outside the meeting.
- (b) A comment was made that the coordination of the Winter service had improved and was very good. Praise was given to the officers for their work.
- (c) Mr Wilkin confirmed that a second weed spray would take place from mid-August to October.
- (d) Mr Wilkin agreed to discuss the issues of Maidstone soft landscaping with the local Member outside the meeting
- (e) Comments were made that the Highways budget needed to be safeguarded.
- (f) Mr Balfour and Mr Wilkin reassured Members that there were funding pots for extreme weather events and the resulting pot holes etc provided by government for local authorities to bid against.
- (g) Mr Wilkin advised that the local authority did not provide salt bins in new developments as a matter of course. It was considered that the new developments would negate this need.

6. RESOLVED that:

- (a) the responses to comments and questions by Members be noted; and
- (b) the proposed decision to be taken by the Cabinet Member for Environment and Transport to agree the proposed changes to the Winter Service Policy for 2016/17 be endorsed:
 - (i) (s.3.3.2) Brine trial for selected routes to be implemented, supported by the Transport Research Laboratory (TRL)

- (ii) (s.4.3.2) Kent Road Weather forecast to be sent out via the winter weather forecast provider, Met Desk
- (iii) (s.6.2.1) Additional routes added to snow clearance priorities
- (iv) (s.9.1.2) The proposal for any future winter service budget underspend to be treated as a committed roll forward, so that any additional funding is available in the following financial year for highway soft landscaping maintenance.

208. Proposed Response to Operation Stack Lorry Area Consultation

(Item D1)

1. The Director of Environment, Planning and Enforcement, Mrs Stewart and Miss Pettitt, introduced a report that set out the proposed outline of Kent County Council's response to the Operation Stack Lorry Area consultation before it was finalised by the Cabinet Members for submission to Highways England by the closing date of 23 September.

2. Mr Balfour said Operation Stack Lorry Area was to be debated at Westminster later in the day when he hoped the need for discussions with the Department of Transport would be recognised.

3. Members received comments that were tabled from the Local Member for Elham Valley, Miss Carey, and a resident (Mr Horner) expressing their views on the consultation.

4. Mr Balfour, Mrs Stewart and Miss Pettitt responded to comments and questions by Members as follows:

- (a) A Member asked for the following to be considered, "in order for the lorry park to work effectively TAP lorry parking regulation needed to be in place. This could be in advance of the lorry park. Use this opportunity to reinforce and put in as soon as possible. The regulations on lorry parking needed to be put in as soon as possible". Mr Balfour agreed and advised that Highways England had been positive in certain areas unblocking some of its positions. In terms of fly parking there was a correlation between stopping lorries parking on hard shoulders and having somewhere to redirect them to. He said the market must not be distorted by the provision of such a facility.
- (b) Referring to page 166 of the report, a comment was made that existing lorry parks should be encouraged to expand and it was agreed that Kent's local authorities should be given powers to create solutions for overnight lorry parking. A further comment was made that lorry drivers would not leave their natural route to use the lorry parking. Mr Balfour stated that there was a requirement to persuade lorry drivers to use the lorry parking. KCC was stressing that the need for small lorry parks was critical. A suggestion was made that "KCC and Medway Council" in the second bullet point on page 166 be removed and replaced with "the local authorities" as the district and borough councils would have input too.
- (c) Concerns were raised that Highways England did not have answers regarding air quality and air pollution. A request was made for a full air

quality study to take place to be used as a bench mark. Mr Balfour agreed that air pollution needed to be monitored and well as landscaping etc.

- (d) Mr Balfour considered that this was the time to reflect on whether there would be a problem filtering on the Lower Thames Crossing. A survey was to take place on how many fly parking area there were already in Kent.
- (e) Members said that Miss Carey had been vocal in representing the residents in the Elham Valley regarding this issue.

5. RESOLVED that:

- (a) the responses to questions by Members be noted; and
- (b) the proposed outline response that would be finalised and approved by the Cabinet Member before being submitted to Highways England by the closing date of 23 September be noted, subject to Members' suggestions being considered by the drafting officers.

209. Work Programme 2016/17

(Item D2)

RESOLVED that the Work Programme for 2016/17 as set out in appendix A of the report be agreed.

210. Exclusion of the Press and Public

(Item)

Resolved that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

211. Decision Number: 16/00071 - Variation to Contract with Kent Enviropower Ltd (Allington Contract)

(Item E1)

1. The Environment and Transport Cabinet Committee considered a report that proposed a variation to the contract between Kent County Council and Kent Enviropower Ltd in order to enable significant revenue savings and resisting future cost pressures.
2. Mr Wilkin and Mr Balfour responded to questions from Members.
3. RESOLVED that:
 - (a) the responses to questions by Members be noted; and
 - (b) the Cabinet Committee endorsed the proposed decision to be taken by the Cabinet Member for Environment and Transport to vary the contract between Kent County Council and Kent Enviropower Ltd for the provision of Waste Disposal services ("the Allington Contract") conditional upon the award of a contract(s) in respect of material over and above the minimum tonnage commitment as shown at Appendix A of the report.

