

## KENT COUNTY COUNCIL

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### ENVIRONMENT & TRANSPORT CABINET COMMITTEE

MINUTES of a meeting of the Environment & Transport Cabinet Committee held in the Council Chamber - Sessions House on Wednesday, 28 November 2018.

PRESENT: Mr M A C Balfour (Chairman), Mr T Bond, Mr A Cook, Mr N J Collor, Mr S Holden, Mr A R Hills, Mr R C Love, Mr P J Messenger, Mr J M Ozog, Mr M D Payne (Vice-Chairman), Mr H Rayner, Mr B H Lewis, Mr A J Hook, Mr I S Chittenden and Mr M E Whybrow

ALSO PRESENT: Mr P M Hill, OBE and Mr M Whiting

IN ATTENDANCE: Mr S Jones (Director of highways, Transportation and Waste) and Mrs K Stewart (Director of Environment Planning and Enforcement) and Miss G Little (Democratic Services Officer).

### UNRESTRICTED ITEMS

#### **124. Apologies and Substitutes**

*(Item 2)*

Apologies were received from Mr A Booth.

#### **125. Declarations of Interest by Members in items on the Agenda**

*(Item 3)*

1. Mr M Balfour declared a Disclosable Pecuniary Interest in the Kent Minerals and Waste Local Plan (item 10) and said that he would leave the room for this item.
2. Mr M Payne declared an Other Significant Interest in the Kent Minerals and Waste Local Plan (item 10) and said that he would leave the room for this item.
3. Mr S Holden declared an interest in the Energy and Low Emissions Strategy (item 11). As this was not considered to be a Disclosable Pecuniary Interest or Other Significant Interest, Mr Holden remained in the room and took part in the discussion.

#### **126. Minutes of the meeting held on 20 September 2018**

*(Item 4)*

RESOLVED that the minutes of the meeting held on 20 September 2018 are a correct record and that they be signed by the Chairman.

#### **127. Dates of future meetings for 2019/2020**

*(Item 5)*

It was RESOLVED that the Committee noted that the following dates had been reserved for its meetings in 2019/20:

Friday 24 May 2019  
Tuesday 16 July 2019  
Thursday 10 October 2019  
Friday 29 November 2019  
Friday 24 January 2020  
Tuesday 24 March 2020  
Friday 15 May 2020

## **128. Verbal Update**

*(Item 6)*

1. Mr M Hill, OBE (Cabinet Member for Community and Regulatory Services) informed the Committee of his attendance at:
  - (a) The Kent Resilience Forum Conference on 17 October 2018 which focused on Kent County Council's response to the recovery of emergency operations. Mr Hill said that the forum offered valuable insight and suggested that invite to the forum be extended to Members of the Committee; and
  - (b) The Community Safety Conference on 27 October 2018 which focused on preventing extremism and hate in light of the recent terror attacks. The morning session concentrated on the prevent strategy and how this had been applied both nationally and locally and the afternoon session drew on the positive aspects of improving community cohesion such as the interfaith work across the county. Again, Mr Hill said that the conference offered valuable insight to the work being done across the county and suggested that Members of the Committee be invited to attend.
2. Mr M Whiting (Cabinet Member for Planning, Highways, Transport and Waste) provided an update to the Committee on the following:
  - (a) The Winter Service commenced on 25 October 2018 with deployment of gritters on the primary networks. Seventeen new gritter lorries had been procured to replace existing inoperative vehicles and two newly contracted Farmers were to receive gritting equipment to assist with clearing designated secondary routes within their area. Salt-bins across the county had also been filled and Parish Councils were encouraged to request additional supplies should weather permit. The Smart Winter Project funded by the Kent Lane Rentals programme had also continued as part of the winter service, Mr Whiting confirmed that an additional 120 sensors were due to be in place by the end of December 2018 to monitor, through an accurate and targeted intelligence led approach, where salt and grit was required to optimise primary network routes.

- (b) The Pothole Blitz had successfully repaired 54,000 potholes and over 250,000 square metres of patching. An additional £10.1 million on top of the £4 million capital budget and £1 million emergency revenue repair work funding had been spent on ensuring that Kent's roads were safe and ensuring they were protected during the winter period. The repair work was delivered throughout the spring and summer months by the District teams and six local small and medium enterprise contractors. Mr Whiting confirmed that the tender process to secure the future Pothole Blitz programme for West Kent, Mid Kent and East Kent had also been completed; each of the areas had several contractors available to undertake the required work. A total of fifteen bids had been received from separate organisations. Mr Whiting said that the tender was a two-year contract to ensure security for the contracted companies and would also help drive efficiency.
- (c) The work around the Ashford Designer Outlet Centre was due to be completed by the end of November 2018 which would improve access to the centre and reduce traffic congestion.
- (d) The construction work of the A226 (London Road and St Clements Way) was progressing well with significant focus on the crossway's boulevard roundabout. Work was due to be completed by March 2019.
- (e) Phase one of the A2500 lower road work on the Isle of Sheppey was due to be completed by December 2018. Phase 2 which included a detailed design of the widening of the road was underway.
- (f) The Tonbridge Station improvements work was progressing, this was due to be finished by early December 2018.
- (g) A review of Kent County Council's 20 miles per hour speed limit policy would be taking place and would be presented to the Committee in March or April 2019 following the recent report issued by Government that looked at the effectiveness of the 20 miles per hour speed zones.

3. In response to questions, the following comments were provided:

- (a) Mr Whiting informed the Committee that Kent County Council was in discussion with Stage Coach to review the bus routes within Thanet and identify revised routes that would not impede upon users but could achieve the required financial saving. Mr Whiting informed the Committee that the proposals from that discussion had been incorporated within the public consultation and encouraged residents to respond.

- (b) Mr Whiting confirmed that regular updates of the Pothole Blitz would be available to Members of the Committee.
- (c) Mr Whiting assured the Committee that Kent County Council would be carrying out an extensive review of the 20 miles per hour speed limit policy and Member involvement would be sought at every appropriate opportunity. Mr S Jones (Director of Highways, Transportation and Waste) agreed to send the Committee the link to the Government 'Report into the effectiveness of 20 miles per hour (mph) road speed limits.'
- (d) Mr Whiting said that Swale Borough Council had ordered an increased number of salt bags and offered its residents free salt give-aways at town centres to help encourage volunteered clearance of snow and ice.

4. RESOLVED that the verbal update be noted, with thanks.

### **129. Lower Thames Crossing (Presentation)**

*(Item 7)*

*Tim Jones (Project Director for the Lower Thames Crossing) and Phil Stanier (Government and Industry Manager for the Lower Thames Crossing) were in attendance for this item.*

1. Mr M Whiting (Cabinet Member for Planning, Highways, Transport and Waste) welcomed guests from Highways England. As part of the consultation period, Highways England agreed to present the new design proposals of the Lower Thames Crossing to the Committee and sought Members feedback. Mr Whiting informed the Committee that Kent County Council's response to the Lower Thames Crossing was due to be submitted on 20 December 2018 and asked that Members directed their queries to either Joe Ratcliffe (Transport Strategy Manager) or to Highways England.
2. In response to questions and comments, the officers provided the following information:
  - (a) The Lower Thames Crossing would provide an additional 90% capacity to relieve the traffic congestion on the Dartford Crossing and relieve the accumulation of likely traffic in the future.
  - (b) The Lower Thames Crossing project would not be investing money into the roads identified by the Committee, instead it would act as a catalyst for producing a traffic model and ensure the correct dialogue took place between Kent County Council and Highways England for possible future investment into the Kent road network. In reference to comments regarding the A229, Mr Jones acknowledged the current congestion issues and said that one of the objectives was to ensure that the RES2 period coincided

with the Lower Thames Crossing proposal period which would perhaps prompt the review and feasibility work for the A229 corridor.

- (c) The Dartford tunnel was considered to be performing below the capacity required in order to withstand the pressure of 170,000 vehicles per day. The proposed Lower Thames Crossing would lessen the pressure on Dartford Crossing and divert 40% of the traffic which was primarily Heavy Goods Vehicles (HGV's). The Lower Thames Crossing would also be a category A tunnel which would permit larger vehicles with abnormal loads using the crossing without an escort.
  - (d) Mr Jones agreed to revise the map and provide clarity of borders between Dover and Folkestone.
  - (e) Mr Jones advised the Committee that the issues concerning the toll charge for foreign lorries was an operational issue for Highways England and advice had been sought from Government regarding Highways England's authority to stop and check the vehicles. Highways England was reviewing the possibility of digital tracking systems that could be built into the road network.
  - (f) Upon completion of the work, the land would be handed back to property owners and was a matter for Kent County Council.
  - (g) Mr Jones assured the Committee that 'yes' and 'no' responses to the Lower Thames Crossing consultation were not discarded, however, in order for the Secretary of State to form a decision as to whether the Lower Thames Crossing could be built, the responses to the consultation required greater sustenance around the design implications.
  - (h) Mr Jones welcomed the invite from Mr S Holden to attend the HGV sub-group.
3. Mrs Stewart assured the Committee that Joe Ratcliffe (Transport Strategy Manager) and Nola Cooper (Senior Transport Planner) had captured all comments from Members throughout the duration of the Committee and these would be incorporated into Kent County Council's response to Highways England and the final response would be shared with the Committee at an appropriate future date. Mrs Stewart drew Members attention to the impact that the Lower Thames Crossing would have on Shorn Country Park which was one of Kent County Council's assets and a request to safeguard this had also been included within the response.
4. RESOLVED that the information set out in the presentation and given in response to comments and questions be noted.

### **130. Performance Dashboard**

*(Item 8)*

*Richard Fitzgerald (Business Intelligence Manager, Performance, Strategic Business Development & Intelligence) was in attendance for this item.*

1. Mr Fitzgerald introduced the Performance Dashboard which showed progress made against targets set for Key Performance Indicators (KPIs) up to the end of September 2018.
  - (a) In response to concerns regarding the target concerning 'municipal waste converted to energy' and the inclusion of the Allington site within the targets, Mr S Jones (Director of Highways, Transportation and Waste) acknowledged the associated costs linked to the recycling rates at Allington and agreed to review the performance measures.
  - (b) Mr Jones (Director of Highways, Transport and Waste) informed the Committee that prior to the amendment of the pothole contract there was not an incentive to repair the reported faults within the 28-day timeframe which may have caused protracted pothole repairs. Mr Jones assured the Committee that the contract had been amended to ensure all potholes reported by the public were completed within 28 calendar days.
2. RESOLVED that the report be noted.

### **131. Update on Preparedness to Respond to Brexit - Transport, Borders and Emergency Planning**

*(Item 9)*

*Fiona Gaffney (Head of Resilience and Emergency Planning) were in attendance for this item.*

1. Mrs Stewart introduced the report that set out an overview of the plans and work undertaken to date in preparation for potential changes to border arrangements following Brexit. The three key services were Trading Standards, Highways and Transport and Emergency Planning/ Business Continuity, the details of the planning progress to date were set out within Table 1 of the report. Mrs Stewart informed Members that further detail would be presented to Full County Council on 13 December 2018.
  - (a) In response to concerns regarding the possible closure of the M26 and the resilience of the local road network, Mr Whiting (Cabinet Member for Planning, Highways, Transport and Waste) said that Kent County Council's expressed wish was that the M26 would not be closed due to the detrimental impact it would inflict upon the local road network and that alternative adequate parking for lorries should be sought. As a supplement

to this, Mr S Jones (Director of Highways, Transportation and Waste) informed the Committee that the A21 was part of the Highways England network and mitigation plans for that network fell within their remit. In reference to the A25, Kent County Council had started to analyse the impact and deterioration on that asset should the traffic conditions change, and a proposal was in the process of being submitted to the Department for Transport (DfT) which identified the mitigating actions required in the necessary event of the M26 road closure.

- (b) In response to Members request for an all Member briefing, the Chairman agreed to liaise with the appropriate officers to ensure a Member Briefing be held in January 2019.
- (c) With regards to business continuity, Mrs Gaffney assured Members that Kent County Council was using a phased approach to ensure full engagement with all its stakeholders and partners agencies. The first phase included planning and preparation work to ascertain the impact on local communities in terms of business resilience and the impact on areas such as supply chains. The second phase would be to review the operational activity required. National communications had started to be issued from Central Government regarding the actions that would need to be implemented immediately. Kent County Council would then move to a command and control phase and work in conjunction with partner agencies to understand the intelligence received from Central Government and how Kent's command and control resource structures could be optimised. The fourth phase would be the recovery of Kent post Brexit which Kent County Council would take the lead on.
- (d) Mrs Stewart assured Members that the Kent Resilience Forum (KRF) had been actively developing contingency plans and testing assumptions and proposals. The Membership of the KRF had extended significantly and a range of different scenarios and durations of disruptions were being considered, including the impact on critical supply chains such as medicines and ensuring these were safeguarded in the event of a serious disruption. Mrs Stewart advised Members that a definite proposal could not be met until a final ministerial decision had been taken regarding the outcome of Brexit.
- (e) Mrs Gaffney informed the Committee that there were Port Resilience Groups established to look at the wider impact of Brexit, however, the details of specific areas concerning Kent's ports sat within the remit of the Department for Transport.
- (f) In response to concerns regarding Government funding, Mrs Gaffney said that a threat and risk assessment was being used to monitor and identify the possible pressures presented to partner agencies as a result of Brexit.

The evidence would then be used to form a joint bid to the Ministry of Housing, Communities and Local Government for additional funding should the opportunity present itself. Further information regarding funding would be presented in the report to Full County Council on 13 December 2018.

- (g) With regards to additional resources, Mrs Gaffney confirmed that areas that required additional resources had started to be identified through the business continuity plan. The existing National Memorandum of Understanding set out the regions responsibility to respond should Kent County Council require additional resources from other councils and discussions had already taken place.

2. RESOLVED that the report be noted.

**132. Kent Minerals and Waste Local Plan 2013 - 2030 Early Partial Review, Kent Mineral Sites Plan and revised Local Development Scheme**  
(Item 10)

*Sharon Thompson (Head of Planning Applications Group) was in attendance for this item.*

1. Mr H Rayner proposed, seconded by Mr P Messenger that Mr S Holden was nominated as the Chairman for the Minerals and Waste Local Plan item.
2. Mr M Balfour and Mr M Payne left the meeting and took no part in the discussion of this item.
3. Before the commencement of the discussion, Ms Thompson informed Members that they should have received a copy of the following representations:
  - Representation from the Ryarsh Protection Group in respect of the M8 West Malling site
  - Representation from the Whetsted Residents in respect of the M10 and M13 sites at Stonecastle Farm
  - Representation from the Brett Group, the promoter of the M2 Lydd Quarry Site; and
  - Representation from Borough Green Sandpits, the promoter of the M8 West Malling Site in the form of a legal opinion dated 27 November 2018 from Landmark Chambers
4. Ms Thompson proceeded to the report which provided an update on the Kent Minerals and Waste Local Plan work following the Council's adoption of the Kent Minerals and Waste Local Plan (KMWLP) 2013-20 in 2016. The KMWLP committed Kent County Council to prepare a Minerals and Waste Sites Plan to meet the needs that had been identified in the adopted Plan. The report

proposed two pre-submission draft local plans, (as set out in appendix 1 and appendix 3 of the papers) one for the Kent Minerals Sites Plan, used to identify sites considered as suitable in principle for the allocation of minerals development; and the other was the Pre-submission Draft of the Early Partial Review of the Kent Minerals and Waste Local Plan which addressed the changes proposed to the waste strategy and the safeguarding policies. The report also included an updated Local Development Scheme to reflect the changes to the programme and timetable concerning the Early Partial Review and preparation of the Minerals Sites Plan.

5. Ms Thompson acknowledged the late representations and in response provided the following information:

(a) The Ryarsh Protection Group (RPG) – the RPG report circulated had previously been sent to officers and had been taken into consideration in the detailed technical assessment work. A copy was included in Appendix 2 of the papers. She also drew attention to a petition that the local MP had submitted to the House of Commons. It has 3615 signatures urging the County Council not to allocate the site for quarrying. It was noted that the site was not allocated in the Pre-submission Draft Minerals Sites Plan due to conflict with green belt policy.

(b) M10 Moat Farm and M13 Extension to Stonecastle Quarry – the concerns raised by local residents were valid planning considerations that had been incorporated in the Detailed Technical Assessment work. There was however, no overriding grounds to conclude that the sites were unsuitable for allocation in the Pre-submission Draft Minerals Sites Plan, subject to meeting development management criteria at the planning applications stage. The Draft Minerals Sites Plan (Appendix 1) identifies the relevant criteria.

(c) The Brett Group, promoter of the M2 Lydd Quarry Site – the site was not allocated in the Pre-submission Draft Minerals Sites Plan as a result of likely unacceptable impacts upon the surrounding Special Protection Areas (SPA), the Special Area of Conservation (SAC), the Ramsar Site and the Site of Special Scientific Interest (SSSI). Ms Thompson advised that the site has attracted an objection from Natural England, the Government's advisor on these matters. In addition, she drew attention to the impact on the historical setting of Lydd and in respect of parcel 23 (Allens Bank), the unacceptable impacts upon archaeological interests.

(d) Borough Green Sandpits, promoter of the M8 West Malling Site in the form of a legal opinion - Ms Thompson informed the Committee that legal advice had been received from the promoter of the West Malling site (Ryarsh) late on the 27 November 2018 that advised that in the promoter's view the interpretation of Green Belt policy which had led to the site not being

allocated in the Pre-Submission Draft of the Mineral Sites Plan was flawed and should be reconsidered before the allocation process progresses. Not to do so would in its view render the Sites Plan unsound. In light of this the promoter suggested that the County Council removed the Kent Minerals and Waste Local Plan item from the agenda in order to carry out further investigation. As a result of the late submission, Ms Thompson in consultation with Legal and Democratic Services, circulated a revised version of the recommendation which referenced the additional representations.

(e) Ms Thompson advised the Committee that the Ryarsh site was for the purposes of Green Belt policy 'inappropriate development'. Such development can only be allocated where there are very special circumstances necessary to justify the inappropriate development within the Green Belt. In this instance there were no overriding special circumstances that justified allocation of the site. Kent County Council had identified an alternative site (Chapel Farm, Lenham) that could meet the soft sand requirements and was acceptable in principle for mineral development. Ms Thompson informed Members that legal advice had been sought in respect of the promoter's opinion and would be presented to the Cabinet in advance of its consideration of the Mineral Sites Plan on 3 December 2018 and County Council on 13 December 2018. The latter is responsible for approving the Draft Plans to a statutory period for representation and submission to the Secretary of State for independent examination.

6. In response to questions, Ms Thompson commented as follows:

(a) Members sought clarification regarding the approach taken in the green belt assessment of the West Malling site. Ms Thompson advised that the National Planning Policy Framework set out the Government's policy on Green Belt and that mineral extraction was not inappropriate development, providing it did not conflict with the purpose of the green belt or impact upon openness. Officers had considered all components of the proposed development – extraction, backfilling with inert waste and the ancillary activities normally associated with mineral development against green belt policy. The approach followed advice from the Local Plan Inspector who considered the Kent Minerals and Waste Local Plan in 2015 and that the mineral extraction considerations related to the taking of the material from the ground. The work concluded that elements of the West Malling site were inappropriate. In her view, if the assessment had included the extraction and the ancillary activities together, then the outcome of the decision on the green belt would have still drawn the same conclusion in that the extraction, along with the ancillary activities would have impacted upon openness.

(b) Mrs S Hamilton (Member for Tunbridge Wells Rural) attended the meeting and raised the following points in relation to the Moat Farm and Stonecastle Farm Quarry sites:

- Asked that the public received a greater understanding of the process used to identify preferred options for allocation in a pre-submission draft minerals sites plan;
- Welcomed the fact that local residents of Tunbridge Wells Rural would still be able to make representation on the Plan prior to submission of the Plan for independent examination by the Planning Inspectorate.
- Asked that the Committee note the representation and comments from the residents in respect of Moat Farm and Stonecastle Quarry
- Asked that consideration be given to the emerging Tunbridge Wells Local Plan and drew attention to current developments regarding traffic flow and large vehicles on rural roads
- Asked that consideration be given to the proposed entrance that would be situated on the A228 and the impact on traffic congestion and accumulative impact on the local community
- Asked that consideration be given to pollutants and emphasised the need to preserve biodiversity and reduce flood risk.

(c) Mrs S Hohler (Member for Malling North) attended the meeting and raised the following in relation to the West Malling Site and the soft sand considerations:

- Agreed that the assessment process of the site was thorough;
- Agreed that the evidence gathered in the assessment process justified the decision not to allocate the site i.e. level of bunding required to mitigate the inevitable noise pollution, the impact of traffic congestion on the A20 and deterioration on the country roads, the level of dust produced through the extraction process;
- Ryarsh already had two sandpit sites and should not have to accommodate a third;
- Commended the Ryarsh Protection Group who brought their community together; and
- Thanked Mrs Thompson and all Officers involved for their extensive and transparent work

(d) Mr Hills (Member for Romney Marsh) drew attention to the quality and depth of the Local Plan work and welcomed the opportunity for all parties to have an opportunity to give their views at the Local Plan Inquiry. In relation to the Lydd Site, he drew attention to the impacts from climate change which he considered a 'game changer' in this location. He also drew attention to sea level rises, potential saline incursion, flood risk, impact upon local residents and that the potential traffic movements would

be devastating to the Marsh, He recognised the impact upon local jobs. In his view, there is an alternative to take shingle from the sea.

- (e) Mr Whybrow (a member of the Informal Member Group for the Plan work) welcomed the decision not to proceed with the Dartford cases, given access and open space considerations. Mr Ozog supported this view and advised that the existing Joyce Green Farm Site, Dartford had not been worked for many years.
- (f) Assurance was sought that opportunities to use the river for the Moat Farm and Stonecastle Farm sites should be explored.
- (g) Clarity was sought regarding the difference between soft sand and silica sand and why silica sand had not been referenced within the proposed Mineral Sites Plan. Ms Thompson informed the Committee that Silica sand was not referenced, as the adopted Kent Minerals and Waste Local Plan clearly set out the planning considerations required for submitting an application for silica sand. Unlike soft and sharp sand, the policy did not require the allocation of sites in a Sites Plan. Ms Thompson assured Members that there were no proposals to change the silica sand application criteria as part of the sites plan work.
- (h) In response to concerns regarding the extension of the existing Stonecastle Farm Quarry and its capacity as a minerals site within green belt policy, Ms Thompson advised that mineral from the Stonecastle Farm extension site would be processed through an existing plant which benefited from an existing planning permission already tested against green belt policy. Ms Thompson assured the Committee that the site had been promoted both directly and in the case of the Moat Farm with support from an international mineral company which supported the view that the mineral was a viable deposit.
- (i) Ms Thompson assured the Committee that the nine sites that were subject to the Detailed Technical Assessment, along with the other sites submitted in response to the 'call for sites' in 2106 did not have a Kent County Council land ownership interest.
- (j) Concern was raised that in the case of the Dartford sites, the map base used to identify potentially affected residents as part of the earlier public consultation was not up to date. In response, Ms Thompson accepted that the Ordnance Survey map base initially used did not include recently constructed new homes. However, she assured Members that as soon as the issue was identified, immediate action was taken to rectify the matter and an extension of the consultation period was given to the community affected. She assured Members that the views of the Dartford local

residents were reflected within the Minerals and Waste Local Plan work before the Committee.

(k) Members paid tribute to the officers for their work and commended the local communities for their commitment in ensuring their voices were heard.

7. Mr Holden advised the Committee that a revised recommendation had been circulated to the Committee which reflected the late representations referred to above. He advised that the Council's legal advice in response to the matter raised by the promoter of the West Malling site (M8) would be considered by Cabinet on 3 December 2018. The intention then was for the Local Plan work to be reported to County Council on 13 December 2018 for consideration and approval to publish the Pre-Submission Drafts Plans for a further period of public consultation and to submit the Draft Plans to the Secretary of State for independent examination.

8. RESOLVED that the committee:

1. Noted the additional representations from

(a) Brett Group, the promoter of the M2 Lydd Quarry Site;

(b) Local resident on behalf of Whetsted Residents in respect of the M10 and M13 sites at Stonecastle Farm;

(c) Ryarsh Protection Group in respect of M8 West Malling Site; and

(d) Borough Green Sandpits, the promoter of the M8 West Malling Site in the form of legal opinion dated 27<sup>th</sup> November 2018 from Landmark Chambers

and that the County Council is seeking legal advice in respect of the legal opinion referred to in (1)(d) above to inform the consideration of the Pre-submission Draft of the Minerals Sites Plan in advance of the report being considered by Cabinet.

2. consider and endorse, or make recommendations to the Cabinet Member responsible for the Minerals and Waste Local Plan on the proposed:

(a) Pre-submission Draft of the Kent Mineral Sites Plan;

(b) Pre- submission Draft of the Early Partial Review of the Kent Minerals and Waste Local Plan; and,

(c) the updated Local Development Scheme (revised timetable) to reflect changes to the programme and timetable concerning preparation of the Local Plan work.

3. note that the decision to approve the Pre-submission Drafts Plans for submission to the Secretary of State for independent examination is a matter for County Council; and
4. request the County Council to:
  - (a) Approve and publish the Pre-Submission Drafts of the Kent Mineral Sites Plan and the Early Partial Review of the Kent Minerals and Waste Local Plan for a statutory period of representation and to submit the Draft Plans to the Secretary of State for independent examination; and,
  - (b) delegate powers to the Corporate Director for Growth, Environment & Transport to approve any non-material changes to the Mineral Sites Plan and Early Partial Review of the Kent Minerals and Waste Local Plan in consultation with the Deputy Leader prior to their publication and during their examination.

### **133. Kent & Medway Energy & Low Emissions Strategy - Emerging evidence and priorities**

*(Item 11)*

*Carolyn McKenzie (Head of Sustainable Business and Communities) and Deborah Kapaj (Sustainable Estates Programme Manager, Sustainable Business and Communities) were in attendance for this item.*

1. Mr M Payne (Deputy Cabinet Member for Planning, Highways, Transport and Waste) introduced the report which provided an update on the development of a Kent and Medway Energy and Low Emissions Strategy and the emerging priorities within the TRI-LEP Energy Strategy to which the Kent and Medway Strategy would contribute to.
2. Mrs C McKenzie presented a series of slides which set out the strategic framework, themes, actions and technical interventions of the Energy and Low Emissions Strategy and the next steps for Kent and Medway in the development of the TRI-LEP Strategy.
  - (a) In response to queries regarding the Governments policy on Energy Performance Certificates (EPC) and the illegality of selling or renting out properties that breached the minimum E rating requirement, Mrs McKenzie said that the cost of insulation was entirely dependent on the building type, however, this was a demand placed on both privately and commercially owned properties. Kent County Council worked in partnership with the Associate of Landlords and other key stakeholder groups to ensure that the policy targeted the correct properties that could benefit from a more energy efficient model and lobbied against Government to safeguard the

properties that would not benefit from the policy. Mrs McKenzie informed the Committee that landlords could apply for funding through the Low Carbon Across the South East (LoCASE) programme which helped to make businesses more profitable whilst protecting the environment and encouraging low carbon solutions. However, the funding was only available for shared spaces and could not be accessed by the resident themselves.

- (b) Members queried whether Kent County Council had applied for the Governments grant scheme for electric vehicle charging infrastructure, Mrs McKenzie said that Kent County Council had secured funding for 30 electric vehicle charging points which had been located on Council owned estates across the districts. Kent County Council was in the process of extending the charging points and a bid had been submitted to the Office of Low Emission Vehicles (OLEV) in conjunction with the districts. Kent County Council had also been approached by On-street residential ChargePoint providers who were due to present to the cross-party working group. A workshop was also due to be held to identify Kent County Council's role in respect of the electric vehicle charging points and how best to assist. As part of the European Regional Development Fund Kent County Council launched an electric vehicle scheme for black taxi companies which encouraged drivers to switch towards an energy efficient vehicle. Mrs McKenzie agreed to send Members a copy of the taxi scheme.
- (c) Mrs McKenzie confirmed that the Energy and Low Emission Strategy would be delivered within the expected timescale.
- (d) In response to concerns regarding what would happen if the District Council's did not ratify the strategy and what had been done to encourage partnership working, Mrs McKenzie said that there was a working group for the strategy that was linked to the Kent and Medway Air Quality partnership, on which the District Council representatives sat. The discussions of that working group were focused on the commonalities of the strategies and identified actions that should be dealt with on a strategic or local level. Whilst Kent County Council could ratify the elements owned by the local authority, the process required to be undertaken by the Districts would be extensive as they held greater ownership over specific parts of the strategy.
- (e) Mrs McKenzie said that there would be measures included within the strategy, however, it would be difficult to measure the strategies success in relation to the number of lives saved. Kent County Council was working in conjunction with Public Health to generate an evidence-based data set that captured a range of statistics from public health sectors to map where the risks were more prominent.

3. RESOLVED that the:

(a) progress in and proposed timelines for the development of the strategy;  
and

(b) the themes and Project Models proposed in the TRI-LEP Energy Strategy outlined in Section 3, and their relevance to the Kent and Medway Strategy,

be noted.

### **134. Key Street and Grovehurst Road Junction Improvements, A249**

*(Item 12)*

*Andy Moreton (Senior Project Manager) was in attendance for this item.*

1. Mr M Whiting (Cabinet Member for Planning, Highways, Transport and Waste) introduced the item which provided an update on the Swale Transport Infrastructure proposals. Further work had been commissioned to develop the full business case which would be submitted to the Ministry of Housing, Communities and Local Government on 1 March 2019 as part of the Housing Infrastructure Fund (HIF) bid.
2. RESOLVED that the progress made to date on the preparation of the full business case for submission to the Ministry of Housing, Communities and Local Government as part of the Housing Infrastructure Fund (HIF) bid, be noted.

### **135. 18/00064 - A28 Thanet - Road Asset Renewal and Strengthening Works**

*(Item 13)*

*Alan Casson (Strategic Asset Manager, Highways, Transportation and Waste) was in attendance for this item.*

1. Mr A Casson introduced the report which outlined the proposals to proceed with urgent road maintenance work to renew and strengthen the road surface of the A28 in Thanet between Birchington and Margate. Funding of £2.5 million had been allocated in the 2019/20 Medium-Term Financial Plan to carry out the required work. The scheme would commence in April 2019 for around two months and would take place before the holiday season to avoid the peak holiday traffic.
  - (a) In response to queries regarding the phasing of the work, Mr Casson said that work was being carried out to determine the stability of the road structure, however, the phasing of the scheme would require more detailed planning subject to approval from the Committee.
2. RESOLVED that the proposed decision to:

- (a) renew and strengthen the A28 road surface between Birchington and Margate; and
- (b) delegate to the Corporate Director of Growth, Environment & Transport, under the Officer Scheme of Delegations, to take further or other decisions as may be appropriate to deliver the scheme in accordance with these recommendations,

be endorsed.

### **136. 18/00007 - Revision of the Rights of Way Improvement Plan**

*(Item 14)*

*Graham Rusling (Public Rights of Way and Access Service Manager) and Denise Roffey (Countryside Access Improvement Plan Officer, Public Rights of Way & Access Service) were in attendance for this item.*

1. Mr M Hill, OBE (Cabinet Member for Community and Regulatory Services) introduced the report which set out the revised Rights of Way Improvement Plan following feedback received as part of the public consultation process and sought the Committees approval to adopt the final version.
2. Mr G Rusling paid thanks to Mrs D Roffey for the extensive work carried out as part of the Rights of Way Improvement Plan review and informed Members that, if adopted, the plan would shape the work of the service over the coming decade.
  - (a) In response to concerns regarding the availability of an interactive Rights of Way Map, Mr Rusling said that an interactive map was available on the Kent website, however, this could not be used as the definitive map due to subsequent amending orders and therefore carried with it a disclaimer to explain that the online map was not the legal record. Therefore, the definitive map could only be held in its original paper form. Mr Rusling explained that there was also a number of publicly maintained highways in Kent that did not feature on the definitive map and statement. Due to such inconsistencies, constituents were encouraged to liaise with the Public Rights of Way and Access Service, along with the Kent Highways and Transportation team, prior to taking any action.
3. Mr M Balfour commended the work of the volunteers and Farmers who assisted the Rights of Way Access Service in keeping public footpaths clear.
4. RESOLVED that the proposed decision to adopt and publish the Rights of Way Improvement Plan 2018, be endorsed.

### **137. Bus Summit - Big Conversation Update**

*(Item 15)*

*Rob Clarke (Commissioning Programme Manager) and Phil Lightowler (Head of Public Transport) were in attendance for this item.*

1. Mr M Whiting (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report which provided an update on the Bus Summit event held on 30 October 2018, the five pilot schemes and the next steps for delivering each of the pilots.
2. Mr Clarke provided a brief summary on the development of the pilot schemes and referred the Committee to Appendix A of the report which outlined the benefits and key features within each of those pilots. The next step included extensive engagement through working groups with local county Members, parish councils and local community groups to ensure all feedback from each of the localities fed into the final design proposals prior to approval in January 2019. The pilot mobilisation would then commence in February 2019, followed by pilot commencement and review from 1 June 2019.
  - (a) Mr Clarke confirmed that the cost of the consultation was between £75,000 to £80,000.
  - (b) In response to questions raised regarding free bus passes, Mr Clarke informed the Committee that registered and timetabled services would facilitate free bus passes. If the service was provided through an unregistered company, the user group would need to submit a business case.
  - (c) Mr Lightowler assured the Committee that following the withdrawal of three contracted bus services within Thanet, Kent County Council had put in place mitigating actions to ensure alternative means of transport were available. There was a four-week consultation period within Thanet, held at a number of venues at various times in the day to ensure user groups within Thanet had the opportunity to voice their concerns and receive confirmation of the alternative service number. Kent County Council was working in conjunction with Stage Coach to promote the Big Conversation and its public engagement events.
  - (d) In response to concerns regarding competitor awareness and engagement, Mr Lightowler said that prior to the Big Conversation there were a number of market engagement events which helped to determine the main providers within the local areas. The evaluation of the commissioning process would then help to determine the best procurement method to drive competitive rates amongst interested parties. Alternatively, if Kent County Council was successful in identifying a community transport provider who could run a timetabled service, this would also be encouraged.

3. Mr Whiting paid thanks to the Members for their involvement in the Big Conversation and the support they had given in their capacity as local members
4. RESOLVED that the report be noted.

**138. Work Programme 2019-20**

*(Item 16)*

RESOLVED that the Work Programme be noted subject to the inclusion of the following items:

- (a) A factual report on the progress of the Manston Airport Development Consent Order
- (b) A progress report on the freight only ferry resilient service into Ramsgate
- (c) A review of the 20 MHP speed limit

**139. Contract Management/ Procurement - Public Rights of Way Vegetation Clearance**

*(Item 17)*

RESOLVED that the report be noted.