

## KENT COUNTY COUNCIL

---

### **ENVIRONMENT, HIGHWAYS AND WASTE POLICY OVERVIEW AND SCRUTINY COMMITTEE**

MINUTES of a meeting of the Environment, Highways and Waste Policy Overview and Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 10 November 2009.

PRESENT: Mr C Hibberd (Chairman), Mr M Robertson (Vice-Chairman), Mr N J Collor, Mr J Cubitt, Mr M J Harrison, Mr W A Hayton (Substitute for Mr J D Kirby), Mr J F London (Substitute for Mr J R Bullock, MBE), Mr R A Pascoe, Mr W Richardson, Mrs E M Tweed and Mr M Whiting

ALSO PRESENT: Mr D L Brazier and Mr N J D Chard

IN ATTENDANCE: Mr M Austerberry (Executive Director, Environment, Highways and Waste), Mrs C Bruce (Interim Director Kent Highway Services), Dr L Davies (Director, Environment & Waste), Mr R Hallett (Directorate Finance Manager) and Mr G Mee (Director of Integrated Transport Strategy)

*Prior to the commencement of the meeting the Chairman referred to –*

- (a) the Scrutiny role of the Committee and the need for a structure change to the agenda format which might take some time. Members were requested to submit their views/suggestions to Mr Hibberd and items for the Agenda; and*
- (b) the membership of IMGs. Due to a tight timescale an IMG was established to consider the MTP without prior consideration by the Committee as to its membership. The Chairman assured members that, in future, membership of any IMG required would be discussed at Committee, unless exceptional circumstances dictated that an immediate response was necessary.*

### **UNRESTRICTED ITEMS**

#### **1. Minutes of the meeting held on 15 September 2009** *(Item A3)*

RESOLVED that the Minutes of the meeting held on 15 September 2009 are correctly recorded and that they be signed by the Chairman.

#### **2. Cabinet Member's Update (Oral report)** *(Item B1)*

(1) In Mr Chard's absence Mr Austerberry gave a verbal report on the following issues:-

## Kent Highway Services

- Winter Service
- Jetpatcher
- Road Schemes

## Environment

- Interreg Bid
- Kent Goes wild
- Kent Coast Week
- KCC Flood Risk Management Officer

## Integrated Strategy & Planning

- House of Lords South East Transport Summit – 10 November 2009
- SPS Seminar
- Kent International Gateway (road to rail freight interchange at Bearsted)
- County Council Community Development – Recent Permissions
- Kent Minerals & Waste Development Framework

- (2) RESOLVED that the update be noted and a copy circulated to Members of the Committee.

### **3. Financial Monitoring 2009/10**

#### *(Item B2)*

(1) A detailed quarterly budget monitoring report was presented to Cabinet, usually in September, December and March, and a draft final outturn report in June. The reports outlined the full financial position for each portfolio and were reported to POSCs after they had been considered by Cabinet. In the intervening months an exception report was made to Cabinet outlining any significant variations from the quarterly report. The first quarter's monitoring report for 2009/10 was submitted for the information of POSC members.

- (2) RESOLVED that the budget variations for the EHW Portfolio for 2009/10 based on the first quarter's monitoring and August exception reports to Cabinet, be noted.

### **4. Medium Term Financial Plan - Update (To follow)**

#### *(Item B3)*

(1) The report identified the proposed strategy for determining next year's budget and the financial plans for the following two years. This included the latest indications of pressures likely to be faced by the EHW portfolio, suggested areas for service improvements and the savings that might be needed in order to set a realistic three year budget plan.

- (2) Members were asked to review and comment on the overall strategy; the pressures identified for the EHW portfolio; and to identify their priorities for savings if

each portfolio had to deliver a 10% saving on gross expenditure over the next three years.

(3) In light of the national situation outlined in the report a budget strategy based on the following assumptions was proposed:

- A £9m increase in formula grant for 2010/11 from £267m to £276m. Thereafter estimating a 3% per annum reduction in cash terms.
- A reduction in the growth in the council tax base due to additional households from 0.8% in 2009/10 to 0.5% pa for the period of the next MTP
- As low an increase in council tax as possible.

(4) The current budget for the portfolio under the oversight of this POSC was set out in the report, and provided for the following outcomes, outputs and/or service improvements:

- Highways maintenance
- Public transport
- Road safety
- Traffic management
- Waste disposal
- Environment including public rights of way, country parks and heritage and climate change response
- Strategic planning (including transport planning)
- Planning applications

(5) RESOLVED that an Informal Member Group be established by the Chairman (*see opening remarks*), to identify and express relative priorities for services in EHW, giving broad indications of areas or types of savings and efficiencies that it considered could be realistically achieved.

## **5. A Strategy for the Implementation of the Biodiversity Duty** (Item B4)

(1) The paper provided an overview of the NERC Act 2006 Biodiversity Duty and the Kent County Council Strategy developed to implement its requirements. Biodiversity was the diversity, or variety, of plants, animals and other living things in a particular area or region. It encompassed habitat diversity, species diversity and genetic diversity. Biodiversity provided many services fundamental to the quality of life.

(2) In 2006, the Natural Environment and Rural Communities Act (NERC) introduced a new duty on local authorities to have regard to the conservation of biodiversity in exercising their functions. The Biodiversity Duty (Section 40) stated that “Every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”

(3) Kent County Council had already made a commitment to the protection and enhancement of biodiversity through its Corporate Environment Policy 2008. The *Strategy for the Implementation of the Biodiversity Duty* had been prepared to assist

the County Council in realising its obligations under the NERC Act. Details of the targets to be delivered were set out in Appendix 1 to the Strategy.

(4) In the first year of the Strategy, Directorates would be asked to develop action plans to help progress the achievement of the Strategy objectives. 2010/11 Business Plans should include the development of the plans as a target. The Strategy would be reviewed after three years and refreshed in the light of successes, areas for improvement and any new requirements under the Biodiversity Duty.

(5) RESOLVED that Cabinet be recommended to adopt the Strategy, in fulfilment of its duty under the Natural Environment and Rural Communities Act 2006.

## **6. Draft Kent Environment Strategy - Consultation**

*(Item B5)*

(1) The Kent Partnership's Environment Strategy (KES) was under review. The re-draft had recently been endorsed by the Kent Partnership for wider consultation for a 12 week period ending in January 2010. As part of the consultation process, the views of members were sought on the document.

(2) Kent Partnership's Kent Environment Strategy (KES) was first produced in 2003 to underpin and deliver the Vision for Kent. Time lapse and the changing background environment since then meant that a very different document was now needed.

(3) Kent Partnership endorsed the Draft for consultation on 13 October 2009. This consultation document, set out in the Appendix to the report, was effectively an early draft of the Strategy, but in order to help stakeholders understand the evidence and rationale behind the proposals, contained much more information than was proposed for the final Strategy document. Consultees would be asked to identify the top priority 9 objectives they wished the Strategy to include.

(4) A streamlined and focussed KES was therefore proposed. The three key themes identified in the consultation had a high degree of fit with the Regional Economic Strategy, the Vision for Kent and the Regeneration Framework, and were:-

***Prosperity within our environmental limits*** – Leading Kent towards consuming less resources more efficiently, eliminating waste and minimising pollution

***Rising to the climate change challenge*** – Working towards a lower carbon Kent which was prepared for, and resilient to, the impacts of climate change

***Value from our natural and living environments*** – Optimising the real economic and social benefits of high environmental quality while protecting and enhancing the unique natural and built character of Kent.

(5) The consultation covered new ground in terms of measurement of cost-benefit and required genuine feedback to shape the final strategy. Subject to the feedback received, formal adoption of the final Strategy by members of the Kent Partnership and the County Council as part of its own Policy Framework would be sought early in 2010.

(6) RESOLVED that:-

- (a) the Draft Kent Environment Strategy be noted; and
- (b) Members submit detailed comments individually to the lead officer as soon as possible.

## **7. Integrated Transport Strategy - Update (Presentation by Geoff Mee, Director of Integrated Transport Strategy)**

*(Item B6)*

(1) Mr Mee gave a presentation on the Integrated Transport Strategy for Kent. The need for a Strategy for Kent was identified in KCC's framework for regeneration titled *Unlocking Kent's Potential: opportunities and challenges*. Travelling was an essential part of modern lifestyles and good transport connections were vital to support the economy.

(2) Kent was experiencing dramatic change, with high levels of housing and employment planned, both of which would mean more traffic on the transport network and without a dramatically different transport vision and strategy, the growth would result in gridlock. Kent's response was an integrated transport network that promoted and encouraged a wide range of different transport modes. It outlined a range of measures and initiatives which would deliver the integrated transport network but there were five key elements that would need to be in place to ensure success –

- New infrastructure
- Maximising the benefits of high speed 1
- Integrated bus network
- Making public transport travel easier
- Flexible working

(3) The Strategy focussed on a 20 year vision for road, rail, bus, air, sea and sustainable transport systems to support the Regeneration Framework, and consultation would start shortly with a document completed by year end. It would feed into the next round of the Local Transport Plan and created an outline blueprint for local LDFs.

(4) Mr Chard stated that the document was well written and very helpful, addressed all issues of concern. Following debate and various questions from Members, Mr Mee was thanked for a very informative presentation.

(5) RESOLVED that the Strategy, as presented, be circulated for consultation.

## **8. Forward Plan - Review of Plan issued on 2 November 2009**

*(Item B7)*

(1) The Chairman informed Members that the Forward Plan would be a regular item on the agenda for future meetings. It would provide Members with an

opportunity to review the topics and raise any concerns with the Cabinet Member before a decision is taken.

(2) RESOLVED that the report be noted, and reconsidered at the next POSC meeting together with subsequent reports.

## **9. Select Committee - update**

*(Item C1)*

(1) At its meeting on 16 October the Policy Overview Co-ordinating Committee (POCC) agreed that the following topics would form part of the work programme for 2009/10:-

- Extended Schools
- Renewable energy – what should Kent's role be?
- Dementia
- Educational attainment of pupils and schools in areas of high deprivation

If resources allowed there might be a short piece of work on Intergenerational interaction, if this was the case then the POSC would be kept informed of progress.

(2) The only Select Committee topic agreed which partly fell within the remit of this POSC was a topic review on Renewable energy – what should Kent's role be? It was anticipated that the Select Committee would start its work in January 2010. Regular update reports would be submitted to the POSC on the progress of the Select Committee.

(3) RESOLVED that the report be noted.