

KENT COUNTY COUNCIL

ENVIRONMENT & TRANSPORT CABINET COMMITTEE

MINUTES of a meeting of the Environment & Transport Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Friday, 29 November 2019.

PRESENT: Mr M A C Balfour (Chairman), Mr T Bond, Mr D L Brazier, Mr A Cook, Mr N J Collor, Mr S Holden, Mr A R Hills, Mr J M Ozog, Mr B H Lewis, Mr H Rayner, Mr I S Chittenden, Mr R H Bird, Mr M E Whybrow and Mr P W A Lake (Substitute for Mr R C Love, OBE)

ALSO PRESENT: Mrs S V Hohler, Mr M D Payne, Miss S J Carey, Mrs R Binks and Mr P J Messenger

IN ATTENDANCE: Mrs B Cooper (Corporate Director of Growth, Environment and Transport), Mr S Jones (Director of highways, Transportation and Waste) and Mrs K Stewart (Director of Environment Planning and Enforcement)

UNRESTRICTED ITEMS

218. Apologies and Substitutes

(Item 2)

Apologies for absence had been received from Mr A Booth and Mr R Love.

Mr Lake was present as a substitute for Mr R Love.

219. Election of Chairman

(Item 3)

1. The Committee elected Mr Holden as Chairman of the Committee.

Agreed without a formal vote

2. Mrs Holden thanked Mr Balfour for his hard work, commitment and valuable contribution to the Committee in his time as Chairman.
3. Mr Holden expressed his ambitions as the new Chairman which reflected the positive and anticipated changes which were to be adopted by the New Leader of the Council, primarily around the functionalities of the Cabinet Committees and greater Member involvement. Mr Holden proposed that the Committee should develop its own themes to complement and advance the work of the administration, but not to contradict it, nor to repeat the work of Select Committees. In order to pursue such a proposition, Mr Holden suggested that Cross-Party Member Groups be established and put forward the suggested themes:

- (a) Trees
- (b) Plastics; and
- (c) Heavy Goods Vehicles (HGV's) - diverting them off of rural roads and onto more strategic routes

Mr Holden invited Members to contact him directly with themes that could potentially be developed by the Cross-Party Members group.

4. RESOLVED that Mr Holden be elected as Chairman of the Committee.

220. Election of Vice-Chairman

(Item 4)

Mr S Holden proposed, and Mr M Balfour seconded that Mr R Love be elected as Vice-Chairman of the Cabinet Committee. There being no other nominations, this was agreed without a vote.

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

(Item 5)

Mr R Bird declared an interest in item 16 and 17 of the agenda due to a personal interest in flooding matters and would therefore not participate in the discussion of those items.

Mr A Hills declared an interest in item 16 and 17 of the agenda as Chairman of the Kent Flood Risk Management Committee, however, confirmed that he would participate in the discussion of those items.

222. Minutes of the meeting held on 10 October 2019

(Item 6)

It was RESOLVED that the minutes of the meeting on 10 October 2019 are a correct record and that they be signed by the Chairman.

223. Verbal Update

(Item 7)

1. Miss S Carey expressed her enthusiasm in her new role as the Cabinet Member for Environment and provided Members with a brief insight into the anticipated work that would be undertaken within the coming months, including increased Cross-Party Member Working Groups.
2. Mr Payne (Cabinet Member for Highways and Transport) provided a verbal update on the following issues:

International Transtech Awards

The KCC Public Transport Team won the Gamechanger Award for Rural Innovation at the inaugural International Transtech Awards. This was for

the rural electric mobility minibus scheme which has been operating in the Paddock Wood area.

In July Kent County Council teamed up with Renault to introduce their first electric Renault Master minibus in England. This scheme had been operated by Compaid, the charity helped local disabled and vulnerable people to go about their daily lives and the minibus had been specially designed to cater for their needs. Owing to the success of the scheme the Electric Renault Master was due to go on general sale in 2020.

The bus was also able to monitor driver behaviour. Compaid drivers had achieved a gold standard with no instances of harsh braking, speeding, or sudden uncontrolled or excessive manoeuvres. This was a great testament to the quality of operators that Kent Public Transport had available.

Following the success of the trial, and the earlier successful trial of electric buses throughout Kent, which included Fastrack and Canterbury Park & Ride, Kent Public Transport were working on a policy to only procure electric buses as assets from 2021. This would make Kent Public Transport early adopters and pioneers of KCC's electric strategy.

Transport for Southeast (TfSE)

The shadow Sub-National Transport Body, Transport for the South East, was currently out to consultation on its draft transport strategy. The region included sixteen highway authorities from Kent and Medway to Hampshire and the Isle of Wight; an area that had an economic output greater than Scotland, Northern Ireland and Wales combined, and second only to that of London, yet investment in transportation in the region was woefully low. The TfSE draft transport strategy had a thirty-year vision and would assist the vision for clean growth. The proposed Kent County Council response would be brought to the Environment & Transport Cabinet Committee in January 2020.

Gatwick Airport

Kent Highways & Transport had received significant correspondence regarding the plan by Gatwick Airport Limited to upgrade its emergency runway for routine use to assist with their future growth aspirations. KCC's position was that it was firmly opposed to the proposed upgrade or any potential second runway at Gatwick Airport. The routine use of Gatwick's emergency runway would result in a significant increase in aircraft movements, and a potential increase of noise, air quality and other issues affecting the local communities, which would be intolerable. KCC continued to raise its concerns and would be responding formally to the Development Control Order process.

Parish Seminars

Kent Highways Parish Seminars had been well attended throughout the autumn period. The primary focus was around transportation and Parish Highway Improvement Plans. Mr Payne noted that through collaborative working, KCC and the Parish Councils would be able to work together to identify and deliver priorities for Kent's residents. Mr Payne recorded his thanks to the representatives of Kent Association of Local Councils who also attended and spoke.

Recent Weather Events

Kent Highways teams had attended various flooding areas across the county as a result of recent heavy isolated rainstorms. As part of the Live Labs innovation project, which had been reported at previous Cabinet Committee meetings, KCC sought to improve its approach to drainage maintenance and had installed pilot drain sensors as part of that work. The sensors would automatically identify when highway drains required cleansing. The trials would identify whether the technology could be installed on a wider basis.

Winter service

The highways teams continued to keep Kent's roads and residents safe throughout the winter period. Kent Highways had a full salt stock complement of over 23,000 tonnes and during November, there had been five overnight precautionary salting runs.

Road Resurfacing

Kent Highways had delivered £25 million of the £29 million road surfacing programme. The remainder would be delivered in the New Year once the winter season ended.

Street-lighting

The streetlight conversion programme had delivered 120,000 LED street-light conversions, around 2,000 more than the original contract. Conversions would be ongoing as part of KCC's general approach to streetlight maintenance. This would ensure continued energy saving and carbon reduction.

Windmills

KCC had commissioned urgent repair and weatherproofing works to a selection of the KCC windmills during the year 2019/20.

At Drapers Mill, Margate, a combination of weatherproofing works and mechanical repairs were carried out during the late summer. These involved re-tarring the weather-boarded smock tower, removing and repairing the windows and renewing the covering on the museum roof. Mechanical repairs involved vital work to the fantail gearing and the sweep

framing which was preventing the mill from being able to operate by wind power.

At Meopham Mill, essential holding repairs to the doors and windows at all levels had been undertaken throughout the autumn. Major structural repairs were required and, subject to funding, these would commence next summer.

Following weather damage to the shutters in its sweeps, urgent works were carried out at Cranbrook Union Mill during October. These were successfully done using rope access techniques to avoid the expense of a mobile access platform or cherry picker.

At West Kingsdown Mill, a programme of emergency and urgent weatherproofing works had been commissioned. The work carried out would safeguard the structural timber frame by renewing the weatherboard cladding and windows. A start was made during November and the work was due to be completed in March and April 2020.

3. Cabinet Members responded to comments and questions as follows:

- (a) Mr Payne confirmed that the policy for procuring electric buses was in reference to KCC's own fleet of assets and this would be carried out with the input from Miss Carey (Cabinet Member for Environment) as part of the Energy and Low Emission Strategy.
- (b) Mr Lewis commended the work of officers for the work carried out within Margate to mitigate and reduce flooding.
- (c) With regard to the discolouration of paint on Cranbrook Mill, this was primarily due to the ridged weather boarding which caused bacteria to collect and as a result led to the discolouration.
- (d) In response Members queries as to whether the drainage sensors would be an addition to the scheduled maintenance programme or a replacement for it, Mr Payne confirmed that the pilot of the drain sensors was in its infancy and that more data needed to be collected to ascertain whether the pilot had been successful and whether the technology could be installed on a permanent basis.

224. Kent & Medway Energy and Low Emissions Strategy - consultation response and next steps
(Item 8)

Carolyn McKenzie (Head of Sustainable Business & Communities) was in attendance for this item.

1. Miss Carey (Cabinet Member for Environment) and Ms McKenzie introduced the report that outlined the results of the Energy and Low Emission Strategy public consultation which was carried out from 1 July 2023 September 2019. The report set out the proposed responses and suggested alterations to be made to the Strategy for the consideration by the Environment and Transport Cabinet Committee and also set out the next steps for the approval of the Strategy by early 2020.
2. The officer responded to comments and questions as follows:
 - (a) Mrs B Cooper (Corporate Director for Growth, Environment and Transport) responded to comments regarding bus services within Thanet and clarified that there was a proposal put forward which was reversed and as a result KCC carried out the Big Conversation which looked at specific routes (Dover, Sevenoaks, Tenterden, Maidstone and West Malling). An update report on the outcome of those bus pilots would be presented to the Committee at a future date which would identify the impacts of those pilots and help to shape bus provision in the future. Within Thanet, Mrs Cooper confirmed that changes had been made to the bus route, however, there were no cuts to the service.
 - (b) In response to comments concerning appropriate resources and the promotion of work carried out by Ms McKenzie's team, Miss Carey informed Members that discussions had taken place around appropriate resourcing to support the extensive amount of work carried out by the Environment, Planning and Enforcement directorate and this would be incorporated into the budget setting process. Miss Carey tackled the misconception that Kent County Council had failed to make positive environmental changes and noted its successes stories since 2016, including the £40m LED conversion project and reduction in waste to landfill from 40% to 2%. KCC had made tremendous improvements and would continue its efforts to deliver clean growth.
 - (c) In relation to applying further pressure to those areas and elements that sat outside of KCC control, such as maritime and aviation, Mr Payne informed Members that he attended the Maritime Straits Conference, in conjunction with partners throughout 10 other European countries and signed a joint declaration for the low carbon transition within the maritime industry. Mr Payne informed Members that the Energy and Low Emission Strategy had been produced as a result of the passage project and thanked Ms McKenzie along with her team for their excellent work.

3. It was RESOLVED that the proposed response to the feedback from the public consultation (and alterations if appropriate) and next steps for formal agreement of the strategy in early 20202, be noted.

225. Performance Dashboard

(Item 9)

Rachel Kennard (Chief Analyst) and David Beaver (Head of Waste Management) were in attendance for this item.

1. Ms Kennard introduced the report that showed progress made against targets set for Key Performance Indicators (KPIs) up to September 2019. Eleven of the eighteen KPIs achieved target and were RAG rated green, seven KPIs were below target but had achieved floor standard and had therefore been RAG rated amber.
2. Officers responded to comments and questions as follows:
 - (a) With regard to improvements to be made from the service, Mrs Cooper (Corporate Director for Growth, Environment and Transport) informed the Committee that the indicators were presented to Members on an annual basis for review.
 - (b) In response KPI WM03: Waste recycled and composted at HWRC's and reduced recycle rates, Mr Beaver informed Members that there had been a reduction in the floor target from 67.3% to 64% following the recent change of policy to start charging for soil, rubble, hardcore and plasterboard. Mr Beaver confirmed that the recycled rate was measured against the non-recycled rates (residual tonnes) and as a result of the loss of soil, rubble, hardcore and plasterboard as a recyclable material, recycling rates at the HWRC's had also reduced. The intake of soil, rubble, hardcore and plasterboard had reduced from 38,000 tonnes to around 9,000 tonnes in 2019. Mr Beaver informed Members that the intention was to review the KPIs with Members to ensure they reflected realistic targets.
 - (c) Mr Beaver informed the Committee that there had been an increase in the application of licenses for skips by 45% and said that trade waste had increased by 1.7%.
 - (d) In response to fly tipping, Mr Beaver said that the policy had been in situ for 6 months and confirmed that there had not been an increase in the number of fly tipping incidents reported from District Councils. As a result of the policy, members of the public had started to re-use the materials or sell it, all of which supported KCC's objective to reduce the amount of material deposited at Household Waste Recycling Centres

and promoting alternative means of disposing materials in a sustainable but appropriate way.

- (e) With regard to concerns around the negative financial impact on KCC, Mr Beaver assured Members that any form of waste reduction represented a cost saving for the authority. There were very few materials that generated income for KCC as a vast majority of recyclable materials, including glass, cans and plastic had a significant cost attached to them as they needed to be processed in a particular way in order for them to be re-used/ sold. The price for many of the materials was volatile and subject to global commodity prices, with materials such as paper and card costing around £75 per tonne, however, most authorities were paying £6 per tonne as the global market had ceased to take the material.
- (f) In response to the cost of soil, rubble and hardcore, Mr Beaver confirmed that it cost £20 plus per tonne as the cost of haulage, processing at HWRC's and manpower to deliver the service needed to be factored in.

3. It was RESOLVED that the Performance Dashboard report be noted.

226. Strategic Delivery Plan Monitoring: Quarter 2 2019/20
(Item 10)

David Firth (Policy Adviser) and Shannon Ryan (Business Planning Officer) were in attendance for this item.

- 1. Mr Firth introduced the report which provided an overview of the Council's Strategic Delivery Plan Monitoring arrangements and the analysis and emerging themes from Quarter 2 2019/20 Strategic Outcome 2 activity submissions. Mr Firth noted the importance of ensuring that the Strategic Delivery Plan was structured correctly, both as a management tool and also for Member oversight. The Quarter 2 analysis identified that of the 30 Strategic Outcome 2 activities, only 2 of those were not on track and had been considered by Growth, Economic Development and Communities Cabinet Committee. Mr Firth advised Members that the report would be presented to the Committee in six months' time and welcomed comments from Members.
- 2. It was RESOLVED that the Strategic Delivery Plan Monitoring arrangements and the analysis and emerging themes from Quarter 2 2019/20 Strategic Outcome 2 activity submissions, be noted.

227. 19/00085 - Thanet Parkway Railway Station - Delivery
(Item 11)

Joseph Ratcliffe (Transport Strategy Manager), Tom Marchant (Head of Strategic Planning and Policy) and Stewart Fowler (Principal Transport Planner) were in attendance for this item.

1. Mr Payne (Cabinet Member for Highways and Transport) introduced the report that set out the progress to date on the proposed Thanet Parkway Railway Station and explained that Kent County Council (KCC) would commit up to £17.81m to complete the funding package for the scheme (£34.51m) which would secure a significant contribution (£14m) of Local Growth Fund (LGF) money from the South East Local Enterprise Partnership (SELEP) and it would enable the scheme to be delivered. Following completion of the outline design and submission of a revised planning application, the next stage of the project was to undertake detailed design, and subject to planning determination, to progress onto the delivery stage of the scheme. A decision to progress with the delivery of the scheme was required to ensure no further delay to the project programme and to allow for the spend of LGF money by the end of the Growth Deal Period (March 2021). The final decision to progress with the project would be taken to Cabinet on 2 December 2019.
2. Mrs Stewart (Director of Environment, Planning and Enforcement) informed the Committee that an Executive decision was required in order to deliver the project in the anticipated timescale. and avoid the risk of losing the £14m SELEP funding. Mrs Stewart advised Members that if this deadline was missed it was unlikely that the £14m investment would be available at a future date.
3. Mr Ratcliffe advised Members that the Thanet Parkway Railway Station had undergone a number of design iterations and two planning applications had been submitted. The first planning application submitted in 2018 had been withdrawn due to significant design changes to the scheme and a new Planning Application was submitted in the week commencing 11 November 2019. The newest application was in the process of validation as part of the Planning Applications Group remit; any emerging planning issues would then fall to the Planning Applications Group and Planning Applications Committee to determine.
4. Mr Ratcliffe informed The Committee that the Business Case had been through a vigorous assessment process by SELEP's Independent Technical Evaluator. As a result of that process, officers had produced a revised Business Case which contained the new cost estimate; the details of which were reflected within the Committee report. Mr Ratcliffe confirmed that the revised Business Case and associated costs of the project were due to go through a final validation process, however, the feedback

received from KCC's Consultancy Team was that Thanet Parkway Railway Station represented very high value for money.

5. The Chairman welcomed Mrs Binks and Mr Messenger to address the Committee in their capacity as the local Members for Thanet.
6. Mrs Binks (Member for Broadstairs) raised the following points: -
 - (a) Schools were the primary cause of traffic concerns in Thanet
 - (b) Thanet had seven stations already in existence that needed significant upgrades, including the network rail upgrade of the HS1 which would significantly improve travel time, the Thanet Parkway Railway station would offer no further benefit
 - (c) Commuters from Birchington and Westgate would be encouraged to drive a further 10 minutes to Thanet Parkway Station in order to reduce their train travel time by 14 minutes. However, the train journey for those commuters using the existing town stations would remain the same
 - (d) There was concern in Thanet that the existing stations, which were better situated for commuter use, would become underused and eventually close. This would, mean that those who travelled by train would have to drive further, through a congested road infrastructure network, to access the Thanet Parkway Station. Should that happen, the closure of the existing town centre stations would have a detrimental impact on the visitor economy
 - (e) Thanet Parkway Station was ill-planned with two basic platforms, no toilets a lack of security and no staff to assist vulnerable or disabled passengers
 - (f) If the parking facility was not free, this would have a detrimental effect on the residential estate on the south side of the railway as commuters may leave their cars parked in the housing estate and use the subway to the station
 - (g) Commuters may have to drive to Thanet Parkway Station due to the reduced bus service from Cliffsend
 - (h) Thanet was amongst one of the highest built on areas within the county, Thanet Parkway Station would potentially encourage additional developments to be built on nearby agricultural land

Mrs Binks concluded that Thanet would welcome a quicker connection into London, however, this would only be achieved through an upgrade to the

rail network. Whilst acknowledging that that investment should not be turned away from Thanet, she stated that public money needed to be spent in the correct way to benefit those living and working in Thanet.

7. Mr Messenger (Member for Ramsgate) raised the following points: -

- (a) The variance and increase in the projected cost created uncertainty in the project's long-term viability
- (b) In 2017 KCC conducted a consultation on the Thanet Parkway Station asking residents whether they agreed or objected to the scheme, out of 355 responses only 34% said yes
- (c) Mr Messenger had conducted an online survey which asked the residents of Thanet whether they wanted a further rail station; out of the 256 respondents, 226 were opposed to the station and 49 were in agreement.
- (d) There would only be a reduction in travel time by 10 minutes. Thanet had seven stations already in existence that needed significant upgrades, including the network rail upgrade of the HS1 which would significantly improve travel time
- (e) A carpark should not be the basis of encouragement for extra rail usage in a time when carbon reduction should be the primary concern
- (f) With regard to aviation plans from Manston airport, the existing Ramsgate station was the perceived favourable option for both freight and passenger facilities for the airport
- (g) Thanet was amongst one of the highest built on areas within the county, Thanet Parkway Station would potentially encourage additional developments to be built on nearby agricultural land.

Mr Messenger expressed the view that prior to a decision at Cabinet, Kent County Council should conduct a further survey as to whether or not residents of Thanet supported the proposal of the additional Thanet Parkway Station.

8. Mr Rayner moved, and Mr Lewis seconded the motion as set out below:

'the Environment and Transport Cabinet Committee recommend to Mr Payne, as Cabinet Member for Highways and Transport, that before further action to effect the printed recommendations on pages 119 and 126 , that Kent County Council undertake a further public survey and consultation with one of the questions on the survey being "do you want the Thanet parkway station" ?'

9. Officers responded to comments and questions as follows:

(a) Mrs Cooper (Corporate Director of Growth, Environment and Transport) addressed the Committee's concerns and motion to conduct a further consultation. She advised Members that the proposed decision in relation to Thanet Parkway Station had an impact on a series of other decisions and assured Members that the proposed decision was to agree that, should the project proceed, then KCC would underwrite the cost and this was to primarily protect its position with the LGF. As advised by Mr Ratcliffe, the progress of the Thanet Parkway Station project was subject to the approval of planning permission being granted and this was still due to go out to consultation. Mrs Cooper suggested Cabinet could agree to delay taking the decision until their meeting in January 2020 which would provide time for KCC to carry out the survey as proposed in the revised recommendation.

(b) In summary, the key concerns raised related to:

- The escalation and variance of cost
- Revised journey improvement time
- The exit strategy
- Queries around the newly generated income
- An updated catchment area and passenger modelling
- EV charging infrastructure within the parking vicinity
- Reconsideration of the key aims and objectives of the station which was initially to bring employment into the Thanet area, not to encourage people out of Thanet and into London

10. It was RESOLVED that *the Environment and Transport Cabinet Committee recommend to Mr Payne, as Cabinet Member for Highways and Transport, that before further action to effect the recommendations on pages 119 and 126 of the report, that Kent County Council undertake a further public survey and consultation with one of the questions on the survey being "do you want the Thanet parkway station"*

228. Fly Tipping Enforcement Plan - Update (Item 12)

David Beaver (Head of Waste Management) and Hannah Allard (Waste Business Development) were in attendance for this item.

1. Miss Carey (Cabinet Member for Environment) introduced the report which provided an update on the actions that had been undertaken since July 2019 and the planned actions over the coming months. Miss Carey informed the Committee that Kent County Council (KCC) had committed

£250,000 to reduce the level of fly tipping in Kent and would continue to build on its close working relationship with the district and borough councils and other partners through the Kent Resource Partnership (KRP) in order to tackle the criminal activity. Miss Carey advised Members that the collection and enforcement of fly tipping was the primary responsibility of the district and borough councils, of which KCC played a key supportive role via the KRP.

2. Supplementary to the above Mrs Allard provided an update to Members on the key actions to date and referred in particular to the "Op Assist" action days, the duty of care communications campaign, the duty of care small business course, enforcement signage, magistrates training and the consistency of reporting.
3. Officers responded to comments and questions as follows:
 - (a) Mrs Allard informed Members that Kent County Council were part of the National Fly Tipping Prevention Group which reviewed the work undertaken across the county. Mrs Allard agreed to review Members requests to circulate feedback from the Magistrates Association.
 - (b) In response to assisting landowners, Mrs Allard confirmed that it was primarily the responsibility of the landowner to appropriately dispose of any fly tipped waste, however, if there was sufficient evidence and an investigation to be undertaken in relation to the incident, then subject to available resources from the District or Borough Council, KCC would help to support the District and Borough councils in the prosecution process.
 - (c) With regard to the dissemination of information to Town and Parish Councils, Mrs Allard assured Members that KCC officers had attended the Parish seminars in order to raise awareness of the campaign. In January 2020, the Waste Management Team also intended to promote the duty of care campaign via short information videos and animations online, via social media, posters, leaflets, newspaper adverts and bus advertisements. The main message of the campaign for residents was to alert them to rogue traders operating in Kent.
 - (d) Mrs Allard confirmed that the days of action had proved to be a successful joint operation and resulted in the following:
 - Swale: 3 vehicles seized, 5 stopped and 2 fixed penalty notices
 - Maidstone: 1 vehicle seized, 1 stopped and 1 fixed penalty notice
 - Thanet: 2 vehicles seized, 21 stopped and 8 notices and 1 fixed penalty notice
 - (e) In response to queries concerning the drop in residual waste and cross-border usage of Household Waste Recycling Centres, Mrs Allard

Mrs Allard agreed to circulate prosecution results to Members.

confirmed that the Waste Management Team was due to undertake a postcode data collection survey at the sites and said that the data would be included within the evaluation report of the scheme. With regard to volume of materials deposited at the Medway Household Waste Recycling Centre, Mrs Allard confirmed that this had also reduced.

- (f) Mrs Allard informed the Committee that it was the duty of District and Borough Councils to instigate days of action, however, KCC did sit on
- (g) Mrs Allard informed the Committee that it was the duty of District and Borough Councils to instigate days of action, however, agreed to raise the issue of installing cameras at the identified hotspots within Tunbridge & Malling and Gravesham with the Enforcement officers who sat on the Environmental Crime Practitioners Working Group.

4. It was RESOLVED that the report be noted.

229. 19/00091 - Adoption of Household Waste Recycling Centre Enforcement Policy

(Item 13)

David Beaver (Head of Waste Management) and Hannah Allard (Waste Business Development) were in attendance for this item.

- 1. Miss Carey (Cabinet Member for Environment) introduced the report that set out the Household Waste Recycling Centre (HWRC) Enforcement Policy which aimed to clarify the procedures that may be taken by Kent County Council (KCC) to ensure compliance with existing KCC HWRC operating policies.
- 2. Mrs Allard informed the Committee that the Enforcement Policy was a aggregation of existing policies and allowed KCC and its partners to carry out enforcement in a fair, practical and consistent manner. The Policy addressed several key issues and the actions to be taken to prevent or rectify infringements of legislation or policy, including: the abuse of staff and other customers, trade waste, theft of materials, fly tipping and non-adherence to HWRC policies.
- 3. It was RESOLVED that the proposed decision (19/00091) to be taken by the Cabinet Member for Environment, to introduce the Enforcement Policy which will support KCC and their contracted HWRC Providers in the effective, transparent and permitted delivery of HWRC waste enforcement practices, be endorsed.

230. 19/00092 - SC18031 - Re-commissioning of contracts for the Management and Operation of Household Waste Recycling Centres (HWRCs) and Waste Transfer Stations (WTSs) in Kent, including Haulage Services
(Item 14)

David Beaver (Head of Waste Management) and Hannah Allard (Waste Business Development) were in attendance for this item.

1. Miss Carey (Cabinet Member for Environment) introduced the report that set out the details of the commissioning plan for the recommissioning of contracts for the Management and Operation of Household Waste Recycling Centres (HWRCs) and Waste Transfer Stations (WTSs) in Kent, including haulage services.
2. Mr Beaver informed the Committee that Waste Management operated 18 HWRCs across Kent and within those were 6 Transfer Stations. The contracts for those sites were due to expire in October 2020. The market engagement exercise revealed that the current suppliers had limited appetite to take title and commercial risk for the final disposal of recyclable materials. Therefore the recommissioning of the services would enable Kent County Council to update and standardise the contract terms and Conditions and service specification for all HWRC and WTS across Kent and to award sustainable contracts to suppliers that were incentivised the delivery of a high quality service such as improved customer care, higher recycling levels, reduced contamination and the development of re-use initiatives. Mr Beaver concluded that the commissioning approach would help to maximise recycling in Kent and reduce the cost of waste disposal services.
3. Officers responded to comments and questions as follows:
 - (a) With regard to whether a proposal had been submitted for a HWRC in Cranbrook, it was confirmed that no progress had been made.
4. It was RESOLVED that the proposed decision (19/0009) to be taken by the Cabinet Member for Environment, to award new service contracts for the Management and Operation of Household Waste Recycling Centres (HWRCs) and Waste Transfer Stations (WTSs) in Kent, including haulage services, be endorsed.

231. 19/00090 - Clinical Waste Collection, Reception and Disposal Services - SC18063
(Item 15)

David Beaver (Head of Waste Management) was in attendance for this item.

1. Miss Carey (Cabinet Member for Environment) introduced the report that sought Members approval to enter into a contract for Collection, Reception and Disposal of Clinical Waste materials collected at the kerbside by all Waste Collection Authorities in Kent.
2. Mr Beaver informed the Committee that Kent County Council, as the Waste Disposal Authority under the Environmental Protection Act 1990, had a statutory duty to provide clinical disposal services. Waste Management had worked closely with Strategic Commissioning to test the market and work was underway to evaluate the tenders. Subject to Committee approval, the contract would be effective from 1 January 2020 for a four-year period.
3. It was RESOLVED that the proposed decision (19/00090) to be taken by the Cabinet Member for Environment, to award a new contractual arrangement for the Collection, Reception and Disposal of Clinical Waste collected by the Waste Collection Authorities; and to enter into an up to 4 year arrangement based upon the indicative gate fees, be endorsed.

232. Flood Risk Management Policies *(Item 16)*

Max Tant (Flood and Water Manager) and Bronwyn Buntine (Sustainable Drainage Team Leader) were in attendance for this item.

1. Mr Tant introduced the report that outlined the three separate policy items, which subject to approval from the Committee, were to be adopted as part of the Flood Risk Management Policy. This included an update to the Drainage and Planning Policy, the introduction of a Land Drainage Policy; and an updated Section 19 Reporting Policy, all of which had been updated to reflect KCCs functions, current guidance, best practice and clarified KCCs role in flood risk management. Mr Tant referred in particular to the updated Section 19 Reporting Policy and informed Members that based on lessons learned, a public report would only be produced where internal flooding had affected five or more properties or critical infrastructure assets in a localised area.
2. Officers responded to comments and questions as follows:
 - (a) With regard to the installation of ponds on new developments and the issues around long-term maintenance of the SuDS assets, Ms Buntine informed the Committee that recent incident within the Tovil area was the rationale behind the introduction of the verification report condition which ensured that information was gathered on drainage systems and that they were implemented as approved. Ms Buntine advised Members that Borough Councils would need to include conditions for developers to provide the details of such assets within the planning

approval and would expect Borough Councils to consult with KCC on any major sites.

3. It was RESOLVED that the proposed decisions (19/00087, 19/00088 and 19/00089) to be taken by the Cabinet Member for Environment to

(a) adopt the following policies:

- Drainage and Planning Policy (19/00088)
- Land Drainage Policy (19/00087)
- Section 19 Reporting Policy (19/00089); and

(b) delegate to the Director of Environment, Planning and Enforcement the authority to make any further modifications which may be necessary such as formatting changes and typographical errors in order to publish these policies,

be endorsed.

233. 19/00086 - Kent County Council Flood Response Emergency Plan
(Item 17)

Tony Harwood (Resilience and Emergency Planning Manager) and Louise Butfoy (Resilience and Emergency Planning Project Officer) were in attendance for this item.

1. Mrs Hohler (Deputy Cabinet Member for Community and Regulatory Services) introduced the report that set out Kent County Council's Flood Response Emergency Plan. The report outlined the scope and ambition of the latest updates and sought input from Members of the Environment and Transport Cabinet Committee prior to Cabinet Member sign-off of the Flood Response Emergency Plan.
2. Supplementary to the above, Mr Harwood informed the Committee that revisions to the Flood Response Emergency Plan addressed both current and projected climate change impacts for Kent as identified within the UK Climate Change Risk Assessment 2017, the impact of flooding on vulnerable people and communities and reaffirmed Kent County Council's leadership role as a 'Category 1 Responder' (as defined within the Civil Contingencies Act 2004) in the event of coastal, fluvial and surface water flooding. Mr Harwood noted that the sign-off of the Emergency Plan was key as it affected all divisions in the County and, subject to endorsement by the Committee, would act as the overarching policy guidance for KCC flood response interventions. Mr Harwood thanked all officers and Members who had contributed to the development of the revised plan and welcomed comments from the Committee.

3. Officers responded to comments and questions as follows:

- (a) Mr Jones (Director of Highways and Transportation and Waste) responded to Members comments and recognised that drainage problems needed to be addressed with immediate effect. A number of pilots had been initiated, including the instalment of smart gullies, which monitored drainage and alerted services to any blockages, KCC also led a trial activity on how it allocated funding to improve pre-inspection work to better understand where officers needed to be deployed as a priority and to ensure that the money spent on preventative maintenance work was appropriate and justified. Mr Jones assured Members that Kent County Council was working with all District Councils to implement a new regime which would result in a significant dividend to KCC. Mr Jones recognised the wider challenge around drainage and water management infrastructure and assured Members that work would continue to be done to understand and improve the critical drainage assets.
 - (b) Mr Harwood noted the omission of the non-tidal boat stationed at Tonbridge and agreed to update the appended table accordingly.
 - (c) Mr Jones assured the Committee that a significant amount of work continued to be undertaken to identify critical drainage areas and to understand the process for managing those with a view to finding alternative solutions. KCC had also held a number of seminars with District and Parish Councils to better understand planned activities and to ensure that KCC's plans corresponded to the District and Parish Council planned activities i.e. the harvest period. Mr Jones informed the Committee that a significant amount of work had been done to map the drainage network and that KCC continued to uncover drains that had failed to be transferred over from District records which exposed soakaways and lagoons that were not mapped historically. Mr Jones reaffirmed his confidence in the improved asset portfolio and KCCs improved approach to managing critical assets.
4. It was RESOLVED that the proposed decision (19/00086) to be taken by the Cabinet Member for Community and Regulatory Services to approve the scope and content of the updated KCC Flood Response Emergency Plan, be endorsed.

234. 19/00074 - Kent Resilience Forum Animal and Plant Health Emergency Plan
(Item 18)

Tony Harwood (Resilience and Emergency Planning Manager) and Louise Butfoy (Resilience and Emergency Planning Project Officer) were in attendance for this item.

1. Mrs Hohler (Deputy Cabinet Member for Community and Regulatory Services) introduced the report that set out the revised Kent County Council Animal and Plant Health Emergency Plan. Mrs Hohler informed Members that the scope and audience of the revised plan had been expanded and changed to reflect the multi-agency nature of the Kent Resilience Forum agenda and included within it new risks such as non-native mosquitos, a more detailed local plan in relation to the Ashford Livestock Market and safeguarding for the welfare of animals in transit.
2. It was RESOLVED that the proposed decision (19/00074) to be taken by the Cabinet Member for Community and Regulatory Services to:
 - (a) agree the principle of re-designation of the corporate Animal and Plant Health Emergency Plan as a KCC-led KRF document; and
 - (b) approve the scope and content of the Animal and Plant Health Emergency Plan,be endorsed.

235. Ash Dieback in Kent
(Item 19)

Tony Harwood (Resilience and Emergency Planning Manager), Robin Hadley (Soft Landscape Asset Manager) and Louise Butfoy (Resilience and Emergency Planning Project Officer) were in attendance for this item.

1. Miss Carey (Cabinet Member for Environment) introduced the report that provided an update on Ash Dieback in Kent and described the evolving local response, as well as the outbreak's environmental and economic impacts. It further sought to identify future trends and risks, as well as policy, staffing, financial and other resource implications for Kent County Council and its partners. Miss Carey commended Mr Harwood for his report on BBC radio which highlighted the extent of work that continued to be carried out by Kent County Council, Kent Districts and partners to address the spread of the pathogen.
2. Officers responded to comments and questions as follows:
 - (a) Miss Carey agreed to form a cross-party Member Working Group with a specific focus on tree policy. She noted that a significant amount of

work had already been undertaken by the Environment, Planning and Enforcement team to ensure that Kent had its own Tree Policy and on the basis that the Environmental Bill be passed, there would be a number of new opportunities and mechanisms for funding.

- (b) Mr Harwood confirmed that a policy had been agreed and adopted by Kent County Council and Kent Districts which rejected a pre-emptive felling approach. Whilst other counties, notably Devon, had adopted a policy that supported significant interventions to clear Ash trees from the roadside, KCC undertook extensive monitoring and only safety specific interventions to reduce impacts on landscape, biodiversity and budgets.. Supplementary to the financial aspect of felling, KCC did not want to remove trees which may be genetically less susceptible to Ash Dieback and were therefore important for ensuring future generations of resistant Ash.
 - (c) Mr Hadley verified the distinction between urban, street and woodland trees and said that a significant amount of money had gone into tackling Ash Dieback within the woodland setting. The recent exponential increase in extent and intensity of infection and a worsening prognosis, as evidenced within the latest survey data, suggested that the costs to the County Council and its partners would continue to increase year on year and therefore KCC needed to ensure it was taking an informed and proportional approach to managing the outbreak.
3. It was RESOLVED that the planning and response contingencies outlined within this report, be noted.

236. Gypsy and Traveller Service: Proposed approach to the setting of fees and charges
(Item 20)

Pal Sandher (Head of Gypsy and Traveller Service) and Jayne Collier-Smith (Project Manager Gypsy and Traveller Service) were in attendance for this item.

1. Mrs Hohler (Deputy Cabinet Member for Community and Regulatory Services) introduced the report that presented Members with the latest developments in relation to the review of policies which supported the operation of the Council's Gypsy and Traveller Service.
2. Mrs Stewart (Director of Environment, Planning and Enforcement) advised the Committee that the report set out the proposed approach to the setting of fees and charges, which along with the Unauthorised Encampment Policy and Pitch Allocation and Site Management Policy, would be subject to consultation and would be brought back to the Committee in the New Year.

3. It was RESOLVED that the proposed approach to the setting of fees and charges to enable full cost recovery, be noted.

237. Work Programme

(Item 21)

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

- (a) The Kent & Medway Energy and Low Emissions Strategy, action update - March 2020
- (b) Strategic Delivery Plan Monitoring – May 2020

238. Highways Term Maintenance Contract - Position Paper

(Item 22)

Rob Clark (Contract and Commissioning support Manager) and Andrew Loosemore (Head of Highways Asset Management) were in attendance for this item.

1. Mr Payne (Cabinet Member for Highways and Transport) introduced the report that set out the position of the Highway Term Maintenance Contract along with the work undertaken to date in order to progress the Commercial Services (CSKL) delivery option. Mr Payne informed the Committee that Kent Highways delivery model was due to expire on 31 August 2020 and therefore a new delivery model was required. The four delivery options for the future provision of the services had been considered and this included: option 1 which was to extend the contract with Amey for a further year; option 2 which considered re-procurement of on a like-for-like basis; option 3 which explored the option to disaggregate the contract and procure smaller contract packages, of which the Council would take on the management and integration role; and option 4 which was to develop an alliance model between the Council and Commercial services which would sit under the Holding Company. Mr Payne informed the Committee that whilst option 4 was initially considered to be the preferred option, upon closer examination, including the assessment results of the PWC report, option 4 was not a viable alternative model on the basis that it failed to meet three requirements which posed an unacceptable risk to KCC; financial viability, appropriateness and timing. In Summary, Mr Payne expressed that the preferred alternative model would therefore be option 3 which would involve the Highways Asset Management team undertaking a number of procurements for specific services and the advantage of such an option would be assurance in KCC's proven ability to manage and deliver such a contract.

2. Officers responded to comments and questions as follows:

- (a) Mr Payne informed Members that whilst an alliance model was not considered to be a viable option for the Highways Term Maintenance contract, potential procurement roles would continue to be explored with Commercial Services. Mr Payne assured Members that due diligence work would be carried out and that each contract would be tendered.
- (b) Mr Jones (Director of Highways, Transportation and Waste) assured the Committee that in recognition of the importance to deliver the Highway Term Maintenance contract and the impact that the contracting decision would have on the Highways Asset Management team, a Steering Board was established. The members of that Board consisted of the Head of Internal Audit, Corporate Finance and various internal organisations to ensure that all aspects were considered in the wider corporate context.
- (c) Mr Jones informed the Committee that an independent review was sought from PWC to ensure that KCC had incorporated and considered all potential risks. Mr Jones assured Members that the process of commissioning provided KCC with the level of confidence required to take forward the preferred model having undertaken the correct level of scrutiny and due diligence work.
- (d) Mr Jones addressed concerns around the disenfranchisement of staff, and said that of the Amey contingent, 150 to 160 members of staff would be operative level and that it was those operative members that would initially be transferred to undertake various services that KCC were looking to procure. This in turn would provide members with confidence in the continuity of their role within Kent. The next phase of work that needed to be undertaken included a staff engagement exercise. Mr Jones addressed concerns relating to Amey's performance and assured Members that KCC had actively engaged with Amey around the rules of engagement going forward to reduce risk.

3. It was RESOLVED that the report be noted.