

**ENVIRONMENT, HIGHWAYS AND WASTE CABINET  
COMMITTEE**

**Thursday, 15th November, 2012**

**9.30 am**

**Council Chamber, Sessions House, County Hall,  
Maidstone**





## AGENDA

### ENVIRONMENT, HIGHWAYS AND WASTE CABINET COMMITTEE

Thursday, 15 November 2012, at 9.30 am      Ask for:      **Karen Mannering**  
Council Chamber, Sessions House, County      Telephone:      **01622 694367**  
Hall, Maidstone

*Tea/Coffee will be available 15 minutes before the start of the meeting*

#### Membership (12)

Conservative (10):      Mr D L Brazier      (Chairman),      Mr N J Collor      (Vice-Chairman),  
Mr J R Bullock, MBE,      Mr M J Harrison,      Mr W A Hayton,  
Mr C Hibberd,      Mrs J P Law,      Mr R F Manning,      Mr C P Smith      and  
Mrs E M Tweed

Liberal Democrat (1):      Mr I S Chittenden

Labour (1)      Mr G Cowan

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#### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

#### **A. Committee Business**

A1      Introduction/Webcasting

A2      Membership

Members are asked to note that Mr I Chittenden has been appointed to the Committee by the Liberal Democrat Group

- A3 Substitutes
- A4 Declarations of Interests by Members in items on the Agenda
- A5 Minutes of the meeting on 20 September 2012 (Pages 1 - 20)

**B. Key or Significant Cabinet/Cabinet Member Decisions(s) for recommendation or endorsement**

- B1 Kent Joint Municipal Waste Management Strategy: Refresh of Policies - Decision No.12/01978 (Pages 21 - 34)
- B2 Technical & Environmental Services Contract (TESC) - Decision No.12/01935 (Pages 35 - 38)
- B3 Policy for the use of mirrors on the Highway in Kent - Decision No.12/01931 (Pages 39 - 42)
- B4 Environment, Highways & Waste Forward Plan - current entries (Pages 43 - 50)

**C. Monitoring of Performance**

- C1 Consultation on 2013/14 Revenue Budget (Pages 51 - 58)
- C2 Enterprise & Environment Directorate (Environment, Highways & Waste Portfolio) Financial Monitoring 2012/13 (Pages 59 - 62)
- C3 Business Planning Priorities 2013/14 (Pages 63 - 68)
- C4 Enterprise & Environment Performance Dashboard (Pages 69 - 74)
- C5 Enterprise & Environment Mid-year Business Plan Monitoring (Pages 75 - 84)

**D. Other items for comment/recommendation to the Leader/Cabinet Member/Cabinet or officers**

- D1 Cabinet Member's and Corporate Director's Update (Oral report)
- D2 Joint Transportation Boards Agreement and Governance (Pages 85 - 100)
- D3 Kent and Medway Green Deal Partnership (Pages 101 - 104)

**EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Peter Sass  
Head of Democratic Services  
(01622) 694002

**Wednesday, 7 November 2012**

*Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.*

## KENT COUNTY COUNCIL

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### ENVIRONMENT, HIGHWAYS AND WASTE CABINET COMMITTEE

MINUTES of a meeting of the Environment, Highways and Waste Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Thursday, 20 September 2012.

PRESENT: Mr D L Brazier (Chairman), Mr N J Collor (Vice-Chairman), Mr J R Bullock, MBE, Mr I S Chittenden, Mr M J Harrison, Mr W A Hayton, Mrs J P Law, Mr R F Manning and Mrs E M Tweed

ALSO PRESENT: Mr G Cooke, Mr D S Daley, Cllr C Garland, Mr R Jarman, Mr R J Lees, Mr B J Sweetland and Mrs J Whittle

IN ATTENDANCE: Mr M Austerberry (Corporate Director, Environment and Enterprise), Mrs S Barton (Strategic Projects And Business Development Manager), Mr P Baldock (Finance & Performance Manager), Mr J Burr (Director of Highways and Transportation), Ms A Carruthers (Transport Strategy - Delivery Manager), Ms B Cooper (Director of Economic Development), Mr P Crick (Director of Planning and Environment), Mr S Dukes (Economic Development Officer), Mr J Farmer (Regeneration & Projects Manager), Mr R Fitzgerald (Performance Manager), Mr W Forrester (Head of Gypsy & Traveller Unit), Mr A Kamps (Principal Accountant), Mr D Latham (Roadworks & Enforcement Manager), Mr T Martin (Strategy Manager), Mr J Ratcliffe (Transport Planner), Mr T Read (Head of Highway Transport), Mrs C Valentine (Highway Manager) and Mrs K Mannering (Democratic Services Officer)

#### UNRESTRICTED ITEMS

#### **33. Declarations of Interests by Members in items on the Agenda** *(Item A3)*

Mr Collor declared an interest in Item D2 as the Dover District Council Member on the Kent International Airport Consultative Committee.

#### **34. Minutes of the meeting on 4 July 2012** *(Item A4)*

RESOLVED that the Minutes of the meeting held on 4 July 2012 are correctly recorded and that they be signed by the Chairman.

#### **35. Pitch Fee for New Coldharbour Lane Gypsy & Traveller site - Decision No. 12/01957** *(Item B1)*

(1) The report detailed the reasons for the proposed pitch fee for the new Coldharbour site, and necessary compliance with the Mobile Homes Act, for current

and future pitch occupiers. It included the reason for, and proposed level of, a service charge towards costs of waste water disposal.

(2) The report recommended a pitch fee of £65 per week, to take effect from the handover of each new pitch on the new site, or 1 April 2013 if later, for existing pitch occupiers, subject to consultation under the Mobile Homes Act 1983.

(3) The Coldharbour Lane site in Aylesford was originally established in 1981, to accommodate families who had lived for some time down the adjacent (then) A20. Following various efforts down the years to improve and expand the site, Tonbridge and Malling Borough Council and the County Council started a joint project in 2008 to establish a new site, which had included new land acquisition and planning consent for a 26-pitch site, and part of the funding from the Homes and Communities Agency.

(4) The new site was now being constructed, and should be available for occupation early next year. There needed to be a pitch fee agreed for those who would be allocated a new pitch on the site, and an increase in pitch fee for those who lived on the old site currently.

(5) The proposed £65 per week per pitch fee would cover the costs of maintenance of the site and repayment of a significant proportion of the prudential borrowing needed to build the site. The implications to KCC if the pitch fee were not agreed and collected would be serious, as any shortfall would need to be found from the County Council's revenue budget.

(6) The Mobile Homes Act 1983 required site operators to consult over pitch fee increases with existing pitch occupiers, and to justify the proposed pitch fee set for new pitch occupiers. Consultation over the design of the new site had taken place with current occupiers, and they would be consulted over the proposed increase to their pitch fee.

(7) The new site was a complete transformation of the current site, on which the pitch fee had been £44.50 per week. Current pitch fees for sites managed by the Gypsy and Traveller Unit ranged between £44.50 and £57, so Coldharbour Lane, because of its current condition, was the lowest. The new site had larger pitches than the current site, and the new facilities included new amenity blocks, pitch surfacing, fencing and utilities; and had a play area for children.

(8) The Edenbridge site in Sevenoaks recently had significant improvements and expansion and its pitch fee was currently £72.10 per week. Based on the extent of the improvements resulting from the new site development, the recommended pitch fee for new pitch occupiers was £65 per week per pitch, and the recommended increase for current pitch occupiers was from £44.50 to £65. It was recommended that the increase for existing occupiers took effect from 1 April 2013.

(9) It was clearly vital that an appropriate new pitch fee was set for the Coldharbour Lane site. The new site was not just a refurbishment or major improvement, but a complete redevelopment and expansion and had a greater amenity offer for residents. Because of the increased pitch size, new "plot for life" blocks which complied with the Disability Discrimination Act, and new features like the play area, the proposed pitch fee of £65 was justified, and compared favourably with the pitch

fee of £72.10 on the only other extensively improved site in Kent, at Edenbridge in Sevenoaks District.

- (10) RESOLVED that the Cabinet Member be recommended to approve a pitch fee of £65 per week for the new Coldharbour Lane Gypsy and Traveller site.

### **36. Kent Thameside Strategic Transport (Homes & Roads) Programme - Decision No. 12/01953**

*(Item B2)*

(1) The report set out the current conditions under which the Kent Thameside Strategic Transport (Homes & Roads) Programme was being developed and implemented covering in particular, the available funding, management of risk and the proposals for governance arrangements of the programme. It was proposed to seek a further Key Decision from Cabinet on 15 October in light of the considerable changes to the progress of development and the available funding that had taken place since a previous decision was taken on 21 February 2008 (Decision No. 07/01108), which agreed to the County Council acting as the Accountable Body for the programme.

(2) The Kent Thameside Strategic Transport (Homes & Roads) Programme was a package of improvements that responded to the complexities encountered in assessing the individual impacts and mitigation measures for significant development across the boroughs of Dartford and Gravesham. The 20-year programme aimed to provide key transport infrastructure improvements that would enable the planned level of development in Kent Thameside to be realised.

(3) As the Accountable Body for the programme the County Council was responsible for the management of the programme and administration of the funding. A dedicated Programme Investment Fund had been set up for the programme within the County Councils corporate financial system. A cash flow model had also been developed to assist the financial management process. The current estimated cost for the programme was £116.2m and anticipated funding was estimated at £84.0m leaving a funding gap of £32.2m (current prices).

(4) In the course of the management of the programme the situation might arise where the County Council was required to use its Prudential borrowing powers to ensure that schemes were completed. The estimated cost to the County Council was £800,000 per annum for every £10m borrowed. Although it was not envisaged that the County Council would exercise the powers to cover the shortfall in funding it might be necessary to use such powers to overcome short-term cash flow issues when implementing individual schemes. In such circumstances the County Council's borrowing costs would be funded through the programme.

(5) Discussions with Dartford and Gravesham Borough Councils had identified potential funding of around £5m from the New Homes Bonus initiative. An estimated 1170 dwellings were expected from sites between 2012/13 and 2015/16 based on information received from Land Securities and the Borough Councils, resulting in a cost to the County Council of around £1.0m, with the Borough Councils bearing the remaining cost.

(6) The programme (a) would contribute to Ambition 1 of the Vision for Kent (To Grow the Economy) by delivering the critical infrastructure to create the conditions for economic growth; (b) was in line with priorities 8, 9 and 10 of Bold Steps for Kent driving economic prosperity through unlocking key sites in the Thames Gateway Kent region, helping to deliver the Kent & Medway Housing Strategy and ensuring that new housing development was matched with the appropriate infrastructure; and (c) was identified within the Local Transport for Kent 2011-16 and would deliver a priority for the Thames Gateway Kent area set out in the integrated transport strategy Bold Steps for Transport “*Growth Without Gridlock*”.

(7) The report set out details relating to funding for the programme which largely consisted of public sector grants (principally through the Department for Communities & Local Government) and private sector developer contributions; a review of the programme in the Autumn of last year instigated by the uncertainty over public sector funding for the programme and the continuing poor market conditions causing concern over the ability of development to fund major infrastructure improvements; and a risk assessment conducted on the programme as part of the economic appraisal that was submitted to secure the £13m funding from the HCA.

(8) The programme was conceived in 2007 under the auspices of the Kent Thameside Partnership. With funding now available and the programme starting to move into its implementation stage, it was appropriate that more formal Governance arrangements were established. The suggested components of the Governance arrangements for the programme were set out in Appendix 4 of the report. The key component of the arrangements was the setting up of a Steering Group. It was proposed that the Cabinet Member for Regeneration & Economic Development was entrusted with the task of setting up the Steering Group in consultation with Dartford and Gravesham Borough Councils.

(9) Conditions had significantly changed since the programme was conceived and there was currently a £32m funding gap. The justification for the programme and its objectives had largely remained unchanged. Some public sector funding had already been secured along with developer contributions and implementation of the programme had started. There were significant risks inherent in the programme and strong management would be required to ensure that they did not materialise.

(10) The programme would be delivered over a 15-20 year period and there was a long term commitment on the part of all of the key stakeholders to the growth agenda in Kent Thameside as witnessed by the DCLG/DfT proposition. Whilst there was currently a funding gap it was envisaged that opportunities would arise to secure additional funding for the programme.

(11) Mr Lees (Local Member for Swanscombe & Greenhithe) highlighted that a number of the schemes contained in the Kent Thameside Strategic Transport Programme would affect his constituents. He raised concerns about how the schemes would be prioritised. He remarked that both the A2 Bean Junction and the London Road/St Clements Way Junction already had problems. He was also concerned that with the current funding gap there was the danger that schemes may not be built or significantly changed.

(12) In response Mr Lees was informed that it was proposed to establish a Steering Group to monitor the progress of the programme. A Forward Delivery Programme



would also be produced setting out the planned expenditure and implementation of schemes. This would be reviewed and agreed annually by the stakeholder through the Steering Group. The A2 Bean Junction and London Road/St Clements Way Junction have consistently been identified within the programme as priority locations for improvement. The commitment by DfT/HA to refresh the business case/design for the A2 Bean and A2 Ebbsfleet junctions should determine when the improvement of these junctions should take place. Any changes needed to the programme would be dealt with through the annual review of the Forward Delivery Programme.

(13) Mr Sweetland informed the Committee that the reasons why KCC was the Accountable Body for this programme were historic but there was probably no other organisation that could perform this function. He also highlighted that there was the risk that KCC could be liable for any overspend on individual schemes.

(14) Mr Bullock had concerns about KCC's role as the Accountable Body in particular he could envisage the transport improvements being implemented for the full build-out of development but the funding gap may not be resolved. In response Mr Bullock was informed that schemes would only be implemented within the forecast level of funding for the programme.

(15) Mr Austerberry (Corporate Director Enterprise & Environment) commented that this was a long-term strategic programme and the report did not hide the risks associated with the programme. EHW's role would be to implement schemes through its Major Projects division. It would be essential that before any commitment was made to the implementation of a scheme that it was fully designed, costed and the risks identified. He was comfortable that the right processes were to be put in place to provide robust management of the programme.

(16) Mrs Law was also concerned about KCC's role as the Accountable Body for the programme but supported the recommendations of the report.

(17) RESOLVED that the following recommendations to be considered by Cabinet be endorsed:-

- (a) that Kent County Council continuing to act as the Accountable Body for the Kent Thameside Strategic Transport (Homes & Roads) Programme, be confirmed;
- (b) that the setting up of the Governance arrangements for the Kent Thameside Strategic Transport (Homes & Roads) Programme be entrusted to the Cabinet Member for Regeneration & Economic Development in consultation with Dartford and Gravesham Borough Councils; and
- (c) that the Corporate Director Business Strategy & Support, in consultation with the Corporate Director Enterprise & Environment, be authorised to negotiate and execute legal and/or partnership agreements pursuant to the delivery and management of the Kent Thameside Strategic Transport (Homes & Roads) Programme.

**37. KCC response to the Consultation by Maidstone Borough Council on Strategic Sites Allocations - Decision No. 12/01919**  
(Item B3)

(Local Members – Mr G Cooke, Mr D Daley and Mrs J Whittle; Maidstone Borough Council – Cllr C Garland, Leader; and Mr R Jarman, Head of Planning, were in attendance for this item and took part in the debate)

(1) The report proposed a response by KCC to Maidstone Borough Council's public consultations on *Strategic Site Allocations*. The main strategic developments proposed by the Borough Council were employment land at Junction 8 of the M20, retail and employment uses at Junction 7 of M20, and residential land at Allington and on the Sutton Road.

(2) Maidstone Borough Council consulted on their draft local plan Core Strategy in September 2011. The County Council supported the proposed number and distribution of dwellings, but objected to the proposal for a new site for warehousing and other employment uses near to Junction 8 of the M20. The consultation gave rise to requests that new strategic development sites, such as Junction 8, should be clearly identified. The Council therefore invited proposals for development sites (a 'call for sites') in June of this year. The call for sites asked for information about sites specifically at three strategic development locations: housing sites in North West and South East Maidstone, and employment sites at Junction 8 of the M20.

(3) The Borough Council was now consulting on the sites and policies that it proposed to allocate in the Core Strategy. The consultation was taking place for 6 weeks from 17 August 2012, and closed on 1 October. The allocations would become part of the Maidstone local plan Core Strategy which the Borough Council intended to publish in December 2012 before it was submitted to the Secretary of State for independent examination in 2013 (the Examination in Public).

(4) The Borough Council were also consulting on an *Integrated Transport Strategy* for Maidstone (ITS) prepared jointly with KCC as the highways authority. The draft ITS had been agreed for consultation by an informal group of Members from both authorities. It would then be referred to the *Joint Transport Board* for Maidstone in October, and would be considered by the Committee in November for subsequent adoption by both authorities.

(5) The decisions to be taken by the Borough Council might have long term financial implications for KCC as the provider of infrastructure and services to support development. The proposed response by KCC to the consultation supported the County Council's ambition to grow the economy.

(6) The report summarised:- (a) KCC's views on the main proposals in the draft Core Strategy – Housing, Town Centre, and Employment; (b) the proposed KCC Response to the current Strategic Sites Allocations Consultation – Housing, Housing land in North West Maidstone, Housing land in South East Maidstone, Housing at Rural Services Centres, Strategic employment locations, Strategic employment location at Junction 8 of M20, Strategic employment site at Junction 7 of M20, Retail Policy, Medical campus and employment uses.

(7) The National Planning Policy Framework (NPPF) introduced a 'presumption in favour of sustainable development' that should be reflected in local plans. The Planning Inspectorate had published a 'model policy' to show how local plans could comply with the requirement. Maidstone Borough Council proposed to incorporate it as Policy NPPF1 'Presumption in favour of sustainable development'.

(8) Resolved that the Cabinet Member be recommended to approve KCC's response to the consultation as follows:-

- (a) the Borough Council's target of 10,080 new dwellings by 2026, and the allocation of the strategic housing sites to meet the target, be supported;
  - (b) the allocation of the three strategic housing sites identified in Policy SS1, be supported, and the provision for junction improvements, be welcomed;
  - (c) the recognition of the need for a new primary school in the area be welcomed, and the provision in Policy SS1b (4) for the transfer of land for primary education at the site East of Hermitage Lane be noted. KCC would confirm the location of the school with the Borough Council, and the provision for financial contributions to education and other community facilities in Policies SS1a-c for each site, be welcomed;
  - (d) the allocation of the three strategic housing sites identified in Policy SS2, be supported, and the provision for transport improvements, and land or funding for a two form entry primary school be welcomed. However, KCC would request that the green wedge, shown on the Key Diagram in the consultation of September 2011, be extended to contain development in the south east sector of Maidstone to that now proposed;
  - (e) the provision for financial contributions to education in Policies SS2a and SS2c be welcomed, subject to the confirmation of education needs, requests amendments to Policy SS2a (Langley Park) to provide for the transfer of land for primary education, and to Policy SS2b (North of Sutton Road) to provide for contributions to education;
  - (f) the clarification of the distribution of dwellings among the rural service centres provided by the additional text to Policy CS1, be welcomed;
  - (g) the Borough Council be requested to include a policy be included in the Core Strategy that recognised the need for a positive response to development proposals from existing businesses for their own expansion and occupation;
  - (h) the principle of a strategic location for employment at Junction 8 of M20 for the reasons expressed in the report be opposed, and that KCC did not express a preference among the three sites described but would require any highway improvements to be fully funded by a developer. KCC's objection applied to all sites, and would not be overcome by the allocation of a small site such as site EMP-01-J8;
- Mrs Law abstained*
- (i) the allocation of an employment site at Junction 7 of M20 as defined on the map accompanying Policy SS4 be supported, subject to the provisions for highway, public transport and cycle/pedestrian access as set out in the policy, and the attention to be paid to the design and landscape of the site, be welcomed;

- (j) the allocation of part of the site at Junction 7 for prime office and similar business uses be sought, in place of a new site at Junction 8 of M20, and that it be promoted by Policy SS4 as the location in Maidstone for business uses to complement the town centre, together with a medical hub;
- (k) that Policy SS4 specify the area of land and the amount of retail and related floorspace that would be provided at Junction 7 of M20, and should be limited to the replacement of the existing retail and service floorspace (excluding the open area of the garden centre). The policy to state the nature of the retail centre proposed and clearly prevent future encroachment of retail uses into the remainder of this large allocation; and
- (l) the incorporation of text into Policy NPPF1 in favour of sustainable development be supported.

### **38. Speeding up the Traffic Regulation Order Process - Decision No. 12/01927** *(Item B4)*

(1) The report considered proposals to speed up the Traffic Regulation Order (TRO) process by delegating the consideration of non-controversial objections to TRO's, where the local County Councillor was in full support of the proposal to the Director of Highways and Transportation for consideration. It set out the process and procedures the Director would have to follow when considering the objections.

(2) The Road Traffic Regulation Act 1984 gave traffic authorities the powers to make TRO's for various reasons which were set out in the report. Typically, TRO's took the form of prohibitions or restrictions such as speed limits, weight & width limits, prohibition of driving or of motor vehicles, prohibited or prescribed movements, parking restrictions etc. A TRO could be proposed on its own or as part of a scheme.

(3) When a traffic authority wished to make a TRO it must follow a statutory procedure which was set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The procedure required the traffic authority to consult any persons likely to be affected by the restrictions or prohibitions to be imposed by the Order. The authority must publish a notice in a local paper and carry out other provisions to ensure adequate publicity for the proposal such as writing to affected parties or posting notices on the road where the TRO was being proposed. The traffic authority then must allow a minimum of 21 days for stakeholders to make comments on the proposal and, if they wished, formally object.

(4) Current KCC procedures when objections were received were to report them to the local Joint Transportation Board for the relevant area. The Board was typically asked to make a recommendation to the Cabinet Member for Environment, Highways & Waste on whether to proceed with the scheme notwithstanding the objections; implement the proposal with modifications, or abandon the proposal. If no objections were received to a TRO then the Director of Highways & Transportation already had delegated authority to proceed with making the Order as proposed.

(5) The main issue with the current procedure was the time it could take for a decision to be made when objections were received to a TRO. As stated, the traffic authority was legally required to consult when proposing a TRO. When added to the time it took to design a scheme, consult and then report to a local Joint

Transportation Board, which were only held every three months, it could take six to nine months to make an order for a very simple proposal such as a few metres of double yellow lines.

(6) Following the statutory consultation if five or fewer objections were received and the local County Councillor was in full support of proceeding with the proposal, a report would be submitted to the Director of Highways and Transportation requesting authorisation for the Order to be made. The Director would carefully consider the matter and if he was not happy to authorise the making of the Order it would be reported back to the local JTB for a recommendation to be made to the Cabinet Member. Once an Order had been made any objector would be notified in writing within 14 days that the Order had been made. It was a requirement of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

(7) When more than five objections were made and/or the local County Councillor was not in full support of the proposal it would be (as existing procedures prescribed) reported to the local JTB for a recommendation to be made to the Cabinet Member. When no objections had been received, the Director of Highways and Transportation already had delegated authority to authorise the making of the Order.

(8) The proposed changes to the County Councils procedures for considering objections to TRO's complied with Section 13 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 which stated that the Order making authority should consider all objections duly made.

(9) A recent example were the proposed changes would have sped up the delivery of a MHF scheme would have been the implementation of a pedestrian crossing in Hothfield, Ashford. Only one objection was received to the proposal which had the full support of the local County Councillor, local Borough Councillor and Parish Council however, due to the one objection the delivery of the scheme had to be delayed for three months to allow the objection to be reported to the local JTB where it was agreed to proceed notwithstanding the objection.

(10) RESOLVED that the Cabinet Member be recommended to approve the following:-

Delegated authority was given to the Director of Highways and Transportation for the consideration of objections to TRO's when five or fewer objections had been received, and the local County Councillor was in full support of the proposal. TRO's with more than five objections or the County Councillor was not in full support of the proposal would still be reported to the local Joint Transportation Board (JTB) for a recommendation to be made to the Cabinet Member for Environment, Highways & Waste.

**39. Introduction of a Kent Lane Rental Scheme (KLRS) - Decision No. 12/01932**  
*(Item B5)*

(1) The report related to the introduction of a lane rental scheme in Kent in order to apply charges to those carrying out works on the highway network, within specific strategic locations. The KLRS had been out for formal Consultation between 25 June

and 17 September and the results showed a positive support for the Scheme and the overall objectives.

(2) The Secretary of State for Transport had the power to provide a Council with the legal Order to introduce the Regulations that brought a lane rental scheme into effect. Transport for London commenced a scheme in June 2012 and KCC had been invited to consider an application for a scheme also. The Highways and Transportation Annual Plan for 2012/13 included an action listed under item 2.1 to “Agree Lane Rental pilot scheme with DfT for Kent’s most critical roads (to commence in Summer 2013)”.

(3) KCC had designed a Kent Lane Rental Scheme (KLRS) and had carried out an extensive consultation with key stakeholders who would be affected by the Scheme (interested parties). The Scheme was well-designed and well-targeted, focusing on the most critical parts of the highway network. It was intended to encourage those undertaking works to carry out their works in a less disruptive manner. The Scheme complimented the existing Kent Permit Scheme and would further decrease the impact of roadworks on the travelling public in Kent.

(4) The revenue received from a lane rental scheme would be used to cover the full operating costs of the scheme. The Council’s Local Transport Plan had an objective to “Keep Kent Moving” and a Kent Lane Rental Scheme was considered an essential tool to not only deliver the objective, but to also maintain and support the Councils legal duty to “secure the expeditious movement of traffic on the authority’s road network”.

(5) The Consultation resulted in over 200 comments received from 30 different interested parties. Overall, the KLRS received strong support from the interested parties, including the promoters of affected works, as a well-designed and purposeful Scheme. As a result of the Consultation changes were applied to the Scheme design. An Equality Impact Assessment (EqIA) was conducted on the KLRS and determined that the Scheme had potential positive impacts, but no potential adverse impacts.

(6) As part of the application, a full cost-to-benefit analysis had been carried out to show the potential positive impact for the introduction of a lane rental scheme into Kent, for both local residents and businesses. The base case net present value (NPV) was £8.29m (2010 prices) for the first year of operation, with a benefit to cost ratio (BCR) of 10.4. The scheme costs included a set up fixed cost as well as an annual running cost. On that basis the BCR demonstrated a robust return for the introduction of the KLRS.

(7) The current projected timescale to make an application for the KLRS and bring it into operation was based on submitting the application in October 2012. A decision on the KLRS should be obtained in December 2012 and a twelve week mandatory notice period to affected promoters of works would start in February 2013. During the notice period, it was intended to operate the Scheme, without charge, to test the operation and resolve any potential issues preventing success. The operation of the Scheme would require an additional 7 new employees, across 4 new functions, within the Roadworks and Enforcement service area. The cost of the new staff would be fully funded from the income derived from the Scheme.

### *Consultation Results update covering paragraphs 4.3 to 4.6 of the report*

(8) The Consultation process resulted in 760 individual comments from 42 different organisations, comprising Promoters, Local Councils within Kent and many different user and transport representatives. There was a lot of support for the Scheme, including the design and approach taken by KCC in its development; together with a number of areas of clarification within the Scope and for the operation of the Scheme. It must be noted that the Promoter comments received (representing 85% of the total comments) were very similar in nature due to the influence of an industry generated response by the National Joint Utilities Group. As expected from this group of Consultees, these comments indicated a general reluctance towards Lane Rental Schemes, however there was a positivity towards the approach taken by KCC and an interest to work with KCC in order to identify the opportunities and capabilities of the KLRS. None of the comments received from Consultation would result in a need to change the fundamental Scope of the KLRS or the need to enter into a second Consultation.

(9) The Kent Lane Rental Scheme had been designed with cooperation and support from affected Stakeholders, including those who would be carrying out the affected works. KCC was now ready to submit an application to the Secretary of State for Transport to introduce the KLRS and bring it into effect at the earliest opportunity.

(10) RESOLVED that the Cabinet Member be recommended to approve the application to introduce the Kent Lane Rental Scheme with the aim to bringing a scheme into effect within 2013.

#### **40. Highways & Transportation Winter Service Policy for 2012-13 - Decision No. 12/01921**

*(Item B6)*

(1) Each year Highways and Transportation reviewed the Council's Highways and Transportation Winter Service Policy and the operational plan that supported it in light of changes in national guidance and lessons learnt from the previous winter. The report set out proposed amendments following the review.

(2) As a result of three successive bad winters, national guidance had been issued by the Department for Transport and was detailed in the code of practice for highway authorities – Well Maintained Highways – Section 13 Winter Service. Much of the guidance provided had long been incorporated in the Highways and Transportation (H&T) winter service policy and plan. Additions to the policy were set out in the report. The allocated budget for winter service for 2012/13 was £3,237,704, £20,000 of which was allocated for the purchase of additional salt bins.

(3) The revisions to the winter service policy met the objectives of the Council's medium term plan for 2014/15, Bold Steps for Kent. Working in partnership with other authorities contributed towards achieving a better service and value for money for Kent residents.

(4) Putting the citizen in control would be achieved by continuing to provide salt bags to parishes who requested them. Salt bins would be provided across the county and for the first time would be identified on a map on the Kent County Council

website. Advice on how people in the Kent community could self help during winter conditions would also be included on the website, including road safety tips.

(5) Well Maintained Highways recommended that local authorities identified a minimum network that would be treated continuously for a period of six days in the event of a severe winter event. For Kent it had been identified as being the main strategic network, i.e. all A and B roads and some other locally important roads as identified in the highway network hierarchy. Essentially, they equated to the current primary routes minus the local roads and roads that go through estates etc. H&T would always endeavour to treat the entire primary network as identified in the policy but recognised that there might be times, as experienced in previous years, where it would be prudent to reduce the network as stated above to maintain salt levels and keep main roads in Kent moving as much as possible

(6) Additionally H&T had identified an Operational Winter Period which was October to April, and a Core Winter Period which was December to February and the stocks of salt needed during those periods to effectively treat the network in line with recommended resilience levels.

(7) In previous years good relationships had been established with the Highways Agency MAC Area 4 who managed the trunk roads and motorways in Kent. KCC shared two depots with the HA and there had been a reciprocal salt sharing arrangement for some time which had worked very well. Additionally there was an arrangement with Medway Council in respect of the weather forecast and treating areas on the borders of Kent and Medway.

(8) Providing information to the people of Kent was a crucial part of delivering the winter service. Much work had gone into developing the winter page of the KCC website including information on salting routes, salt bin locations and links to local district plans and road safety information. Close working with local media organisations over the past few years had been beneficial and has increased positive coverage for the winter service. The media – radio, television and press – would now be provided with pre prepared media briefs in advance of the winter season detailing the basics of the winter service.

(9) Resources did not allow for the treatment of all public transport networks. However H&T were working closely with bus companies across the county to ensure that where possible communication channels were put in place so that the public could be informed of any changes to routes due to snow and ice.

(10) The three year contract for the weather forecast expired earlier in the year. A tender process had been commenced and a new three year contract would be in place in time for the start of the winter service. The ice prediction service would continue to be provided by Vaisala Ltd.

(11) The Winter Service Policy was set out in Appendix B of the report, and was supported by an operational Plan which had been updated in line with the Policy, and discussions with the contractor Enterprise plc to ensure that plans were aligned. In addition district plans had been developed in conjunction with district councils across the county and would be used together with the Policy and Plan to deliver the winter service.



(12) The Winter Service Policy set out Highways and Transportation's arrangements to deliver a winter service across Kent. The following revisions had been made:-

- (a) Identification of an Overall Winter Service and Core Winter Service Period
- (b) Minimum winter service network
- (c) Levels of salt needed to maintain resilience for the (a) and (b) above
- (d) Salt bins would be identified on a map on Kent.gov
- (e) A new three year contract to provide a winter weather forecast service would be in place for the start of the winter service season

(13) RESOLVED that the Cabinet Member be recommended to approve the updated Winter Service Policy for 2012/13.

#### **41. Hadlow Road Link, Tonbridge - Decision No. 12/01952**

*(Item B7)*

(1) Hadlow Road Link had been an aspiration for over 30 years. It was an expensive urban scheme that had not attracted either government or private sector development funding. The present economic climate, reduced funding and national transport policy made funding of a major scheme in a non growth area even more unlikely. The property held was deteriorating and several houses were boarded up because they were now unsuitable to be leased, making the area look 'run down', as well as the ongoing informal blight created by the presence of the proposal. Officers had been working with Tonbridge & Malling Borough Council on a more appropriate transport strategy that recognised that the Link Road was undeliverable and should be abandoned.

(2) The disposal of the land and property would realise capital receipts in an estimated range of £1.4 - £1.8m. The revenue implications would be positive as the loss of reducing rental income was offset by the avoidance of security costs and the need for significant maintenance if the properties were to be retained. The Head of KCC Property had agreed (a) to release £250,000 from the future capital receipts in order to help pump prime the development and implementation of priority measures identified in the revised transport strategy; and (b) that the cost of the assessment work – some £25,000 - that had been required to develop a revised transport strategy would be netted off the future capital receipts.

(3) The removal of the blight and disposal of the land and property held would allow more beneficial use to be made of the land and property that together implicitly contributed to the core objective of 'Help Kent Economy to Grow'. The scheme was identified in 'Growth without Gridlock' but progress towards meeting many of its core objectives could be more realistically achieved by a revised transport strategy.

(4) The report set out details of the scheme background; property aspects; and a review of the current Transport Strategy.

(5) Analysis identified that the Link Road was not essential to the implementation of the development in the Tonbridge Central Area Action Plan. Properties held were in a poor condition and needed to be sold so that the private sector could bring them into beneficial use and the capital receipts released for the wider public benefit. A revised joint transport strategy was being developed to reflect the current situation and the limited public sector that was available.

(6) RESOLVED that the Cabinet Member be recommended to approve that the proposed road scheme known as Hadlow Road Link be abandoned and no longer used for Land Charge disclosures or development control; and that land and property held for the scheme be declared surplus to highway requirements.

#### **42. Freight Action Plan for Kent 2012 - Decision No. 12/01930**

*(Item B8)*

(1) The report set out the responses to the public consultation on the draft Freight Action Plan for Kent and consequent amendments to the Plan. The consultation period was open from 28 May 2012 until 23 July 2012 but late submissions were accepted.

(2) The *Freight Action Plan for Kent* (FAP) identified the issues facing the county in relation to road freight, developed a series of objectives and outlined a number of key actions. It focussed on road haulage as it was the mode that predominantly affected the county's residents, visitors and workers, as well as the road network itself. However, the FAP expressly supported alternative modes of transporting goods that were considered more sustainable, such as rail and water.

(3) The FAP was subject to internal consultation in February 2012 and subsequently sent to stakeholder groups for six weeks during April and May. The Plan was also sent to KCC Members and Joint Transportation Boards. It produced 39 written representations and significant amendments to the document were made as a result of the process. A final draft version of the FAP was released for public consultation online from 28 May to 23 July 2012. The same stakeholder groups were again notified of the public consultation. The public consultation resulted in a further 25 written representations and 25 responses online.

(4) Some of the actions in the Plan had implications for officer time and consequently a new Freight Officer role was created in July 2012 and would be appointed in September 2012. There were no further financial implications beyond agreed budgets.

(5) The action points in the Freight Action Plan for Kent contributed towards all three of the key priorities in Bold Steps for Kent:

- To help the Kent economy grow
- To put the citizen in control
- To tackle disadvantage

(6) The stakeholder consultation produced a number of very detailed and helpful responses. As a result the FAP was significantly amended to rectify any omissions identified and for general improvement. It ensured that the draft released to the public

was as close to the final version as possible. The public consultation was promoted online on the Roads and Transport page and was also picked up by the industry website *Commercial Motor*. The responses to the public consultation could be split between the written representations made and the online responses, details of which were set out in the Appendix to the report.

(7) The *Freight Action Plan for Kent 2011 – 2016* provided a framework for dealing with the problems generated by road freight in the county. Through the public consultation the Plan had been well received and no significant amendments had to be made.

(8) RESOLVED that the Cabinet Member be recommended to approve the formal adoption of the Freight Action Plan for Kent.

#### **43. Technical and Environmental Service Contract (TESC) - Decision No. 12/01935** *(Item B9)*

(1) The report updated Members on the TESC procurement process. On 14 March 2012 the decision was taken not to extend the current Jacobs contract beyond 31 March 2013. Members agreed that 'in house' expertise would be supported by a new core contract where general commissions were secured. In addition, a competitive 'framework' of specialist suppliers would be procured.

##### *Market Engagement*

(2) On 16 May 2012, the Leader of the Council welcomed senior representatives from over 40 local, national and global organisations to Kent. Presentations gave an overview of KCC's requirements including the procurement strategy and desired solution, including key aspects of the contract. On 24 and 25 May 2012, Enterprise & Environment (E&E) held a Market Engagement event to identify and discuss solutions to deliver Technical and Environmental services for Enterprise and Environment.

##### *Commissioning and Procurement Board*

(3) On 25 June 2012, the KCC Commissioning and Procurement Board approved the recommendation that the Council should procure a Core Contract plus specialised Lots. This would allow a core contract worth about 80% of the annual £4m - £5m budget to attract suitable companies whilst also delivering the Council some economies of scale. The TESC would be developed to allow other KCC Directorates and District Councils in Kent to commission services.

(4) The Paw-Print detailed in the report was used to illustrate how the Technical and Environmental Services Contract (TESC) would be comprised of a Core Services contract for the majority of the professional services, with some smaller specialist contracts ("toes") and internalised services. The Paw-Print approach gave better flexibility in the procurement of services and greater choices without significant additional procurement costs. The Council did not want the risk of having a number of different suppliers and therefore inter-dependencies within a process - the management of this would be complex – particularly if there were disputes as this would increase contractual liability upon KCC. To mitigate this, only specialist work

was being split out, for example work that was undertaken either at the beginning or the end of a process, or work that was an independent, standalone function.

(5) The report set out details of the next steps which consisted of

Core Contract - Pre-Qualification; Invitation to Tender (ITT); Tender Presentations: Preferred Bidder Identified; Mobilisation

The Smaller ("Toe") Contracts

H&T Internalisation

Waste Management

(6) The proposed contract spend by KCC would be approximately £4m - £5m per year for an initial period of up to 5 years, with possible extension(s) for a further 5 years. This was a significant potential reduction on historic spend through the "Jacobs" contract which was worth around £12m – £13m per year in 2010/11.

(7) The TESC aimed to encourage the use of local Kent supply chains and employment of a % of Kent apprentices in a similar way to the Enterprise Term Maintenance contract. The Materials Testing and Coring contract was one that might suit the local labour market. The contract would use key indicators to drive performance with financial penalties if standards were not met. At the PQQ stage, applicants had been assessed on their experience at attracting inward investment/funding for successful transport schemes and strategies. H&T would look to utilise the knowledge through the new contract.

(8) RESOLVED that:-

(a) the contents of the report be noted;

(b) the next steps as detailed in the report be agreed, thereby authorising the Cabinet Member to sign and award the future contract; and

(c) a small group of Members help with both the Bidders Clarification Day and assessment of the Tender Presentations.

#### **44. Environment, Highways & Waste Forward Plan - current entries**

*(Item B10)*

RESOLVED that the current entry in the Forward Plan for Environment, Highways and Waste, be noted.

#### **45. Budget Consultation 2013/14**

*(Item C1)*

(1) Consultation on the draft budget proposals for 2013/14 was launched on 6 September, and would run for 8 weeks up to 1 November 2012. The consultation had been launched much earlier than in previous years, which allowed more time for consideration of the options and more time for Cabinet and Cabinet Committees to consider consultation responses.

(2) The consultation focussed on £42m of savings which were the key new proposals. It included proposals to address the £28m of savings that were not identified at the time the current Medium Term Financial Plan (MTFP) was agreed, as well as some items which were included in the current plan but not in detail as there was no impact in 2012/13.

(3) Cabinet Committees had been asked to establish an Informal Member Group (IMG) to consider the specific budget issues for each portfolio. The IMG would meet throughout the autumn. There were no specific terms of reference for the IMG and each group would agree their own working arrangements and which officers should be invited to provide evidence. It was intended that the IMG would report its findings to the November meeting together with any specific issues for the Environment Highways & Waste portfolio arising from the consultation.

(4) RESOLVED that the Budget consultation launched on 6 September and the engagement with Cabinet Committees, including feedback from the IMG at the November meeting, be noted.

#### **46. Enterprise & Environment Performance Dashboard**

*(Item C2)*

(1) At the last meeting of the Cabinet Committee, it was agreed that the Performance Dashboard would contain a focussed sub-set of key performance and activity indicators, drawn from the year's Divisional business plans for the Enterprise & Environment Directorate.

(2) The Enterprise & Environment performance dashboard included latest available results for the agreed set of key performance and activity indicators drawn from this year's Divisional business plans. Separate tables had also been included in the Dashboard to provide the raw data/denominator used to calculate the performance indicator results.

(3) Where frequent data was available for indicators the results in the dashboard were shown with the latest available month (July) and a year to date figure. For Waste Management, where data was more appropriately monitored with a rolling 12 month figure to remove seasonality, the data was provided with quarterly updates.

(4) During debate Mr Bullock requested that the PI – Waste Management – percentage of municipal waste recycled or converted to energy and not taken to landfill, could be split to show the 2 individual percentage figures – for recycled and converted.

(5) RESOLVED that the report be noted.

#### **47. Enterprise & Environment Directorate (Environment, Highways & Waste Portfolio) Financial Monitoring 2012/13**

*(Item C3)*

(1) Members were asked to note the first quarter's full budget monitoring report for 2012/13 reported to Cabinet on 17 September 2012. There were no exceptional revenue or capital changes since the writing of the quarter 1 report.

- (2) RESOLVED that the revenue and capital forecast variances from budget for 2012/13 for the Enterprise & Environment Directorate (Environment, Highways and Waste Portfolio), based on the first quarter's full monitoring to Cabinet, be noted.

#### **48. Cabinet Member's and Corporate Director's Update**

*(Item D1)*

- (1) Mr Sweetland gave a verbal report on the following issues:-

*Highways* - Kent Freedom Pass; Pembury Hospital Bus Services; Olympics and Paralympics; and Fault Reporting

*Planning & Environment* – Solar Panels; Local Development Frameworks; Community Infrastructure Levy Charging Schedules; Overnight Lorry Parking; and KCC Responses to DfT's Rail Franchise Consultations

*Waste* – Household Waste Recycling Centre Policy Changes; Ashford Household Waste Recycling Centre; and Waste Capital Programme

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

#### **49. KCC Response to the DfT draft Aviation Policy Framework Consultation**

*(Item D2)*

(1) The report put forward a proposed response to the Department for Transport's (DfT) current consultation on a draft Aviation Policy Framework. The draft response drew on the principles set out in the Council's discussion document *Bold Steps for Aviation*.

(2) The final Aviation Policy Framework shaped by the current consultation would be a high level strategy that set out Government's overall objectives for aviation and the policies to achieve those objectives. It would be within the policy framework therefore, that the means of addressing the question of how to ensure retention of UK's aviation hub status would lie. The draft consultation indicated that there would be a call for evidence from Government with regard to the specific question due later this year, however following the recent Cabinet reshuffle there had been an announcement that the Government would set up a cross party Independent Commission to look at the issue of hub status. It was not yet known whether there would be a call for evidence associated with the work of the Commission or not. Indications were the Commission was due to report interim findings by the end of 2013 with final recommendations due mid 2015 post election. Whatever the eventual solution the Commission recommended in terms of hub status, it must align with the policies set out in the Aviation Policy Framework.

(3) There were no revenue or capital financial implications arising from the report as it constituted input to Government policy formation. The proposed response was aligned to the Council's Local Transport Plan and accorded with the 20 year transport delivery plan *Growth without Gridlock*.

(4) The consultation document stated that its aim was to establish the objectives for UK aviation and the policies to achieve those objectives. It stated that the final framework would be a high level strategy. Despite this however, the consultation spends much time dwelling on a number of technical issues such as appropriate noise levels for monitoring. The consultation dealt with the following topics:-

- The benefits of aviation
- Climate change impacts
- Noise and other local environmental impacts
- Working together
- Planning

Four main objectives for aviation relating to the topics were proposed within the consultation document and were set out in the report.

(5) The report summarised KCC's suggested response to DfT's Draft Aviation Policy Framework consultation which would form the policy context under which future decisions on UK aviation capacity and how this was provided for would be taken. The full response was attached as Appendix B to the report.

(6) During debate Mr Bullock referred to the balancing of International Climate Change obligations with the drive for growth in the Government's paper on the future of aviation. Mr Sweetland undertook to review KCC's response to include the issue of striving to achieve a reasonable balance between aviation growth and climate change implications.

(7) RESOLVED that the proposed response to the DfT's draft Aviation Policy Framework consultation, for consideration by the Cabinet Member in finalising the KCC response to DfT by 31 October, be noted.

## **50. Member Highway Fund - Progress Report**

*(Item D3)*

(1) Good progress had been made since the last report to the committee, the outstanding work from the previous 3 year programme had been significantly reduced. New applications for the 2012/13 year had been arriving at an encouraging rate, however just over a third of this year's anticipated MHF applications had yet to be received by the Member Highway Fund Team. The turnaround time from receipt of the application to an order being placed was now circa 15 weeks, a 70% improvement on last years performance. The new web based system to provide instant access for County Members to their progress reports would be available at the end of October.

(2) To date, 216 applications for 2012/13 Member Highway Fund had been received. Assuming that 4 applications would be received per member (336 total) this constituted 64% of anticipated applications. 19 (23%) County Members had submitted no applications for the 2012/13 Member Highway Fund. 49 (58%) County Members had submitted applications for less than half their budget. 24 applications above the 4 free applications had been received, an estimated fee cost to County Members of £23,880.

(3) The total average turnaround from receipt of the application to an order being placed was 15.2 weeks, a significant reduction on the average turnaround last year of 52 weeks.

(4) As agreed by the Cabinet Committee, in light of the upcoming elections, all 2012/13 Member Highway Fund should be spent by the end of the current financial year, no rollover of monies would be permitted. In order to ensure that schemes were installed before the end of the financial year, to allow reasonable programming and avoid installing schemes during inclement weather, orders needed to be placed with both Enterprise and external suppliers before mid December. It was now no longer possible for certain types of scheme applications to be processed by the team for implementation this financial year, and were set out in the report.

(5) There remained £405,740 of works from last financial year to be ordered. 14 of the outstanding applications for 2009 to 2012 remained unapproved, and had not been closed by the County Member. The majority of the schemes were late applications, or had complex stakeholder/consultation issues. There remained a number of schemes which were being progressed by the Borough and District Councils which had been subject to local batching of schemes.

(6) The new web based Member Highway Fund system, would go live on 10 September for scheme data. The County Member access was being developed and instant access to update reports would be available to all County Members by the end of October 2012.

(7) RESOLVED that the report be noted.



**Decision No: 12/01978**

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**From:** Bryan Sweetland – Cabinet Member – Environment, Highways & Waste  
Caroline Arnold – Director of Waste Resource Management

**To:** Environment, Highways & Waste Cabinet Committee

**Date:** 15 November 2012

**Subject:** Kent Joint Municipal Waste Management Strategy: Refresh of Policies

**Classification:** Unrestricted

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**Summary:** The Waste & Emissions Trading Act 2003 requires that councils in two tier areas put in place a Joint Municipal Waste Management Strategy (JMWMS). This seeks to support partnership approaches to deliver better outcomes for taxpayers between Waste Disposal Authorities (such as Kent County Council) and Waste Collection Authorities (district and borough councils). The first Kent JMWMS was adopted by all 13 councils in 2007. This report outlines the process and activities undertaken to refresh the policies in the Kent JMWMS so they are up-to-date and relevant for the period 2012 to 2020. The very good relationships fostered between the 13 councils through the auspices of the Kent Waste Partnership (KWP) are such that refreshing and retaining the KJMWMS is desirable for our own business purposes irrespective of the legal requirement.

**Recommendations:** Members are requested to consider the refreshed KJMWMS objectives and policies 2012/13 to 2020/21 contained in Annex 1 and support these as the policies for this Council.

## 1. Introduction

This report confines itself to the strategic framework needed to ensure all 13 Kent councils carry out their waste disposal and waste collection functions according to three key aims: -

1. Compliance with legal requirements for devising local JMWMSs (as specified in the Waste & Emissions Trading Act 2003).
2. Ensuring the Kent JMWMS delivers financial, performance, and environmental benefits to all 13 Kent councils and, accordingly, for taxpayers. Meeting these needs to the satisfaction of the 13 sovereign councils is a key function of the Kent JMWMS.
3. Creating the right set of strategic objectives and policies in the Kent JMWMS to drive forward projects over the next eight years across the 13 councils and with partners in commerce and industry.

Through the auspices of the Kent Waste Partnership (KWP) all 13 councils' portfolio holders responsible for WDA and WCA functions have discussed, considered and amended the refreshed objectives and policies at Annex 1 over the last 18 months. This included extensive consultation with stakeholders whom supported the KWP's direction and refreshed policies. The objectives and policies are now being recommended for adoption by all 13 councils.

## **2. Financial Implications**

Adopting the policies at Annex 1 does not oblige any of the 13 Kent councils to commit specific funding. Nor is there expected to be an adverse financial impact as a result of adoption. The local implementation of the refreshed policies is designed to create opportunities for councils to avoid future costs as a result of partnership working between the WCAs and/or with the WDA. Local implementation of policies will require negotiation on a case-by-case basis, and where business cases merit examination.

In respect of the recycling and composting target of 50% by 2020, a financial implication could arise if the country as a whole does not meet the target. This is because the Government has legalised the passporting of any EU fines direct to those councils whom do not, themselves, achieve the 50% target. More information on this is contained in the 'Legal Implications' section below. Suffice to say that the purpose of the 50% target is as much about protecting taxpayers' financial interests as it is about environmental performance.

## **3. Bold Steps for Kent and Policy Framework**

Adoption of the refreshed KJMWMS objectives and policies at Annex 1 directly supports the aims of 'Bold Steps for Kent' by continuing efforts across the 13 councils to avoid significant public expenditure whilst also improving performance. The KWP's activities across the 13 councils and with commerce and industry is innovative and sets Kent out as a 'peer leader' in accord with the ambitions set out in 'Bold Steps'.

There is a legal requirement under the Waste & Emissions Act 2003 for councils in two-tier areas to have in place a local JMWMS. The KWP ensures the Kent JMWMS is used as a key tool to deliver local financial, performance, and environmental benefits in accord with the policy frameworks of all 13 councils.

## **4. The Report**

### Achievement of the 2007 KJMWMS Targets

- 4.1 All 13 Kent councils comprise the Kent Waste Partnership (KWP). It has been in place since 2007 and is now recognised as a national peer leader in deriving firm benefits from partnership working between councils and wider stakeholders. The 13 portfolio holders with responsibility for recycling and waste services form the KWP Members Board. Directors and heads of service form the KWP Officers Advisory Group. Each group meets three times a year to take forward all policies and issues relating to the 13 councils' recycling and waste functions.
- 4.2 The first KJMWMS was adopted by all 13 Kent councils in 2007. It amounts to some 1,000 pages of technical data and supporting information but the crux of it was to put in place a range of policies and targets that all 13 councils adopted as a whole. These are at Annex 2 for Members' information. The original KJMWMS remains extant and is publicly available at [www.kent.gov.uk/kwp](http://www.kent.gov.uk/kwp)

- 4.3 Since 2007 the KWP and its constituent councils have worked very hard to achieve the key targets set out in the KJMWMS. These were to achieve a 40% recycling and composting rate across Kent (as a whole) by 2012/13 and for Kent County Council's (KCC's) Household Waste Recycling Centres (HWRCs) to reach a 60% recycling and composting rate. Both of these targets were achieved a year early in 2011/12.
- 4.4 In addition, and this is where the KWP is fast becoming a leader among peers, the amount of waste sent to landfill has reduced dramatically from around 72% in 2005/06 to 22% in 2011/12. Avoidance of waste to landfill is a major contributor to avoiding costs for the Waste Disposal Authority (WDA – Kent CC), and has been a key factor in re-using funds to support the East and Mid Kent projects<sup>1</sup> involving Waste Collection Authorities (WCAs – the district councils).
- 4.5 To achieve the potential for avoiding substantial future costs, the KWP has focused on a two-strand strategy to, firstly, raise its recycling and composting rates (and generating recyclates income) and, secondly, make good use of the Allington Energy from Waste facility to deliver better financial and environmental value from tackling residual waste. Whilst this description simplifies what is often a very challenging and exhaustive process, the value of these two strands to the 13 councils' financial and performance achievements should be recognised as crucial.
- 4.6 The narrative for the KWP's achievements has been set-out in KWP Annual Reports in 2010 and 2011. These are publicly available at [www.kent.gov.uk/kwp](http://www.kent.gov.uk/kwp)
- 4.7 There is wide stakeholder praise of the KWP's achievements, which reflects entirely on the activities of the 13 councils to work in partnership.

#### Refresh of the KJMWMS

- 4.8 Given the achievement of the KJMWMS targets a year early, the significant improvement to infrastructure, and the need to focus on the next set of aims for the 13 councils, the KWP Members Board agreed in 2011 to carry out a refresh of the policies. This refresh would build on the 2007 KJMWMS rather than review or replace it. Thus, the exercise at hand was to consult widely with stakeholders to assess their view of the KWP's direction. It was also to decide for ourselves a reasonable and measured set of ambitions up to 2020 that protected the KWP's (and, hence, the 13 councils) interests.
- 4.9 Since the major district council elections of May 2011, the KWP Members Board has met on five occasions to take forward the refresh of the KJMWMS, among other things. In July 2012, Members decided to 'hit the ground running' by approving an open dialogue with stakeholders on policies and targets.
- 4.10 A consultation exercise took place from 29 August 2011 to 14 November 2011. Stakeholders whom were approached and encouraged to provide comments included: -
- The 13 Kent councils
  - Kent Waste Forum

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<sup>1</sup> The East Kent Project involves Canterbury, Dover, Kent, Shepway and Thanet councils. The Mid Kent Project involves Ashford, Kent, Maidstone and Swale councils. Together, it is estimated that avoided costs in excess of £100 million over ten years may be achievable through the advanced partnership working by councils.

- Kent Association of Local Councils
- National Waste Partnerships
- London and south east Councils
- Government Departments
- Waste Companies
- Retailers and Reprocessors
- Civil Society
- Umbrella Bodies
- Public access to the consultation online<sup>2</sup>

4.11 The details of the consultation, and the issues the KWP sought engagement on from stakeholders, was contained in the KWP Annual Report 2011. Details were published online in August 2011 and also sent to many hundreds of organisations and individuals within the list above.

4.12 The KWP Members Board considered the responses to the consultation in November 2012. This enabled the policy suggestions published in August 2011 to be amended in the lights of responses received. In early 2012, Members decided to reform the policies to reduce the number; to focus outwardly from the councils on the supply chain; and to ensure the overall objectives represented a clear statement of the KWP's ambitions up to 2020.

4.13 As a result of the changes, Members decided to engage with stakeholders one more time on the reformed policies. This exercise took place in April/May 2012. The feedback from the exercise was extremely favourable.

4.14 The KWP Members Board agreed the objectives and policies set-out in Annex 1 on 12 July 2012. These would be considered by all 13 councils individually and recommended for adoption in accordance with local Constitutions.

4.15 In accordance with (and subject to) local practices, the Council's portfolio holder for recycling and waste services, the Council's senior officer, and the KWP Manager will be available to Members to answer questions on this report. A 15-minute presentation at your meeting is also planned with the opportunity for questions.

## **5. Conclusions**

The development of the refreshed objectives and policies at Annex 1 included portfolio Members and senior officers of all 13 Kent councils through the auspices of the KWP. Extensive stakeholder consultation took place in 2011/12. Stakeholder support for the policies and the KWP's strategic direction was strong and unambiguous. Adoption of the objectives and policies enables the Council to continue the groundbreaking work with district councils, commerce and industry to avoid significant costs for taxpayers whilst also improving environmental performance.

## **6. Recommendations**

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<sup>2</sup> It should be noted that the major public consultation on the KJMWMS took place in 2006/07. There were some 2,700 contributions at that time, which influenced the development of the KJMWMS. On this occasion, and because the exercise was a refresh of policies to build on the existing KJMWMS, the main focus was on industry, government, and supply chain stakeholders. The consultation was also publicly available online to any interested parties. However, the implementation of policies would take place at local level, as has happened since 2007, and would continue. Existing practice has been for the 13 councils to carry out public consultations on practical changes to services at the times those changes are proposed.

Members are requested to consider the refreshed KJMWMS objectives and policies 2012/13 to 2020/21 contained in Annex 1 and support these as the policies for the Council.

## **7. Background Documents**

2007 Kent Joint Municipal Waste Management Strategy. This is available publicly at [www.kent.gov.uk/kwp](http://www.kent.gov.uk/kwp)

2011 KWP Annual Report and Consultation on Refreshing the Kent Joint Municipal Waste Management Strategy. This is available publicly at [www.kent.gov.uk/kwp](http://www.kent.gov.uk/kwp)

## **8. Contact details**

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## Kent Joint Municipal Waste Management Strategy (KJMWMS) 2012/13 to 2020/21 Policies

<b>Objectives</b>	
1	Deliver the best possible outcomes on materials handled by the KWP from household and other appropriate sources.
2	Deliver the best possible value for money to Kent taxpayers taking account of whole-service costs paid through Council Tax.
3	Secure the best possible outcomes through effective partnership working among the 13 Kent councils, through the SE7 Project, with government, and across the supply chain.

<b>Policies</b>	
<b>1. Materials Security and Resource Efficiency</b>	
1a	By 2015/16 the KWP will reduce household waste arisings by at least 5% (based on 2010/11 levels); recycle/compost at least 45%; and send no more than 10% to landfill.
1b	By 2020/21 the KWP will reduce household waste arisings by at least 10% (based on 2010/11 levels); recycle/compost at least 50%; and send no more than 5% to landfill. Our ambition is to get as close to zero untreated waste to landfill as possible.
1c	The KWP will work with the government, the SE7 Project, and others to develop and deliver a waste reduction plan including practical measures to help achieve policies 1a and 1b. [Added context: In practice this includes national programmes such as the Love Food Hate Waste campaign, ‘take back’ schemes for bulky items, and re-use in the home.]
1d	The KWP will take account of the need for the right quality of recyclates for the right end uses as included with the revised Waste Framework Directive and transposition into UK legislation. [Added context: In practice this includes co-ordinated activities with the supply chain and Kent residents to ensure quality; encouraging initiatives to improve outcomes on recycling of plastics including HDP, PET and PP; supporting changes to legislation, such as on Packaging & Packaging Export Recovery Notes (PRNs/PERNs) to create a level playing field for domestic reprocessors; and flows of materials to be auditable through to end destinations.]
1e	The KWP will continue its high performance in minimising the use of landfill. The KWP will assist householders to maximise the amounts they recycle and re-use, and avoid putting the following items into residual waste bins: paper, cardboard, glass, metals, wood, plastics, textiles, waste electricals, batteries, and food.

<b>2. Value for Money for Kent Taxpayers</b>	
2a	The KWP will continue its existing efforts to deliver value for money to Kent residents by means of: optimising services financially and environmentally; joint service delivery opportunities between councils; cross-boundary working; economy of scale through procurement exercises; and securing funding from external bodies.
2b	The KWP aspires to put in place separate collections of discarded food for composting on a weekly basis in all districts by 2020; and in at least 8 of the 12 districts by 2015/16 (separate weekly collections) and 10 of the 12 districts (including existing fortnightly collections).
2c	Communications and operational activities will be co-ordinated so that Kent taxpayers gain the best possible value from the investment of their Council Tax payments into local services. [Added context: In practice this includes balancing financial, environmental, and social outcomes wherever possible.]
2d	All eligible Kent councils will sign up to the new generation of household and business 'Recycling & Waste Collection Commitments' and seek to uphold these continually.

<b>3. Supporting Kent's Interests</b>	
3a	The KWP will seek innovations to ensure future services provide the Kent taxpayer with the best value for money. These include exploring the feasibility of collections from commercial premises (particularly SMEs); cross-county working on HWRC's, materials and infrastructure (such as the SE7 Project); and cross-sector working with retailers, brands, reproducers and others.
3b	The KWP will continue its record of influencing the government's policies and laws to protect Kent taxpayers' interests whether by means of responses to consultations; development of Responsibility Deals and appropriate legislation; and securing support from wider audiences on issues of importance to us.
3c	The KWP will promote good practice in relation to health and safety; street scene effectiveness (including enforcement and behavioural change); and value for money (including unit costs and asset effectiveness).
3d	The KWP will maintain a publicly-available Operating Framework that defines its scope, remit and procedures; and review its continued operation at least in 2015 and 2019.
3e	The KWP will continue to produce an Annual Report that outlines the work of the previous financial year in delivering the Kent Joint Municipal Waste Management Strategy and any other activities within its remit.
3f	The Kent Joint Municipal Waste Management Strategy will be refreshed in 2016/17 and 2021/22; or at any other times as agreed by the KWP; or in accordance with any changes in legislation relating to such strategies.

# **Kent Joint Municipal Waste Management Strategy (KJMWMS) Equalities Impacts Assessment (2012)**

## **KENT COUNTY COUNCIL EQUALITY IMPACT ASSESSMENT**

**Directorate:**

Enterprise and Environment (Kent Waste Partnership)

**Name of policy, procedure, project or service**

The Kent Waste Partnership (KWP) is refreshing the Kent Joint Municipal Waste Management Strategy which was originally implemented in April 2007.

**What is being assessed?**

The 15 policies currently included in the Kent Joint Municipal Waste Management Strategy which set out how the Kent Waste Partnership intends to manage municipal solid waste arising up until 2020.

**Responsible Owner/ Senior Officer**

Paul Vanston, KWP Manager.

**Date of Initial Screening**

Friday 8<sup>th</sup> August 2012





Screening Grid

Characteristic	Could this policy, procedure, project or service affect this group less favourably than others in Kent? YES/NO If yes how?	Assessment of potential impact HIGH/MEDIUM LOW/NONE UNKNOWN		Provide details: a) Is internal action required? If yes what? b) Is further assessment required? If yes, why?	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO - Explain how good practice can promote equal opportunities
		Positive	Negative		
Age	No	Unknown		No	<p>As an overview of potential EIA needs in the future, the outworking of the policies is likely to mean changes in some services managed by Kent's Waste Collection Authorities (i.e. the 12 district councils in Kent) and also the Waste Disposal Authority (Kent County Council).</p> <p>Such changes may include: -</p> <ul style="list-style-type: none"> <li>▪ the frequencies of recycle and residual collections;</li> <li>▪ the range of recyclables collected;</li> <li>▪ the range of bins needed to support better collections;</li> <li>▪ the need to reduce waste, particularly organics;</li> <li>▪ changes at Household Waste Recycling Centres;</li> <li>▪ the need to support the waste hierarchy; and</li> <li>▪ any other impacts to ensure the Strategy policies deliver the financial, environmental and social improvements for a better Kent.</li> </ul>
Disability	No			No	
Gender	No			No	
Gender Identity	No			No	

<b>Race</b>	No		No	<p>The 13 sovereign councils have the legal responsibility to ensure Equalities Impacts Assessments relating to their populations are carried out as part of their usual day-to-day business activities. This is particularly the case when any major service changes that happen from time-to-time are proposed (often at the time of contract renewals every seven to ten years).</p> <p>The need for updating Strategy policies to ensure the 13 Kent councils meet EU and national laws relating to their recycling/waste functions is understood.</p> <p>Thus, whilst this document confirms there is no requirement to undertake a full impact assessment in respect to the Strategy policies, it is acknowledged the 13 Kent councils will continue to carry out local EIAs as appropriate when implementing local changes that impact on residents, including (and especially) the nine protected characteristics.</p>
<b>Religion or Belief</b>	No		No	
<b>Sexual Orientation</b>	No		No	
<b>Pregnancy and Maternity</b>	No		No	
<b>Marriage and Civil Partnerships</b>	No		No	

## **Part 1: INITIAL SCREENING**

### **Context**

The Kent Waste Partnership is a two tier partnership consisting of 12 district and borough councils, which collect domestic waste in Kent and Kent County Council, who dispose of it.

In April 2007 the Kent Waste Partnership developed a Kent Joint Municipal Waste Management Strategy (KJMWMS) which currently serves the purpose of providing a strategic approach to managing municipal solid waste arising over the next 20 years.

Reasons for the KJMWMS refresh are as follows;

- The economy, technologies and markets have changed dramatically since 2007.
- The European Union (EU) Waste Framework Directive was transposed into national law in March 2011. This impacts on the KWP in three main ways:-
  1. The 'waste hierarchy' is now law.
  2. A national 'waste prevention plan' must be put in place by 2014.
  3. All councils must provide recycling services for glass, metals, paper and plastics by 2015 – either at the kerbside or using bring banks.
- The government published the results of its own national review of waste policies in June 2011. This followed an exercise lasting a year where the Government sought views on its policies.

### **Aims and Objectives**

The Consultation on refreshing the KJMWMS was published on Friday 19 August 2011. The original deadline of Friday 28<sup>th</sup> October 2011 was extended to Monday 14<sup>th</sup> November 2011 due to following reasons;

- Extended from 10 weeks to 12 to permit extra time for some consultees whom had asked for it.
- As some consultees had asked for an extension, it was offered to everyone.
- An opportunity to encourage more responses as well as demonstrating support to stakeholders by offering an extension.

The Consultation compares the 20 original policies set within the KJMWMS with the KWP's 30 suggested ways forward up until 2020.

The target audience for this Consultation was the Kent Waste Forum. (Stakeholders of the Kent Waste Partnership.) This includes all Kent district councils, Kent County Council, retailers, reproprocessors, 'civil society' organisations, community sector and a host of other interested parties. The Consultation was sent to all stakeholders via email as well as being uploaded publicly on the Kent Waste Partnership's web pages. ([www.kent.gov.uk/kwp](http://www.kent.gov.uk/kwp))

Taking on board the feedback received, the KWP's 'suggested ways forward' were condensed into 15 policies and were agreed at the KWP Members Board on 12 July 2012. Changes made were subtle but it was felt an updated EIA was appropriate to ensure issues were appropriately examined again.

### **Beneficiaries**

By refreshing the KJMWMS in 2011/12 allows the Kent Waste Partnership to take stock of its current performance compared to the original aims and policies stated in the KJMWMS.

It also allows the Kent Waste Partnership to reassess its strategic position in terms of the European Union (EU) Waste Framework Directive and digesting the government's recent publication on the national review of waste policies in June 2011, updated technologies and other factors.

The 'KWP's suggested ways forward' addressed in the Consultation are with the intention of benefiting three key areas;

- The Kent taxpayer
- Environment
- KWP Performance

### **Consultation and data**

The target audience for the KJMWMS Consultation consisted of the following;

- Kent Councils
- Kent Waste Forum
- Kent Association of Local Councils
- National Waste Partnerships
- London and south east Councils
- Government Departments
- Waste Companies
- Retailers and Reprocessors
- Civil Society
- Umbrella Bodies
- Public access to the consultation online.

### **Potential Impact**

From the KWP's updated policies, it is considered there will be substantial financial benefits to all Kent taxpayers, as well as improved environmental performance by the councils. Achieving these benefits may require local changes to some services in some areas. Where this is required, equality impact assessments will be taken forward by each of the sovereign councils as part of their own activities in delivering high quality services to the public.

## JUDGEMENT

### Option 1 – Screening Sufficient

**YES**

Following this screening our judgement is that no further action is required in terms of the KJMWMS refresh of policies.

#### **Justification:**

Using the Equalities Impact Assessment tool allows the Kent Waste Partnership to calculate whether the suggested policies have any direct or indirect adverse/negative impacts to people.

From the evidence above, the Kent Waste Partnership's refreshed strategy will deliver substantial financial and environmental performance benefits to Kent taxpayers. Where local implementation of the policies requires some changes to some services in some areas, the sovereign councils will take forward equalities impacts assessments as appropriate as part of their usual activities.

### Option 2 – Internal Action Required

**NO**

*There is potential for adverse impact on particular groups and we have found scope to improve the proposal*

### Option 3 – Full Impact Assessment

**NO**

*Only go to full impact assessment if an adverse impact has been identified that will need to undertake further analysis, consultation and action*

#### **Equality and Diversity Team Comments**

Local implementation of the refreshed KJMWMS policies may require some changes to some services in some areas. Where this is required to meet EU and national laws relating to the delivery of recycling/waste services, equalities impacts assessments will be carried out by the sovereign councils as part of their normal activities to deliver high quality services to the public.

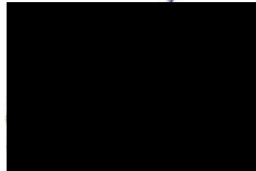
Therefore recognising this, no further action is required on the strategy itself, but EqIAs should be carried out locally as appropriate.



**Sign Off**

*I have noted the content of the equality impact assessment and agree the actions to mitigate the adverse impact(s) that have been identified.*

**Senior Officer**



Signed:

Name: Paul Vanston

Job Title: Manager, Kent Waste Partnership; and Business Development  
Manager, South East 7 Waste Programme

Date: 30 August 2012

**DMT Member**



Signed:

Name: Caroline Arnold

Job Title: Head of Waste Management, Kent CC

Date: 06 September 2012

**Decision No 12/01935**

**From:** Bryan Sweetland, Cabinet Member – Environment, Highways & Waste  
John Burr, Director of Highways & Transportation

**To:** Environment, Highways & Waste Cabinet Committee

**Date:** 15 November 2012

**Subject:** Technical & Environmental Service Contract (TESC) update

**Classification:** Unrestricted

**Summary:** This paper is the latest Member update on the TESC procurement process and follows on from previous Policy Overview and Scrutiny Committee (POSC) updates, Informal Members Group (IMG) discussions and a paper to the Environment, Highways and Waste (EHW) Cabinet Committee in September.

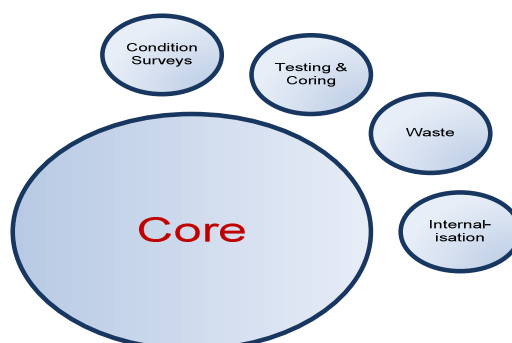
**Recommendations:** Members are asked to note the recent procurement progress and next steps that will identify the preferred bidder leading to the award of the new contract.

## 1. Introduction

A previous update paper was submitted to the EHW Cabinet Committee on 20 September 2012, explaining how the now decommissioned Policy Overview and Scrutiny Committee (POSC) decided on 14 March 2012 not to extend the current Jacobs contract beyond 31 March 2013. The paper of 20 September outlined the procurement timeline and progress to date. The EHW Cabinet Committee agreed that a robust procurement process continues to progress.

## 2. The “Paw-Print” Model

As previously explained, the Paw-Print detailed below, is used to illustrate how the Technical and Environmental Services Contract (TESC) will be comprised of a Core Services contract for the majority of the professional services, with some smaller specialist contracts (“toes”) and internalised services. The Paw-Print approach gives better flexibility in the procurement of services and greater choices without significant additional procurement costs.



The core represents about 80% of the contract value. The “toes” represent three smaller specialist contracts and internalisation as listed below:

1. Road Condition Surveys
2. Materials Testing and Coring
3. Waste Management
4. Internalisation of various H&T functions (including Arboriculture and Structures).

### **3. Recent Progress**

#### Core Contract

1. *Pre-Qualification*: An Official Journal of the European Union (OJEU) notice and Pre Qualification Questionnaire (PQQ) were published on 13 July 2012. The closing date for bidders to return PQQ's was 22 August 2012. The completed PQQ's were then evaluated and the following five companies were invited to submit a full tender – AECOM, Amey, Atkins, Capita Symonds, Parsons Brinckerhoff.
2. *Invitation to Tender (ITT)*: On 24 September 2012, an Invitation to Tender (ITT) was issued to the five shortlisted bidders and the unsuccessful applicants were notified. The five bidders have until the close of play on 6 November 2012 to submit their final tenders. As a part of this process, a Bidders Day was held on 11 October where the potential providers met KCC representatives (Officers and Members) to discuss the TESC requirements in more detail. The Elected Members panel of David Brazier and Roy Bullock both agreed that this was a useful and informative event.

### **4. Next Steps**

#### Core Contract

1. *Bidders Presentations*: Presentations take place on 20 November and a small group of Members will be asked to sit on the assessment panel which scores the bidders based on their presentation and subsequent question and answer sessions.
2. *Preferred Bidder Identified*: By the end of November, the preferred bidder will be identified and a report prepared for the Commissioning and Procurement Board. The Board will meet on 12 December where they will be informed of the preferred bidder. There will then be a mandatory standstill period of at least ten calendar days (this is a requirement for all contracts tendered via the OJEU) before the Corporate Director; Enterprise & Environment signs off the award of contract.
3. *Mobilisation*: Mobilisation must have commenced by early January 2013 to allow both KCC and the new provider sufficient time to start the new contract on 1 April 2013.

#### The Smaller ("Toe") Contracts

The "Road Condition Surveys" and "Materials Testing & Coring" contracts will both be procured separately, with support from the Corporate Procurement Team, under "Spending the Council's Money". These contracts will commence on 1 April 2013, in line with the start of the TESC Core Contract.

#### H&T Internalisation



The on-going series of changes and adjustments to service structure and design continues through the internalisation of certain functions previously provided by Jacobs. This currently includes bringing Structures, Arboriculture and Gazetteer maintenance back in house for delivery directly by KCC.

Waste Management – Waste lead the procurement of a stand-alone contract.

## **5. Financial Implications**

The proposed contract spend by KCC will be approximately £4m - £5m per year for an initial period of up to 5 years, with possible extension(s) for a further 5 years. This is a significant potential reduction on historic spend through the “Jacobs” contract which was worth around £12m – £13m per year in 2010/11.

## **6. Conclusions**

A robust and focussed procurement process continues to progress and will lead to contract award in early 2013.

## **7. Recommendations**

Members are asked to:

- Note the contents of this report.

## **8. Background Documents**

EHW Policy Overview and Scrutiny Committee meetings:

- 12 January 2012

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=529&MId=3968&Ver=4>

- 14 March 2012

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=529&MId=3969&Ver=4>

EHW Cabinet Committee Meeting:

20 September 2012

<https://democracy.kent.gov.uk/documents/s34114/Item%20B9%20-%20Technical%20and%20Environmental%20Service%20Contract.pdf>

## **9. Contact details**

**Name:** John Burr

**Title:** Director; Highways & Transportation

**Tel No:** 4192

**Email:** [john.burr@kent.gov.uk](mailto:john.burr@kent.gov.uk)

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**Decision No 12/01931**

**From:** Bryan Sweetland, Cabinet Member – Environment, Highways & Waste  
John Burr - Director of Highways & Transportation

**To:** Environment, Highways & Waste Cabinet Committee

**Date:** 15<sup>th</sup> November 2012

**Subject:** Policy for the use of mirrors on the Highway in Kent

**Classification:** Unrestricted

**Summary:** This report proposes the County Council adopts a new policy to allow limited use of traffic mirrors on the public highway at specific locations to assist in the delivery of the key objective of reducing road casualties.

**Recommendations:** That the Committee endorses the policy set out in the report allowing limited use of traffic mirrors on the public highway and recommends to the Cabinet Member the policy be introduced.

### **1. Introduction**

The County Council for many years has not supported the use of traffic mirrors on the highway despite other Highway Authorities and the Department for Transport (DfT) allowing them in certain circumstances. It is now proposed that the County Council adopts a new policy allowing the limited use of traffic mirrors at specific locations to assist in the delivery of one of our key objectives of reducing road casualties.

### **2. Financial Implications**

If the policy is adopted the County Council would bear the costs of installation and maintenance of a traffic mirror if introduced as a casualty reduction measure. If a Member wishes to fund a mirror via their Member Highway Fund then the cost would be met from their individual allocation. If a member of the public requests a traffic mirror to assist with exiting private property then they would have to fully fund the work including the full investigation, approval and any future maintenance costs.

### **3 Bold Steps for Kent and Policy Framework**

Growth Without Gridlock states road safety as a priority for central and local government. Allowing limited use of traffic mirrors at specific locations will assist in delivery our key objective of reducing road casualties.

#### **4. The Report**

The Highways & Transportation department receives enquiries every year requesting the installation of traffic mirrors on the highway to aid motorists at road junctions or private accesses where visibility is restricted due to the alignment of the highway, vegetation, fence, wall or building etc. Currently these requests are turned down on the basis that the placing of a mirror could adversely affect road safety due to:

- Distortion of reflected image, glare from sunlight or headlamps affecting the driver's vision.
- Visibility issues during bad weather (rain, snow, frost).
- Difficulty judging speed of an approaching vehicle from the mirror image.
- Maintenance issues – mirrors could be prone to vandalism and maintenance of their alignment and cleanliness is critical.
- Reliance on the mirror's restricted image may compromise the safety of other road users (such as pedestrians and cyclists) who do not appear in the mirror.

Traffic mirrors are classified as a road traffic sign but they are not currently prescribed in the Traffic Signs Regulations and General Directions (TSRGD). Their use on the highway currently requires special authorisation by the Department for Transport (DfT). The DfT applies rigorous criteria when assessing approval for mirrors, taking in to account factors such as the crash record, lack of visibility, and the potential to improve the visibility. They are not used as substitutes for normal good highway practice. The DfT have however, indicated in their recent review of signing policy "Signing the Way" that the new revised TSRGD, due sometime after 2014, will allow the use of mirrors in prescribed conditions without the need for special authorisation.

Whilst the widespread use of mirrors should not be encouraged there are sites when their use may be a benefit to road safety. As the DfT allow them in certain circumstances and are themselves proposing new legislation to remove the need for special authorisation it is therefore proposed the County Council adopts a new proactive policy that allows their limited use. Each site would need to meet with the DfT criteria and would require an independent safety assessment to ensure that existing hazards are not increased by inducing drivers to rely on a mirror and take less care than they normally would. The assessment process would include a review of the safety record and consultation with the police.

The County will only consider traffic mirrors on the public highway where:

- There is a crash history relating to a lack of visibility.
- Visibility for vehicles emerging from the side road is severely restricted.
- A visibility improvement scheme is not feasible.
- Visibility cannot be improved by removing hedges, walls, trees or other obstacles.

- The speed limit on the major road is above 30mph, the introduction thereby being aimed at higher speed roads.
- There are no other reasonable standard highway improvements possible.

To reduce bureaucracy it is not proposed to apply for special authorisation for traffic mirrors provided on behalf of individuals to assist them exiting their private drives as they will be fully aware of potential hazards. However, where a traffic mirror has the potential to be used by multiple drivers who may not be familiar with the location, special authorisation will be sought.

Mirrors may be sited off the highway on private land and that is a matter for the land owner and the person who places the mirror. Planning permission may be required and any applicant should be directed to the local Planning Authority. Should any private mirror overhang a highway maintainable at public expense, then a licence is required from the Highway Authority. Should the County Council ascertain that road safety is being compromised as a result of a private mirror being placed near to the public highway the County Council will use its powers to remove the mirror.

## **5. Conclusions**

Currently the County Council does not allow the placing of traffic mirrors on the public highway despite other highway authorities and the DfT allowing them in certain circumstances. Traffic mirrors can provide a benefit to road safety when used appropriately. It is therefore proposed that the Director of Highways and Transportation be allowed to authorise the use of traffic mirrors on the public highway in Kent providing the site meets the DfT criteria, passes an independent safety assessment and has been the subject of consultation with the Police.

## **6. Recommendations**

That the Committee endorses the policy set out in the report allowing limited use of traffic mirrors on the highway and recommends to the Cabinet Member the policy be introduced.

## **7. Background Documents**

Department for Transport – Signing the Way

<http://assets.dft.gov.uk/publications/signing-the-way/signing-the-way.pdf>

## **8. Contact details**

**Name:** Andrew Corcoran  
**Title:** Traffic Schemes & Member Highway Fund Manager  
**Tel No:** 01233 648302  
**Email:** andy.corcoran@kent.gov.uk

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**This edition of the list of Forthcoming Executive Decisions supersedes  
ALL previous Editions**

Published by Democratic Services

This list of Forthcoming Executive Decisions publicises all known decisions which Kent County Council intends to take over the next six months. It gives information on the projects that will be coming forward and who will be involved with them. Key decisions are marked clearly as such within the list.

Please use the contact details given to let us know your views.

## **LIST OF FORTHCOMING EXECUTIVE DECISIONS**

Each week the list of Forthcoming Executive Decisions is updated where there are additions, deletions or amendments to be made. Although Kent County Council aims to include all known decisions, statute requires that all Key decisions must be publicised in this way.

A “Key Decision” is an Executive-side Decision which is likely to:

- (a) result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council’s budget for the service or function to which the decision relates; or
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the area of the local authority.

Key Decisions can only be taken by the Cabinet, the Leader or an individual Cabinet Member.

Decisions which should be regarded as Key Decisions because they are likely to have a significant effect either in financial terms or on the Council’s services to the community include:

- (a) Decisions about expenditure or savings over £1,000,000 which are not provided for within the approved budget or Medium Term Financial Plan
- (b) Adoption of major new policies not already included in the Policy Framework (Constitution Appendix 3) or changes to established policies
- (c) Approval of management and business plans
- (d) Decisions that involve significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality. For example, closure of a school, approval of a major project (such as a highway scheme) or programme of works, major changes in the eligibility criteria for provision of a service, major changes in the fees charged for a service, or proposals that would result in a service currently provided in-house being outsourced.
- (e) Decisions where the consequences are likely to result in compulsory redundancies or major changes in the terms and conditions of employment of a significant number of employees in any of the Council’s functions.



Preparation of the list helps the Council to programme its work and ensures compliance with the 'Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) regulations 2012.

The list outlines the consultation that is proposed in respect of future decisions and who members of the public and the Council should contact to make comments on any particular item. Anyone is entitled to obtain copies of the documents that will be relied upon when a decision is taken, unless those documents are 'Exempt' within the meaning of the relevant sections of the Local Government Act 1972 (as amended).

Reports related to decisions will be published on the Council's web site at [www.kent.gov.uk](http://www.kent.gov.uk) at least five days before the decision it is due to be taken. Once the decision has been taken, a copy of the Record of Decision will also be published on the Council's website. Paper copies will be made available by contacting Louise Whitaker (telephone 01622 694433 or email [louise.whitaker@kent.gov.uk](mailto:louise.whitaker@kent.gov.uk)).

<b>The Kent County Council Cabinet Members are:</b>	
Mr Paul Carter	Leader of the Council
Mr Alex King	Deputy Leader & Cabinet Member for Democracy and Partnerships
Mr Roger Gough	Cabinet Member for Business Strategy, Performance & Health Reform
Mr John Simmonds	Cabinet Member for Finance & Business Support
Mr Graham Gibbens	Cabinet Member for Adult Social Care & Public Health
Mr Bryan Sweetland	Cabinet Member for Environment, Highways & Waste
Mr M Dance	Cabinet Member for Regeneration & Economic Development
Mr M Whiting	Cabinet Member for Education, Learning & Skills
Mr Mike Hill	Cabinet Member for Communities, Customer Services & Improvement
Mrs Jenny Whittle	Cabinet Member for Specialist Children's Services

All Members can be contacted by writing to Kent County Council, Sessions House, County Hall, Maidstone, Kent, ME14 1XQ or by email via the Council's website.

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**November 2012 by Individual Cabinet Member****Policy for the use of mirrors on the Highway in Kent - 12/01931**

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: Not before 1st Oct 2012

Originally due: 2 Jul 2012

Lead officer: Andy Corcoran

**December 2012 by Individual Cabinet Member****Technical And Environmental Services Contract (Tesc) - 12/01935**

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: December 2012

Originally due: 3 Dec 2012

Lead officer: Paul Denman

**Kent Joint Municipal Waste Management Strategy - 12/01978**

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: December 2012

Originally due: December 2012

Lead officer: Caroline Arnold

**January 2013 by Individual Cabinet Member****Kent Minerals and Waste Development Framework (MWDF) Core Strategy at Pre-Submission (Draft Plan) Stage - 12/01879**

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: January 2013

Originally due: 3 Sep 2012

Lead officer: Lillian Harrison

**Maidstone Borough Council Core Strategy Submission (Regulation 27) consultation - 12/01828**

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: January 2013 (*date likely to change*)

Originally due: 1 Mar 2012

Lead officer: Katherine Dove

**Gravesham Core Strategy and Development Management Policies DPD (Reg 19 Publication for Submission) - 12/01967**

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: January 2013

Originally due: 1 Jan 2013

Lead officer: Liz Shier

**April 2013 – by individual Cabinet Member**

**Canterbury City Council Local Plan (Reg 18) Consultation – 12/01991**

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: April 2013

Lead officer: Adam Reynolds

**Thanet District Council Local Plan (Reg 18) Consultation – 12/01992**

Decision maker: Cabinet Member for Environment, Highways & Waste

Decision due: April 2013

Lead officer: Adam Reynolds

**Swale Borough Council Local Plan (Reg 19) pre submission publication – 12/01993**

Decision maker: Cabinet Member for Environment, Highways & Waste

Decision due: April 2013

Lead officer: Liz Shier

**March 2013 by Cabinet**

**Kent Local Flood Risk Management Strategy (local strategy) - 12/01945**

Decision maker: Cabinet

Decision due: 18 Mar 2013

Lead officer: Max Tant

**Decisions to be taken in 2013 – timings to be confirmed**

**Various District Transport Strategies – 12/01923, 12/01925, 12/01926, 12/01928, 12/01929, 12/01994**

Decision maker: Cabinet Member for Environment, Highways & Waste

Decision due: 2013

**A20 Corridor Statutory Quality Bus Partnership Scheme - 12/01924**

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: 2013 – date to be confirmed

Originally due: 3 Dec 2012

Lead officer: Paul Lulham

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**From:** Bryan Sweetland, Cabinet Member - Environment, Highways & Waste  
Mike Austerberry, Corporate Director - Enterprise & Environment  
Andy Wood, Corporate Director - Finance and Procurement

**To:** Environment, Highways & Waste Cabinet Committee

**Date:** 15 November 2012

**Subject:** Consultation on 2013/14 Revenue Budget

**Classification:** Unrestricted

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**Summary:** This report provides Members with feedback on the recent consultation on the 2013/14 budget and in particular how it relates to the Environment, Highways and Waste portfolio. The timing of this committee means we have not been able to fully analyse all the responses in time for this meeting. A full analysis of responses will be presented to Cabinet in December.

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## **1. Introduction**

1.1 Consultation on proposals for the 2013/14 revenue budget was launched on 6<sup>th</sup> September. This launch was much earlier than in previous years, allowing more time for respondents to make submissions and more time to consider responses. The consultation closed on 1<sup>st</sup> November.

1.2 The consultation included a variety of engagement approaches including:

- Media launch
- Easy to read consultation document (available in printed and on line versions)
- Tick-box questionnaire with the option of submitting a more detailed response
- 2 all day workshops with a cross section of Kent residents organised by independent market research firm Ipsos MORI
- Specific briefings and workshop sessions with a range of other stakeholders including business representatives, voluntary sector, youth county council and trade unions
- Engagement with representative member panels from Cabinet Committees
- Presentations by County Councillors to locality/local boards
- Briefing sessions for staff including Challenger group

1.3 This comprehensive consultation and communication strategy has been endorsed by Cabinet Members with the aim of striking the right balance between in-depth engagement with a representative sample of Kent residents as well as wider engagement. We have devoted the majority of expense in engaging Ipsos

MORI. Previous experience has demonstrated the additional benefit of independent market research rather than in-house. Ipsos MORI have given assurances that deliberative events with a small sample of residents can provide reliable and robust findings that are indicative of the larger population. The sessions included a cross section of the community and Ipsos MORI recommend that face to face engagement produces much higher quality research results than other forms of engagement.

1.4 In addition to the formal consultation process, Unison circulated a survey to KCC staff and others attending the County Council on 25<sup>th</sup> October. The results of this survey will be identified separately from the main consultation.

## **2. Consultation Proposals**

2.1 The consultation identified that we are estimating an overall reduction in funding of £67m. These are estimates at this stage for consultation purposes as we have no provisional grant figures from central government or details of how the new funding arrangements will work under Local Government Finance Bill. We also only have an estimate for the Council Tax base, and at this stage districts have not agreed their local schemes for Council tax support to replace Council Tax benefit.

2.2 The funding estimate takes account of the loss of the one-off Council Tax Freeze grant for 2012/13 and the estimated loss of Formula Grant based on Spending Review 2010 planned totals. It also takes account of forecast changes in Dedicated Schools Grant due to additional pupils and conversion of academies.

2.3 The funding estimate includes the forecast impact of increased Council Tax base due to growing population and reduced collection rates due to transfer of responsibility for Council Tax benefit.

The funding estimate includes a freeze in the County Council element of Council Tax without any additional Government support (at the time of the launch the Council Tax freeze grant now on offer had not been announced).

2.4 The funding estimates will need to be updated when we get provisional grant settlements, more details of the new funding arrangements following Royal Assent of the Local Government Finance Bill and better estimates of Council Tax base and collection rates. Members should be aware that these were our best estimates based upon available information for consultation purposes.

2.5 The consultation also identified estimated additional spending demands of £32m. The majority of these (£19m) are unavoidable due to inflationary, legislative and demand led pressures. As with funding, these estimates are based on the best available information for consultation purposes and will need to be refined prior to the budget being finalised. It is essential that the final budget is set according to the most up to date information. The remaining £13m of estimated additional spending would not be unavoidable and is subject to local policy choices e.g. impact of funding new capital spending.



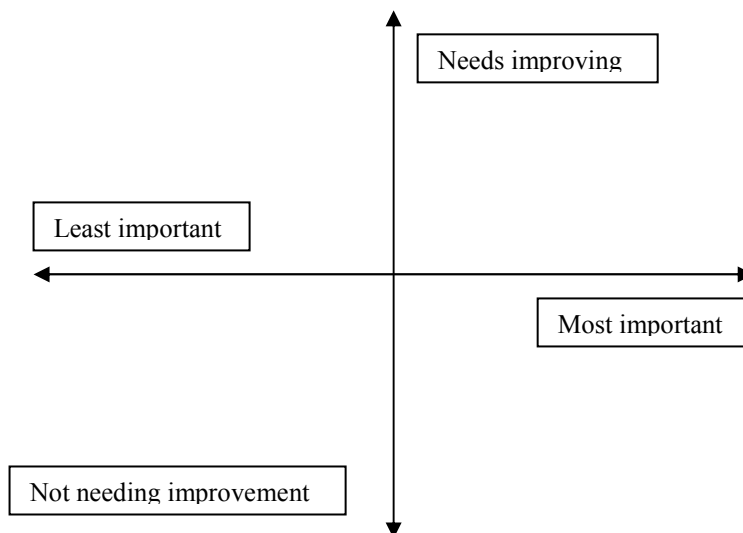
2.6 In order to balance the estimated funding reductions (excluding DSG) and additional spending demands the consultation outlined £60m of possible savings, income and service transformations. £13m of this £60m will arise from the full year impact of actions being taken during 2012/13 or from decisions which have already been taken. The consultation did not seek views on this £13m. The consultation focussed on £44m arising from key new proposals which would be implemented in 2013/14.

2.7 Appendix 1 sets out the main additional spending demands and savings proposals for the Environment, Highways and Waste portfolio.

### 3. Feedback from MORI Workshops

3.1 Ipsos MORI organised workshops with Kent residents on Saturday 29<sup>th</sup> and 6<sup>th</sup> October. The first workshop covered East Kent and was held in Canterbury, the second workshop, for West Kent, was held in Tonbridge. Both had between 30 to 40 attendees recruited from a variety of backgrounds and age ranges. This number is consistent with similar workshops organised in previous years.

3.2 The sessions ran from 10am until 4.30pm. In the first session participants had the opportunity to identify what they like and don't like about living in Kent. This was discussed in 4 smaller groups and each group was asked to map a range of KCC services against a scale of importance and scale of scope for improvement as below.



3.3 The remainder of the morning session gave participants an insight into other MORI research into opinions on public spending and a presentation on the issues facing KCC next year and the proposals in the budget consultation.

3.4 In the afternoon MORI explored in more depth with the 4 groups whether KCC should address the budget gap through savings or council tax increases (including other ways the council could raise council tax). MORI also explored with the groups examples of KCC services and whether savings should be determined by the County Council, by local communities, or by individuals taking greater responsibility.

3.5 We have not received the report from Ipsos MORI in time for this committee meeting. The full report will be presented to Cabinet in December.

#### **4. Feedback from On-Line Questionnaire and Budget Consultation Document**

4.1 Confirmation will be provided on 9<sup>th</sup> November of the total number of responses to the consultation have been received. These are either from the questionnaire available on-line/included in the consultation document or e-mails to the dedicated address. This is the first year we have produced a plain English document, in addition to putting more resources into raising awareness of the budget consultation.

4.2 The response rate is considerably higher than in previous years but the number of respondents does mean that the results, although indicative of those who responded, may not be as robust as we would expect, or represent the views of the population at large. Therefore, we are suggesting that more emphasis should be placed on the qualitative exercise undertaken by Ipsos MORI than the general responses, although both provide an insight into the opinions of Kent residents.

4.3 The consultation only closed on 1<sup>st</sup> November and therefore we have not had sufficient time to undertake a full analysis for this committee. A full analysis will be presented to cabinet in December.

#### **5. Feedback from Specific Focus Groups**

5.1 We have had held consultation sessions with the KEB Business Advisory Board, representatives from the Voluntary and Community Sector, and Kent Youth County Council. At each of these sessions a brief presentation was given setting the background to the 2013/14 budget and outlining the proposals in the consultation. Participants were asked for comment on issues and in particular the approach to transformation, whether local communities could take more responsibility and whether Council tax should be frozen.

5.2 Analysis from these sessions will be presented to Cabinet in December together with the MORI report and individual consultation responses.

#### **6. The Informal Member Groups**

6.1 The Cabinet Committee agreed to establish an Informal Member Group (IMG) to consider budget issues. The group for this committee was chaired by Nigel Collor and included Ian Chittenden, Roy Bullock, Gordon Cowan, and David Brazier representing the committee. The group met on 1<sup>st</sup> and 23<sup>rd</sup> October 2012

6.2 The group considered all aspects of the Environment, Highways and Waste portfolio

The following areas of Highways and Transportation were discussed:

- staff re-structure
- contract renegotiations
- new consultancy contracts
- highways maintenance
- sustainable transport
- Freedom Pass
- verge maintenance

The following areas of Waste Management were discussed:

- tonnage reduction
- contract renewals
- partnership working with District Councils
- household waste recycling centres

The following areas of Planning and Environment were discussed:

- reduction of staffing levels/ team, re-structures
- external funding
- introducing charging for pre application planning advice
- the statutory nature of the majority of P&E services

6.3 The IMG did not recommend any other areas that could be looked to either generate savings or additional income.

## **7. Next Steps**

7.1 A full report on the consultation will be presented to Cabinet on 3<sup>rd</sup> December. Cabinet will be asked to consider all issues that arose during the consultation, and to make a formal response. This will include issues discussed and agreed at this Cabinet Committee. Cabinet will agree any necessary changes to the budget proposals and if necessary issue a revised draft budget.

7.2 The revised draft budget will include an update of all the estimated additional spending demands and savings / income / transformations. The update will also include the provisional grant settlement and updated Council Tax base. This could mean that the revised draft will not be published immediately after Cabinet on 3<sup>rd</sup> December depending on when information is available.

7.3 Cabinet Committees will have a further opportunity to review the revised final draft budget in the January round of meetings prior to it going to County Council on 14<sup>th</sup> February for final approval (including setting the Council Tax for 2013/14).

## **8. Recommendations**

8.1 Members are asked to:

(a) NOTE the budget consultation process and that full analysis of responses will be presented to Cabinet in December.

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## Budget proposals as detailed in the 2013-14 budget consultation document

		2013/14 £m
<b>ADDITIONAL SPENDING DEMANDS</b>		
<b>Unavoidable</b>		
Contractual pay and prices	Transport, Energy, Maintenance contracts, and Waste contracts	2.16
EU Landfill Tax	Impact of £8 per tonne Landfill Tax escalator	1.50
Demography	Impact on a range of demand led budgets as a result in increasing number of Kent households and increasing over 65 population	0.76
<b>Local Policy Proposals</b>		
Capital Financing	Financing costs of additional borrowing (interest and debt repayment) for new capital investment	0.36
Waste collection recycling and disposal	Invest to save partnership commitment under innovative joint arrangements with local district/borough councils to unify collection methods and thereby improve recycling rates and lower disposal costs	2.33
Commercial Services	Impact on dividend paid to KCC following major restructuring	0.72
<b>SAVINGS AND INCOME</b>		
<b>Income Generation</b>		
Commercial Services	Increase in dividend paid to KCC from Commercial Services activities following restructuring	-0.44
Other	Planning applications	-0.05
<b>Savings</b>		
Waste Contracts	Savings from improved procurement following renewal of waste recycling, haulage and disposal contracts	-0.61
Waste Management	Implementation of changes to operation and location of household Waste Recycling Centres following major review	-0.55
Other	Reduce planning support	-0.06
<b>Transformation</b>		
Waste partnerships	Improved waste collection and disposal arrangements through partnerships with districts	-2.38
Street Lighting	Energy Consumption reduction and environmental improvements deriving from selective turning off of streetlights on main routes and minor roads between midnight and 5am, and removal of unnecessary lights	-0.42
Other	Other environment service reductions	-0.15

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**From:** Bryan Sweetland, Cabinet Member – Environment, Highways & Waste  
Mike Austerberry, Corporate Director – Enterprise & Environment

**To:** Environment, Highways & Waste Cabinet Committee

**Date:** 15 November 2012

**Subject:** Enterprise & Environment Directorate (Environment, Highways and Waste Portfolio) Financial Monitoring 2012/13

**Classification:** Unrestricted

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**Summary:**

Members of the Cabinet Committee are asked to note the first quarter's (April-June) full budget monitoring report for 2012/13 was reported to Cabinet on 17 September 2012. Members of the Cabinet Committee are also asked to note the subsequent update to this position which was reported in the monitoring exception report to Cabinet on 15 October 2012.

**FOR INFORMATION**

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**1. Introduction:**

- 1.1 This is a regular report to this Committee on the forecast outturn for Enterprise & Environment Directorate (Environment, Highways and Waste Portfolio).

**2. Background:**

- 2.1 A detailed quarterly monitoring report is presented to Cabinet, usually in September, December and March and a draft final outturn report in either June or July. These reports outline the full financial position for each portfolio and will be reported to Cabinet Committees after they have been considered by Cabinet. In the intervening months an exception report is made to Cabinet outlining any significant variations from the quarterly report. The first quarter's monitoring report for 2012/13 was reported to Cabinet Committees in September. An update to this position was reported in the monitoring exception report to Cabinet on 15 October. The relevant extracts from this exception report are included in the revenue and capital sections below.

### 3. Enterprise & Environment Directorate 2012/13 Financial Forecast - Revenue

3.1 **Table 1** shows the movements reported in the exception report following the quarter 1 report provided to Cabinet Committees in September.

Portfolio	Forecast Variance £000s	Movement from Qtr 1 report £000s
Environment, Highways & Waste	-2.603	-0.375
Directorate Total	<b>-2.603</b>	<b>-0.375</b>

The main reasons for this movement are detailed below:

#### 3.2 Environment, Highways & Waste Portfolio:

The underspend for this portfolio has increased by £0.375m this month from -£2.228m to -£2.603m. The main movements are:

- a) Planning Applications: Although there is no net movement on this budget, there is a movement on gross of -£0.128m which primarily results from staffing vacancies which are being held to offset an under-recovery in income of +£0.128m, which largely relates to reduced income from planning applications.
- b) Waste Management: Although the overall forecast net underspend has increased by -£0.341m from -£1.888m to -£2.229m, the overall forecast tonnage remains at 715,000. There have however been a number of changes to the forecast which are detailed below:
  - +£0.374m Recycling Contracts and Composting - an increase in the net position from a -£0.211m underspend to a pressure of +£0.163m. This is made up of various movements in both volume (+£0.183m) and prices (+£0.216m) across the recycling and composting contracts, together with additional income from the sale of recyclables (-£0.025m).
  - -£1.912m Disposal Contracts - an increase in the underspend from -£0.440m to -£2.352m as a result of reduced contractual payments due to extended planned maintenance at the Allington Waste to Energy Plant, which has resulted in less tonnage being processed at the plant than previously forecast. However, for the same reason part of this underspend has been offset by an increase in spend on Landfill Disposal Contracts due to more waste being diverted to landfill; this has also resulted in a corresponding increase in landfill tax referred to below.
  - -£0.178m Haulage and Transfer Stations - an increase in the underspend from -£0.067m to -£0.245m which is due to a reduction in forecast activity.



- +£1.442m Landfill Tax - an increase in the position from a -£0.241m underspend to a pressure of £1.201m. This movement relates to additional volumes of waste sent to landfill due to extended planned maintenance at the Allington Waste to Energy Plant. This pressure is offset by savings on Disposal Contracts referred to above.
- In addition, there has been a small increase of -£0.067m in the underspend on the Household Waste Recycling Centres budget, which has moved from a net underspend of -£0.579m to -£0.646m

#### 4. Enterprise & Environment Directorate 2012/13 Financial Forecast - Capital

4.1 **Table 2** shows the summary of variance from cash limit, as reported in the exception report to Cabinet on 15<sup>th</sup> October 2012.

Portfolio	Environment, Highways & Waste
	Amount £m
<b>Unfunded variance</b>	<b>1.203</b>
Funded variance	0.514
Variance to be funded from revenue	6.000
Project underspend	-0.013
<b>Rephasing (to/from beyond 2012-15)</b>	<b>-4.130</b>
Total variance	3.574

Movements from the quarter 1 report are detailed below:

#### 4.2 Movements in unfunded variance

There have been no movements in unfunded variance since the quarter 1 report.

#### 4.3 Movements in re-phasing (to/from beyond 2012-15)

Movements since the quarter 1 report are detailed below:

- **Sandwich Sea Defences** – re-phasing beyond 2012-15 of -£1.016m. The schedule of planned contributions from KCC now reflects the anticipated progression of the scheme, giving more realistic phasing.
- **Sittingbourne Northern Relief Road** – further re-phasing of -£0.462m. Although the scheme itself is complete, the revised phasing gives a more accurate estimate of the final costs which include landscaping, signage, traffic calming and compensation claims.

- **East Kent Access Phase 2** – re-phasing back into 2012-15 of +£0.368m. This reflects a more realistic view of settling compensation claims within the 6 year statutory period.
- **Growth Without Gridlock** – re-phasing beyond 2012-15 of -£2.500m to better reflect the plans for this money.
- **A28 Chart Road** – re-phasing into 2012-15 of +£3.600m. The plan is to deliver this scheme in phases as funding becomes available. The initial phase has funding approval in principle from the Growing Places fund, and is unlikely to require planning consent. The revised forecast spend reflects this.

#### 4.4 Other movements

There have been no other movements since the quarter 1 report.

### 5. Recommendations

- 5.1 Members of the Environment, Highways & Waste Cabinet Committee are asked to note the revenue and capital forecast variances from budget for 2012/13 for the Enterprise & Environment Directorate (Environment, Highways and Waste Portfolio) based on the first quarter's full monitoring to Cabinet and the subsequent exception report.

#### Contact details

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**By:** Bryan Sweetland, Cabinet Member – Environment, Highways & Waste

**To:** Mike Austerberry, Corporate Director – Enterprise & Environment  
Environment, Highways & Waste Cabinet Committee – 15 November 2012

**Date:** 15 November 2012

**Subject:** Business Planning Priorities - 2013/14

**Classification:** Unrestricted

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**Summary:** This report details provisional headline priorities for Business Plans (2013/14) for each division within Environment, Highways & Waste. Cabinet Committee members are invited to consider and comment on the priorities, in order to influence the development of the draft business plans to be discussed in January 2013.

## 1. Introduction:

- 1.1 Effective business planning is a pre-requisite for any organisation to ensure a clear focus on delivering agreed organisational priorities across both the medium to long-term and through more day-to-day activity.
- 1.2 It is important that annual divisional business plans are owned and developed by the relevant Director, Corporate Director and Cabinet Member, with support and quality assurance from the Policy and Strategic Relationships Team in the Business Strategy Division. Cabinet Committees play an important pre-scrutiny role in shaping and influencing business plans, before they are approved by Cabinet with a formal key decision in March 2013. Cabinet Committees will then continue to have an oversight and assurance role of business plan delivery through the bi-annual 'business plan outturn' monitoring process.
- 1.3 The Budget Consultation and 'Bold Steps' report to County Council in October reference five 'P' themes that are of strategic importance to the organisation: prevention, productivity, partnership, procurement and people. These provide a helpful, light-touch framework for discussions on how each division can contribute to these overarching themes that will help to deliver 'Bold Steps for Kent'.
- 1.3 Business plans should be influenced 'top down' by evidencing how each division contributes to cross-cutting transformation programmes and achievement of organisational strategic priorities. However, this needs to be balanced with 'bottom up' service, member and operational priorities, informed by discussions at divisional management meetings with Heads of Service, to ensure business plans remain relevant and meaningful for team and individual action planning.

1.4 As such, at this early stage in the process it is appropriate to reflect on the headline priorities for each division, which will then inform the development of SMART (Specific, Measurable, Achievable, Realistic and Timely) actions with named accountable officers within the substantive draft plans due to be considered in January Cabinet Committees.

## 2. **Headline Priorities 2013/14:**

2.1 There are three divisional business plans covered by Environment, Highways & Waste Cabinet Committee:

- Planning & Environment
- Highways & Transportation
- Waste Management

2.2 Each division has considered their initial headline priorities within the five 'P' framework, highlighting specific financial and policy challenges:

- a) **Prevention:** demand management, contributing to preventative transformation programmes (e.g. Integrated Adolescent Support Services, FSC Adults Transformation, Public Health etc)
- b) **Productivity:** efficient systems and processes, invest to save/value for money, smarter ways of working, contributing to transformation programmes (ERP, New Work Spaces, Digital Strategy, Channel Shift etc)
- c) **Partnership:** building local internal and external partnership arrangements (e.g. SE7), governance, partnership projects & programmes (e.g. health & social care integration) relationship with central government
- d) **Procurement:** efficient commissioning and procurement processes, best value, category management, contract management, localist commissioning models (e.g. sub-contracting to VCS and SME providers)
- e) **People:** improving internal and external customer relationships, customer focused processes, embedding the Customer Services Strategy, change management, cultural and behavioural change
- f) **Financial & Policy Challenges:** operational implications for delivering saving targets, managing demand and capacity with reduced resources, income generation, changes in national policy or legislation, feedback from Budget Informal Member Groups (IMGs)

2.3 Environment, Highways & Waste Cabinet Committee are invited to consider and comment on the headline priorities set out in Appendix A. Any feedback will be considered by Directors and reflected within the draft plans for further discussion in January.

## 3. **Timetable**

3.1 Each division will develop their draft plan during the November to January period. Divisions will be required to share substantive, but still draft, business plans with Cabinet Committees at the January round of meetings as this is the last opportunity for Committee's to formally consider draft plans before approval by Cabinet. It is important to recognise that as draft plans not all activity for the forthcoming year may have been agreed by January and it will not be possible to include detailed

financial information as the 2013/14 budget will not yet have been approved by County Council.

- 3.2 The draft plans will be updated from January to February 2013 to take into account Cabinet Committee feedback. Policy & Strategic Relationships will work with Directors in February to provide quality assurance of the business plans, before formal approval by Cabinet in March 2013. The new plans will be published online and implemented from April 2013.

#### **4. Recommendations:**

4.1 Environment, Highways & Waste Cabinet Committee is asked to COMMENT on and NOTE the headline priorities for each division's business plan for 2013-14 as set out in this report.

#### **Appendices:**

Appendix A: Draft Headline Priorities per Division

#### **Background Documents:**

N/A

#### **Contacts:**

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## Business Planning 2013/14: Highways and Transportation Draft Headline Priorities

### Prevention

1. *Improve Web-based fault reporting website so show all current activity and planned works to better inform customers and reduce the need to contact us.*
2. *Pilot innovative improvements to the inspection (KCC) and repair (Enterprise) process for a more 'find & fix' approach to day to day activity*

### Productivity

1. *Review pothole repair process to improve quality and speed*
2. *Improve 'White Lining in Kent' – both whole route/location based prioritisation and response to local priorities*
3. *Manage any changes to the highway Insurance Claims service as a result of potential legislation changes in April 2013*
4. *Bus route canopy vegetation clearance programme and publication of revised policy/process following lessons learnt*
5. *Business Case process for validating schemes for funding through the Lane Rental Income.*
6. *Deliver operational improvements for Sandwich and Preston Highway Depots*

### Partnership

1. *Deliver further 'Caretaker' initiatives with Communities*
2. *Ensure mitigation on traffic movements and the condition of the network during the 'Superfast Broadband' programme.*
3. *North Farm, Tunbridge Wells Master Planning and Recommendations.*

### Procurement

1. *Efficiencies and improved performance of Consultants through the new term contract*
2. *Deliver new soft landscape contracts with improved and consistent service level across Kent*
3. *Review of supported bus contract procurement model to deliver further savings in public transport revenue support*
4. *Let improved contract arrangements for Road Condition Assessment, Material Testing and Coring*

### People

1. *Develop H&T Apprenticeship Programme*
2. *Review of Light Vehicle Crossing service to improve speed of delivery and customer experience*
3. *Publishing map based live traffic information on web and TV screens in KCC buildings*
4. *Review of Safety Camera provision following introduction of digital enforcement technologies.*
5. *Deliver countywide 'Freight Watch' and Freight Gateway initiatives*
6. *Review on-street parking enforcement services following audit review.*
7. *Develop and publish 20 mph policy and approach*
8. *Further improvements to real time incident management and network hotspots*

### Financial & Policy Challenges

1. *Further phases of Streetlight Energy consumption reduction projects*
2. *Capital Programme Review to identify new local priorities and sources of funding.*
3. *Wide ranging public transport subsidy model review and recommendations.*

## Business Planning 2013/14: Planning and Environment Draft Headline Priorities

### Partnership

Key strategic transport schemes: Additional Thames Crossing, overnight lorry parking and solution to operation stack, Thanet Parkway and rail line speed improvements to East Kent, A21 Dualling

Influencing strategic transport thinking: transport funding, Aviation Strategy, Local Transport Body, new South Eastern and combined Thameslink Rail Franchises, recalibration of Growth without Gridlock

Minerals and Waste Local Plan: consultation of draft plan, pre-submission and Environmental Impact Assessment

Delivery of Kent Environment Strategy

Local Plan consultations, CIL, duty to co-operate, responding to consultations on major infrastructure proposals and Government Planning Reforms

Determination of county developments and minerals and waste planning applications

Full establishment of the Local Nature Partnership

Archaeological Resource Centre

District Heritage Strategies

Statutory review of the Kent Downs Area of Outstanding Natural Beauty Management Plan

### Prevention

Sandwich Flood Risk Scheme

Strategic Flood Risk Management

Implementation of Sustainable Drainage Systems (SUDS) duties

### People

Green Deal – retrofitting homes

Energy Efficiency for residents

Effect of Universal credit on the Gypsy and Traveller community

### Productivity

New G&T site management in Ashford

Meeting requirements of the Council's Planning Applications and Regulation Committees

Public Sector resource efficiency

Development of the Green Economy

### Procurement

Green Deal and retrofitting providers for residents

Smart metering at Gypsy and Traveller sites

Developing G&T sites in Maidstone and Swale

### Financial & Policy Challenges

Make/Buy/Sell reviews of Planning Applications and Flood Risk and Natural Environment

Increasing income generation in the division's services

## Business Planning 2013/14: Waste Management Draft Headline Priorities

### Procurement

Delivery of East Kent Waste Project: contract management of the East Kent contract and mobilisation of new contracts for bulk waste transfer and haulage for Thanet and Canterbury areas

Delivery of Mid-Kent Waste Project: mobilisation of new contracts for managing dry recyclables and organic materials

New or replacement contracts for operation and management of Household Waste Recycling Centres and Transfer Stations

Procurement of new or replacement contract(s) for county-wide CCTV system across HWRC network

### Productivity

Progress construction of TS/HWRC in Swale area

Progress land acquisition and planning permission for HWRCs in Tonbridge and Malling/West Maidstone area and North-West Kent area in line with HWRC review

Complete redevelopment of Ashford Transfer station/HWRC

Complete refurbishment works at Tovil and Canterbury HWRCs

### Partnership

Implement SE7 delivery programme

West Kent Waste project: work with West Kent waste collection authorities to review future service options

Investigate and trial further recycling and reuse opportunities

### Financial & Policy Challenges

Continue implementing agreed changes to HWRC operating policy

Deliver savings as outlined in the Medium Term Financial Plan

Review impact of HWRC policy

### People

Consultation and engagement activity on improvements to the HWRC network

### Prevention

Closed Landfill sites: continuous and effective monitoring of closed landfill sites, including obtaining planning permission for re-profiling at Cryalls Land and Chilmington, and completion of Phase 2 works at Shaw Grange



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**From:** Bryan Sweetland, Cabinet Member for Environment, Highways & Waste  
Mike Austerberry, Corporate Director for Enterprise & Environment

**To:** Environment, Highways & Waste Cabinet Committee

**Date:** 15 November 2012

**Subject:** Enterprise & Environment performance dashboard

**Classification:** Unrestricted

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**Summary:** The Enterprise & Environment performance dashboard provides members with progress against targets set in business plans for key performance and activity indicators.

**Recommendation:** Members are asked to REVIEW the Enterprise & Environment performance dashboard, including reviewing the appropriateness and relevance of the indicators currently included in the dashboard.

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### Introduction

1. Appendix 2 Part 4 of the Kent County Council Constitution states that:  
  
“Cabinet Committees shall review the performance of the functions of the Council that fall within the remit of the Cabinet Committee in relation to its policy objectives, performance targets and the customer experience.”
2. To this end, each Cabinet Committee is receiving a performance dashboard.

### Enterprise & Environment performance dashboard

3. The Enterprise & Environment performance dashboard, attached at Appendix 1, includes latest available results for the agreed set of key performance and activity indicators drawn from this year's Divisional business plans.
4. Following review of the dashboard by this Committee in September and the request made by Members, the waste management indicator relating to municipal waste has been split to show waste recycled and not taken to landfill and waste converted to energy and not taken to landfill.
5. Where frequent data is available for indicators the results in the dashboard are shown with the latest available month (September) and a year to date figure. For Waste Management, where data is more appropriately monitored with a rolling 12 month figure to remove seasonality, the data is provided with quarterly updates.

## **Recommendations**

6. Members are asked to REVIEW the Enterprise & Environment performance dashboard.

## **Background Documents:** E&E Divisional Business Plans

### Contact Information

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# **Enterprise & Environment Performance Dashboard**

## **September 2012**

**Produced by Business Intelligence, Business Strategy**

**Publication Date: 23 October 2012**



**Guidance Notes**

**RAG RATINGS**

<b>GREEN</b>	Performance has met or exceeded the current target
<b>AMBER</b>	Performance is below the target but above the floor standard
<b>RED</b>	Performance is below the floor standard

Floor standards are pre-defined minimum standards set in Business Plans and represent levels of performance where management action should be taken.

**DOT (Direction of Travel)**

↑	Performance has improved in the latest month
↓	Performance has fallen in the latest month
↔	Performance is unchanged this month

**Please note:**

For some indicators where improvement is expected to be delivered steadily over the course of the year, this has been reflected in phased targets. Year End Targets are shown in this dashboard, but full details of the phasing of targets where appropriate can be found in the Cabinet approved business plans.

Separate tables have been provided showing the raw data (denominator) used to calculate the percentages for the Performance Indicators.

### Performance Indicators reported monthly

All data for Highways and Transportation relates to month of September 2012.

Performance Indicator	Latest Month Result	Month RAG	DOT	Year to date Result	Year to date RAG	Year end Target	Floor Standard	Previous year
Highways & Transportation								
Average number of calendar days to repair a pothole	16.1	GREEN	↓	12.4	GREEN	28	35	20
Percentage of routine enquiries reported by the public, which were completed within 28 calendar days	97%	GREEN	↑	95.8%	GREEN	90%	80%	90%
Percentage of potholes due to be repaired in the month, which were completed within 28 calendar days	98%	GREEN	↑	98.1%	GREEN	90%	80%	89%
Percentage of streetlights repaired in 28 calendar days (KCC Control)	87.2%	AMBER	↑	86.8%	AMBER	90%	80%	84%
Percentage of streetlights working	99%	GREEN	↑	98.8%	GREEN	98%	90%	98%

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Activity (supporting figures for Performance Indicator results above)	Monthly Count	Year to date	Previous Year
Number of pothole repairs completed	716	4,568	11,645
Number of routine enquiries reported by the public which have reached completion due date (28 calendar days after initial enquiry)	2,495	14,632	61,248
Number of potholes repairs which have reached completion due date (28 calendar days after initial enquiry)	750	5,163	11,645
Number of streetlight repairs which have reached completion due date (28 calendar days after initial enquiry) (KCC Control)	2,360	16,339	33,893
Number of streetlights	126,156	N/A	126,056

### Performance Indicators reported with rolling 12 month, to remove seasonality

All data for Waste Management relates to quarter ending September 2012.

Performance Indicator	Latest result	RAG	DOT	Year end Target	Floor Standard	Previous year
Waste Management						
Percentage of municipal waste not taken to landfill (waste recycled, composted or converted to energy)	78.4%	GREEN	↑	75.4%	72.8%	78.1%
Percentage of municipal waste recycled or composted	46.0%	GREEN	↑	44.4%	42.9%	45.2%
Percentage of municipal waste converted to energy	32.4%	GREEN	↑	30.9%	29.8%	32.9%
Percentage of waste recycled and composted at Household Waste Recycling Centres (HWRC) including soil and hardcore	72.1%	GREEN	↑	70.0%	68.1%	71.8%
Activity (supporting figures for Performance Indicator results above)	Rolling 12 month Tonnage		Business Plan forecast		Previous year	
Total Municipal waste tonnage collected	716,000		694,200		716,000	
Municipal waste tonnage collected by district councils	523,000		526,000		525,000	
HWRC waste tonnage collected	193,000		168,000		191,000	

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**By :** Bryan Sweetland, Cabinet Member for Environment, Highways & Waste  
Mike Austerberry, Corporate Director for Enterprise & Environment

**To:** Environment, Highways & Waste Cabinet Committee

**Date:** 15 November 2012

**Subject:** Enterprise & Environment Mid-Year Business Plan Monitoring

**Classification:** Unrestricted

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**Summary:** The mid-year Business Plan monitoring provides highlights of achievements to date for the divisions within the Enterprise & Environment Directorate.

**Recommendation:** Members are also asked to NOTE this report.

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## Introduction

1. A light touch mid-year Business Plan monitoring exercise was conducted, with the aim of identifying key achievements and areas where tasks were not completed.
2. Highlights of the mid-year Business Plan monitoring for Enterprise & Environment is shown below and are laid out by division.

## 3. Highways and Transportation (H&T)

### **Priority 1: Improve customer experience and satisfaction**

- 3.1 **Smartcard Contract Award** - Kent has over 600 buses equipped with Smart Ticket Machines as well as some 320,000 Smart Travel Cards in use including the English National Concessionary Travel Scheme in Kent and the Kent Freedom Pass. A contract to provide the back office systems for these Concessionary Travel schemes was awarded in February 2012. The contract covers Card Management, Card Production as well as HOPS Services, which processes transactions from Smart Ticket Machines. The transfer was completed successfully and customer service levels were unaffected. The contract will enable further development of new smart card ticketing products as well as contributing to the Kent Card scheme.
- 3.2 **Publish Draft Freight Action Plan** - The Freight Action Plan has now been completed after discussion with key Stakeholders and public consultation. The plan was formally adopted by the Cabinet Committee on the 20 September. The first Lorry Watch scheme is planned for November in Leeds/Langley villages to the east of Maidstone.

- 3.3 **Review and Implement improvements to out of hours (OOH) incident management** - The OOH service review has been completed; we have re-written the OOH officer manual to ensure the instructions and expectations are much clearer for officers to apply. The key difference between the new process and the old is a staff expectation; we now expect officers to attend an incident unless they have very good justification why they shouldn't; previously it was expected that, unless there was good reason, they wouldn't attend. We have briefed all OOH duty officers on the new manual and created an agreement for them all to sign. Since introducing the new mandatory operating practice we have already seen a good reduction in the number of times we have had to ask our contractor to attend site, thus saving money and time in some cases.
- 3.4 **Review and amend Insurance process in light of any legislation changes** - This legislation has been put on hold until April 2013. H&T are working closely with the Corporate Insurance manager to ensure that KCC is ready for any changes. This will be a project carried forward into the 2013/14 Business Plan.
- 3.5 **Publish customer facing asset management documents** - This has been included in the review and updating of the KCC website content for key assets such as streetlighting, soft landscape and drainage to ensure customers are clear on the services we offer and those we cannot. We want the KCC website to help us be open and honest about the level of service customers can expect and ensure the Contact Centre use this to manage expectations and support our channel migration strategy
- 3.6 **Improve robustness of highway response to all types of weather emergency** - Good progress has been made reviewing and improving H&T response to weather emergencies. The Highway Management Centre opening hours have been increased to 06.00-22.00 Monday to Friday and 09.00-17.00 Saturdays to help manage real time traffic incidents and provide information and response in emergency situations. Communications with the Police have been improved with emergency calls now coming direct to H&T staff to improve response times. The annual review of Winter Service has been undertaken and improvements put in place for this season. Good progress is being made with gully cleaning so that the scheduled cleaning approach can prevent as many emergency situations as possible by having a regularly cleansed drainage system.
- 3.7 **Publish 'expectation management' information on all key services** – Expectation schedules have been completed for all key parts of H&T and are now with the business units to update and reflect the 2013/14 budget position once this is clear. These detailed schedules are now being translated onto the KCC website so customers are clear on the levels of service we deliver and what we can and cannot do.

## **Priority 2: Deliver key improvement projects**

- 3.8 **East Kent Access Phase 2 (EKA2)** – The scheme was opened on 23 May by Norman Baker MP Parliamentary Under Secretary of State for Transport together with Paul Carter, Laura Sandys MP for South Thanet and Des



Steadman, representing the Board of the Hochtief Volker Fitzpatrick Joint Venture contractor. The whole site teams were praised for delivering this technically challenging scheme that is vitally importance for East Kent, safely, on budget and 5 months ahead of schedule.

- 3.9 **East Kent Access Traffic Calming on old roads** - Works commenced in July after utilities had completed works that they had deferred until EKA2 was open. Completion in August but it is likely that some additional works will be carried out to improve visibility and assist safety based on an initial operational assessment of the measures.
- 3.10 **Gravesend Transport Quarter – achieve planning consent** - Planning consideration for the Rathmore road link delayed due to possible delays in Network Rail implementing Phase 2 (multi-story car park). A revised approach is now being taken with a separate application.
- 3.11 **Implement more sustainable funding for traffic modelling** – The interim proposal was reported to the Cabinet committee on 4 July and arrangement is now in place. This is based on recovering actual costs plus a percentage add on for future maintenance of transport models. Work on long term charging strategy is in progress.
- 3.12 **Deliver approved option for Pembury Hospital Bus Service** - Since the Tunbridge Wells Hospital opened in September 2011, KCC have been acting as agents for the NHS Trust in administering interim bus service enhancements providing high frequency links to the hospital from Tunbridge Wells and Tonbridge, fully funded by the NHS Trust. The Joint Eastern and Western Area Planning Committee on 3 September considered an application from the NHS Trust to remove Condition 29 of the hospital's planning consent (to provide four specified bus services for five years) subject to the signing of a S106 agreement through which the Trust would provide £2.1m to continue to support the interim service enhancements that have been operational since September 2011. KCC considered that the interim service enhancements represented the most appropriate form of public transport provision to the hospital and had the potential to become commercially viable after the funding period. KCC therefore did not object to the planning application subject to the NHS fully funding the interim service enhancements for a five year period and providing funding for Community Transport Organizations so that enhanced services from rural areas to the hospital could be provided. The NHS Trust was proposing to provide a capped £2.1m contribution towards bus services (which may or may not be sufficient to support the services for five years) and did not provide details of the support they were providing to Community Transport Organizations. Therefore KCC formally objected to the planning application. The Planning Committee approved the application and the NHS Trust will provide £2.1m to support the continued operation of the interim service enhancements. KCC are now in the process of working with the NHS Trust and the bus operators to transfer the contracts for the service enhancements to the NHS Trust. Whilst KCC will not be involved in the longer term service provision, we will work to ensure a smooth transition with no impact on the service provided to the public.

- 3.13 **Deliver an Integrated Transport plan to mitigate adverse journey times during the Olympics** - The Integrated Plan was delivered by May and set out the mitigation for the impact of the Olympics in Kent. This was used to provide accurate information and a media campaign to ensure that spectators planned their journey. The plan also set a series of projects to tackle a number of concerns in the county including; contingency parking near to Ebbsfleet; changes to the criteria used when lifting tolls at the Dartford Crossing; and a number of specific Traffic Management measures around Dartford. All were delivered on time and contributed to the success of the Olympics having a limited negative impact on the road network.
- 3.14 **Ensure Kent's highway network is safe and fit for purpose during the Olympics** - The Highways Management Centre (HMC) implemented a robust plan to mitigate incidents on the Olympic Route Network and worked closely with our external partners to ensure the appropriate level of resource was available to manage incidents effectively and efficiently. The Olympics ran really smoothly, we only experienced incidents on the peripheral of the Olympic route that were managed effectively keeping disruption to a minimum. The HMC was open 24/7 throughout the duration of the Olympics, acting as a single point of communication between the Highways Agency and the Police traffic command and control centre at Medway. The HMC also ensured that information was reported accurately and in a timely manner so that people could make informed journeys and plan their journey effectively.
- 3.15 **Put in place a new hosting arrangement for customer and work ordering software** - A decision has been taken for Pitney Bowes to continue the hosting provision until June 2014. This has been authorized by the Director Information Communication Technology and the Cabinet Member for Business Strategy, Performance and Health Reform. This follows a review of examining the external opportunity against the risk of service continuity. Information Communications & Technology have been authorized to extend the hosting and support of the WAMS Confirm application with Pitney Bowes. The single tender action has been approved and orders placed to coincide with the contractual support and maintenance contract with Pitney Bowes.
- 3.16 **Review East Kent depots provision and gain approval for best option** - The review of the East Kent depot has resulted in the decision that KCC Property conducts a search for potential alternative sites. If an appropriate alternative site is found there will be a business case submitted to the appropriate Cabinet Committee for approval to proceed.
- 3.17 **Implement recommendations from review of the highway service vehicles** – A review has been completed to ensure that front line staff have the appropriate vehicles to attend incidents, undertake inspections and are safe on the highway. Arrangements have now been made with Commercial Services to provide vehicles that will deliver mileage and fuel saving.

### **Priority 3: Driving further improvements in our contract with Enterprise**

- 3.18 **Improve speed of process to deliver the Member High Fund** - Following two informal member group meetings a range of improvements were presented to the May meeting of the Cabinet Committee. The

recommendations were approved and are now being implemented. They were:-

- 1.18.1. Delegated authority is given to the Director of Highways and Transportation for the approval of expenditure on MHF schemes.
- 1.18.2. Expenditure on those schemes not in accordance with current Highways & Transportation policies, procedures and practice will be referred to the Cabinet Member for Environment, Highways and Waste.
- 1.18.3. Members should complete their spending within the 2012/13 financial year in view of the County Council elections in May 2013.
- 1.18.4. Officers provide a list of scheme types with typical costs and timescales, that they continue to develop the online scheme information system, and that they implement the “walk, talk and build” and Member sign-off for completed improvements as soon as possible.

#### **Priority 4: Delivering better services through improved arrangements with consultants**

- 3.19 **Review the delivery of the Major Capital Projects** - This review is now complete with John Farmer looking after the residual programme and the development of a new capital Programme Planning Manager in transportation to identify the future schemes and funding opportunities.

### **4. Waste Management**

#### **Priority 1: District and County Waste Partnership**

- 4.1 **East Kent Joint Waste Contract** - Contractor's performance improving through effective management of the contract from all partners involved, with some minor issues over reporting of key data still to be resolved, and this will be addressed through the monthly contract meetings and a revision to the Performance Criteria. On-going support is provided to both councils through a mixture of direct support from KCC and via the East Kent Project Steering Group. Plans for implementation of new services will be reviewed during the last quarter of 12/13, for implementation from April 2013. The procurement process for waste transfer and haulage for Thanet and Canterbury has begun, with decision to award expected during the autumn.
- 4.2 **Mid Kent Joint Waste Project** - Procurement of the new waste collection contract for Mid Kent is being led by Maidstone Borough Council, with support from KCC's Waste Management, Legal and Procurement teams. Contract award decision is expected during the autumn with mobilization of the new services from April 2013. Plans for the procurement of contracts for the processing of dry recyclables and organics for the Mid Kent project have been approved by the Procurement Board. Detailed project plans are currently being drafted, with contract award decision expected by March 2013.
- 4.3 **West Kent Waste Project** - A further review of project benefits and savings is currently underway following results of the procurement process led by Tonbridge and Malling Borough Council. Service review opportunities for

Gravesham, Sevenoaks and Dartford Borough Councils are dependent upon outcome of their bids under the DCLG's Support for Weekly Waste Collections.

### **Priority 2: Improving the HWRC network provision**

- 4.4 **Household Waste Recycling Centre (HWRC) Review** - Changes to the service went live on 1 October 2012 following an extensive campaign during September to inform the public and partners of the changes, including a consultation earlier in the year on the proposed changes. A voucher scheme has been implemented to allow householders to bring waste in excluded vehicles where these are the only vehicles in their household.
- 4.5 **Improving the HWRC network** - Herne Bay HWRC was closed on 6 August to allow for redevelopment of the site and the work is on track to be completed in January 2013. The Ashford HWRC closed on 1 October to allow work to begin on the construction of the new Transfer Station and HWRC. Work is expected to take six months to complete. An alternative facility has been made available to the residents of Ashford. Improvements at Dartford Heath have been completed and work on the extension of the Whitfield HWRC was deferred but started in September. However the repairs to the retaining wall at Tovil were deferred until next year to avoid another temporary closure this year. Site searches are underway for three new sites for the HWRC network in Swale, Tonbridge and Malling/West Maidstone and North West Kent.

### **Priority 3: Waste as a resource (SE7 Waste project)**

- 4.6 **South East 7 (SE7)** - The secondment of a Market Economist from WRAP (Waste & Resources Action Programme, a not-for-profit company), has provided an overview of future market demand. A materials flow analysis to assess supply of materials (household waste) has been completed. The analysis of commercial and industrial waste is being undertaken on SE7's behalf by Hampshire, and this is due to be completed in February. The business case for the capture of commercial and industrial waste via the HWRC and Transfer station network has been completed. An overview of current infrastructure provision has been completed and future waste infrastructure assessments are underway, due to report back in December 2012. Delivery Plan options are being prepared for agreement by the SE7 Leaders in March 2013.

## 5. Planning and Environment

### Priority 1: Delivering Growth without Gridlock

- 5.1 **Funding for transport infrastructure** - Proposals for a new transport infrastructure funding stream through a Fuel Loyalty Card have been shared with the Department for Transport (DfT) and the Treasury. We continue to develop the idea, and discussions with Government officials are ongoing. We have made a strong case for funding from the soon-to-be-introduced system of foreign lorry road user charging to be hypothecated to Kent. The SELEP Local Transport Body (LTB) is being set up to allocate funding for major transport schemes from April 2015 and we are actively working with the SELEP to determine governance arrangements. A growth summit organized by KCC was held in London on 6 September with senior Government officials along with leading private and public sector representatives. Interest from Treasury officials in particular has been high and dialogue with them continues to unlock growth opportunities in Kent.
- 5.2 **Third Thames Crossing** - We continue to press both the DfT and the Government very hard to accelerate the programme for delivery of an additional crossing of the Thames. We have undertaken both economic and environmental assessments of the three route corridors and are in the process of refreshing these to take into account a revised alignment by the DfT of the Swanscombe to West Tilbury corridor and the recently announced £2bn international leisure and entertainment complex proposal by the private sector. In May, Paul Crick was invited by the Mayor of the City of London to attend a summit in Canada to promote Canadian investment in UK infrastructure. Paul gathered evidence to demonstrate that the Canadian banking and investment sector were hungry to fund infrastructure, such as a new Thames crossing, without recourse to public funding. This evidence was presented, with considerable interest, at the growth summit.
- 5.3 **Operation Stack** - We have met with the Planning Inspectorate and continue to progress the Aldington site. Members are keen to include an element of overnight parking as part of the proposal and we are undertaking the necessary work to assess the deliverability of the scheme with this facility included. On the basis of a sound business case and positive outcomes from ongoing discussions with the Highways Agency, we will commission a specialist planning consultant to assist with the planning process.
- 5.4 **A21 Dualling** - The DfT has indicated a potential summer 2013 start date for the Public Inquiry. We continue to press Ministers to include full funding for the scheme in the next funding round commencing in April 2013.
- 5.5 **Transport improvements for East Kent, including a Parkway station at Manston** - Phase 1 of the line speed improvements between Ashford and Canterbury is progressing to programme and should be completed in autumn 2013. We will be commissioning a business case for a Thanet Parkway Station during autumn 2012.
- 5.6 **Rail Action Plan** - We submitted KCC's responses to the DfT consultation on the South Eastern and combined Thameslink rail franchises, and prepared responses on behalf of the LEP. A new Principal Transport Planner has been

appointed to take forward Rail issues for KCC. We are awaiting DfT advice on all rail franchises which have been put on hold pending two inquiries into the award of the Great Western franchise and the rail franchising process.

## **Priority 2: Delivering Kent Environment Strategy Themes 1 and 2**

- 5.7 Annual monitoring of the KES and a review of issues and risks has been carried out. This will inform the next iteration of the implementation plan which will be reviewed with partners. Learning from KES activities has also led to the targets now incorporated into Climate Local Kent.
- 5.8 **Support the development of the green economy** - The Kent Renewable Energy Framework and Action plan has been developed based on feedback on the AECOM study and from stakeholder priorities identified. A consultation draft has been sent out with an online survey and responses are awaited imminently. The final plan will be completed in December 2012 in line with Climact Regions project outcomes.
- 5.9 **Public sector resource efficiency** - As part of the boiler replacement programme (mainly schools), a pilot scheme has been agreed to convert up to six sites using oil for their boilers to using biomass. Work has begun on installing solar panels on Invicta House.
- 5.10 **Energy efficiency for residents and a Green Deal for Kent** - The Kent and Medway Green Deal Partnership have been set up with representatives from across public, private and voluntary sectors. A Kent and Medway Green Deal Action Plan has been agreed and includes work around opportunities for Kent businesses, communications, procurement, and initial retrofitting of properties within 5-8 pilot communities across Kent which could benefit from the Early Adopters Fund and ECO (Energy Company Obligation). Continued delays from Central Government have meant that progression in some areas of the plan has been delayed.
- 5.11 **Rising to the challenge of climate change** - We are currently in talks with the Environment Agency, Climate UK and the LGA to roll out the Severe Weather Impacts Monitoring System (SWIMS) nationally with provisional agreement in place for this to happen in 2013. Delivery of the Kent Adaptation Action Plan has progressed in most areas with particular highlights in the communities theme through CC2150 and a successful lottery bid for £1m. The main area at risk from non-delivery is within the Health and Wellbeing theme due to significant changes in this sector over the past year. Activities are being explored with DEFRA, Public Health, NHS and partners across KCC with a view to develop funding proposals as applicable.
- 5.12 **Development and implementation with Property Group of a KCC-agreed standard for capital projects to maximize energy and water efficiency, and incorporate renewable energy where practicable and a clear business case exists** – the timetable for this has slipped, with other Property projects taking a higher priority, and delivery is now expected late 2013 rather than January 2013. We will continue to work with Property colleagues to accelerate the programme.

### **Priority 3: Minerals and Waste Development Framework**

5.13 Consultation on the Preferred Options stage was successful, with 575 responses on mineral sites and over 250 responses on waste sites, plus one petition containing over 500 signatures. Due to the large work load involved in this plan making stage, including new requirements arising from the Localism Act in relation to 'Duty to Co-operate', the preparation of the final plan will take considerably longer than originally estimated with the consultation on the core strategy now planned for June/July 2013.

5.14 Due to the requirements of unforeseen new legislation on the 'duty to co-operate', consultation on the final version of the core strategy is now delayed until June/July 2013 with the submission of documents to Secretary of State not likely until autumn 2013. Members of the Informal Members Group have approved this revised timetable.

### **Priority 4: Statutory lead on Flood risk management**

5.15 **Flood Risk Management** - The first draft of the Flood Risk Management Strategy for Kent has been prepared and will be circulated for consultation during the autumn. High priority surface water management plans have been commissioned with the next tranche – the medium priority plans – being commissioned in the autumn. The team is working with the SE7 group of councils to pull together Sustainable Drainage Systems design guidance – this will maximize efficiencies and ensure consistency across the south east region.

### **Priority 5: Facilitating sustainable development via development management and influencing planning policy**

5.16 The policy team has met all deadlines for responding to consultations. There has been some slippage by district councils on their timetables for local plans and increased activity is expected. Consultations on the Core Strategies for Canterbury, Shepway, Swale and Thanet are expected this year, followed by Maidstone early in 2013. Consultations on Site Allocations for Dover and Tunbridge Wells will also be published in the coming months, and local plan reviews for Ashford and Tonbridge and Malling will come forward in 2013.

5.17 Some district councils have begun preparation of their **Community Infrastructure Levy** (CIL) 'charging schedules' which when adopted will raise a local tax on all development that is not zero rated or exempt. KCC has commented on the Preliminary Draft CIL Charging Schedules published by Dartford and Sevenoaks.

5.18 **Key Planning Applications** - Good progress has been made on the delivery of a range of minerals, waste and community developments to meet statutory requirements, including new temporary facilities at 30 schools to address the shortfall in primary places, and a number of Academy proposals. We are currently working towards a Public Inquiry at Hermitage Quarry (Aylesford).

### **Priority 6: Theme 3 of Kent Environment Strategy**

5.19 The Kent Local Nature Partnership was granted official LNP status in June by central Government. The Kent Habitat Survey's digital habitat maps have been awarded the Avenza award for electronic mapping, presented annually by the British Cartographic Society and given for the most outstanding map presented for consideration. Strategic heritage crime assessments are underway for Dover and for the Valley of Visions project area, and notably we now have Police time dedicated to looking at reducing heritage crime. A consultant has been engaged to look at the potential for income from commercial flour production in some of Kent's windmills, and a report on this is due in December 2012. A bid for Heritage Lottery funding for the proposed Archaeological Resource Centre was unsuccessful in the first round and now a revised project is being considered.

### **Priority 7: Gypsy & Traveller site management and development**

5.20 Work on the development of the new Coldharbour site began at the end of May and is on target to be completed by the end of the financial year. A bid has been made to government for the funding of a further eight pitches and we will know the result of this by the end of March 2013. We have been working with Maidstone Borough Council to agree a strategic approach to site provision and the number of pitches required has been agreed, but location of the pitches is yet to be determined.

#### **Contact details:**

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**From:** Bryan Sweetland, Cabinet Member – Environment, Highways & Waste  
John Burr - Director of Highways & Transportation

**To:** Environment, Highways & Waste Cabinet Committee

**Date:** 15<sup>th</sup> November 2012

**Subject:** Joint Transportation Boards Agreement and Governance

**Classification:** Unrestricted

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**Summary:**

A Joint Transportation Board (JTB) provides the mechanism for discussing highway and transport issues relating to a district area. The JTB is an advisory board and does not have decision making powers. Member representatives from the County Council, District Council and a Parish Council representative make up the constitution of the Board. The Parish representative may speak but has no voting rights.

There is an agreement in place with each District/Borough Council which governs the constitution of the JTB. This Agreement dates back to 2005 and is, in part, out of date. In tandem, a number of Joint Transportation Boards have requested a variation to the Agreement to allow additional Parish Council representatives to attend.

The Kent Association of Local Councils (KALC) has requested that Parish representatives are given voting rights along with the other members of the JTB.

This is a discussion paper inviting Members to give their views on the revised draft JTB Agreement attached in appendix 1 and the request from KALC to allow Parish representatives to vote.

**1. Revised Draft JTB Agreement**

County Council officers have produced a draft revised agreement which was presented to the JTB Chairs and Vice Chairs on 20<sup>th</sup> September 2012 and can be viewed in appendix one.

As well as up-dating the terminology of the Agreement to reflect up to date governance, the key changes can be viewed in paragraphs 2.3, 8.1 and 8.2.

Paragraph 2.3 encapsulates the request from some JTBs to allow additional Parish Council representatives to attend the JTB. Rather than drawing up separate Agreements for each District Council area, it is considered better to have one Agreement that provides the Chairman with some flexibility on this point.

Paragraphs 8.1 and 8.2 cover and further clarify referrals from JTBs which will be considered by the Cabinet Member for Environment, Highways and Waste.

## **2. County Council Governance**

Together with the revision of the JTB Agreement, the County Council has reviewed its governance of the JTBs and is proposing to attach a form to all reports which require a recommendation to the County Council. This form will be signed off by the Director of Highways and Transportation or approved deputy ie Service Heads. As covered in paragraph 8.2, the County Council will normally act in accordance with the views or advice of the JTB except where the matter is a clear departure from policy. In this event, the matter will be referred to the Cabinet Member for Environment, Highways and Waste for discussion with the Chairman/Vice Chairman before a decision is confirmed. Confirmation of approvals will be reported back to the next meeting of the JTB. In the event of the Cabinet Member not approving a JTB recommendation, this will be notified to the Chairman in writing with the appropriate reason. This will be reported to the next meeting of the JTB.

## **3. Kent Association of Local Councils**

KALC has formally requested that consideration be given to introducing voting rights for Parish representative/s attending the JTB. In principle this is a reasonable request. It is suggested that Members give consideration to each JTB having two Parish representatives with voting rights. It is important that KALC is responsible for arranging the Parish representative's attendance at JTBs and notifies the Chairman accordingly.

## **4. Moving Forward**

The outcome of this discussion will be considered by the County Council's Cabinet. Once agreed with the Chairman and Vice Chairman of the JTB, it should then be individually ratified by each District Council through its own agreed constitution. A report will then be provided for each JTB confirming the revision to the Agreement and clarifying the Parish representation issue with the formal outcome. It is then anticipated that each District Council will enter into a revised Agreement with the County Council to reflect the changes approved.

## **5. Recommendation**

- i) Members consider the revised draft JTB agreement
- ii) Members consider the KALC request for JTB Parish representatives to be given voting rights
- iii) Members views will be reported to the Cabinet Member for Environment, Highways and Waste for his consideration and decision before being reported back to JTBs.

## **Contact Information**

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**DRAFT**

DATED

2012

THE KENT COUNTY COUNCIL (1)

- and -

[ ] BOROUGH/DISTRICT COUNCIL (2)

**AGREEMENT FOR JOINT TRANSPORTATION BOARD  
DISTRICT/BOROUGH**

Director of Governance & Law  
Kent County Council  
County Hall  
Maidstone  
Kent. ME14 1XQ

Ref: Rummins/26109/JTB 10.08.2012  
Fax No. 01622 694402  
DX No: 123693 MAIDSTONE 6  
Tel: 01622 694484 (Direct Dialling)  
Engrossment date:



### **KCC OBLIGATIONS**

7. KCC has established and will maintain during the currency of this Agreement the arrangements for the JTB as set out in the First Schedule

### **JOINT TRANSPORTATION BOARD FUNCTIONS**

8. The JTB will advise the Council's and the KCC's executives as set out in the First Schedule

### **MISCELLANEOUS**

9. The parties acknowledge that the committee structure of KCC and/or the Council may change which may result in consequential changes to this Agreement
10. This Agreement shall be known as the JTB Agreement [2012]
11. Nothing in this Agreement shall create a legal partnership between the parties and save as may be specifically provided in this Agreement neither party shall be or hold itself out as or permit itself to be held out as:-
  - (a) the agent of the other; or
  - (b) entitled to pledge the credit of the other; or
  - (c) entitled to incur any other obligations or make any promise or representation on behalf of the other

### **REVIEW**

12. This Agreement may be reviewed at the instigation of Kent & Medway Joint Chief Executive Group and amended by agreement between the parties if necessary as a consequence of any review
13. This Agreement may be terminated by either party on six months written notice addressed to the relevant Chief Executive or head of paid service of the relevant Council

**THE FIRST SCHEDULE**  
**JOINT TRANSPORTATION BOARD**

- 1.1 A JTB will be established by the KCC and the Council
- 1.2 Each party shall be responsible for their own costs incurred in the operation of the JTB
- 1.3 The JTB shall be a non statutory forum

**MEMBERSHIP**

- 2.1 JTB Membership will comprise all the KCC local Members for divisions in the Council's area an equal number of Members appointed by the Council and a representative of the Parish and Town Councils within the District. The Council may appoint substitutes for its Members
- 2.2 The Parish and Town Council representatives will be nominated by the Area Committee of The Kent Association of Local Councils (KALC) or other representative body of Parish Councils within the District if this provides a more complete representation a substitute Member may also be nominated. The Parish or Town Council representative may speak but may neither vote nor propose a motion nor an amendment
- 2.3 Subject to the agreement of the Chairman, additional representatives from Parish/Town Councils may attend but may neither vote nor propose a motion nor an amendment.
- 2.4 Any KCC cabinet Member responsible for transportation functions, or KCC local Member, the Chairman of the KCC or Council Member who is a relevant portfolio holder may place a relevant item as defined by paragraph 5 of the First Schedule on the agenda and/or attend and speak to any meeting of the JTB but may not vote nor propose a motion nor an amendment (unless voting Members of the JTB)
- 2.5 The Chairman of any Parish or Town Council within the area of the Council (or a Parish Councillor of that Parish nominated by him/her) may attend any meeting to speak with the permission of the Chairman on any item on the agenda of particular relevant to that Parish

**CHAIRMAN**

3. In alternate years a Member of KCC (who is a Member of the JTB) will chair the JTB and a Council Member (who is a Member of the JTB) will



be Vice-Chairman of the JTB and then a Member of the Council will chair the JTB and a KCC Member will be Vice-Chairman of the JTB and so on following on the arrangements which existing in the year before this agreement came into force. The Chairman and Vice-Chairman will be appointed by the respective Councils as they may determine within their constitutional arrangements. The Chairman and Vice-Chairman of the JTB will take office at the first meeting of the JTB following the Annual Meetings of both Councils each year

## **MEETINGS**

- 4.1 The JTB will generally meet four times a year on dates and at times and venues to be specified by the Council in accordance with its normal arrangements in consultation with the KCC
- 4.2 The quorum for a meeting shall be four comprising at least two voting Members present from each of KCC and the Council
- 4.3 Subject to the procedural rules in Clauses 2,3 and 4.2 above taking precedence the Council's procedural rules shall apply to JTB meetings as if they were Council committees
- 4.4 The JTB will be clerked by an officer of the Council. Copies of all papers shall be sent to the Monitoring Officers of both Councils who may attend and speak at any meeting (or instead each Monitoring Officer may arrange for a substitute officer to speak on her/his behalf)
- 4.5 The Access to Information principles shall be applied to the JTB as if it were a Council committee

## **TERMS OF REFERENCE**

- 5.1 The JTB will consider:
  - (i) capital and revenue funded works programmes
  - (ii) Traffic Regulation Orders
  - (iii) street management proposals and will provide advice on these matters to the relevant Executive as appropriate
  - (iv) Public Transport Operations
- 5.2 The JTB to advise and recommend in relation to:
  - (i) strategic parking and waiting restriction issues
  - (ii) petitions received in relation to parking and waiting restriction issues
  - (iii) street nameplates

- (iv) street naming and numbering
  - (v) street seats and furniture on the highway including bus shelters and will provide advice on these matters to the relevant Executive as appropriate
  - (vi) Council street lighting schemes on highways
- 5.3 Be a forum for consultation between the KCC and the Council on policies plans and strategies related to highways road traffic and public transport
- 5.4 Review the progress and out-turn of works
- 5.5 Recommend and advise on the prioritisation of bids for future programmes of work
- 5.6 Receive reports on highways and transportation needs within the District
- 5.7 The JTB will advise on such transportation matters that it considers relevant that are not within the above Terms of Reference or the Terms of Reference of any other committee of the Council, subject to the approval of the Chairman

#### **CABINET COMMITTEE**

- 6.1 A Cabinet Committee of either Council can require the Member of that Council holding the office of Chairman or Vice-Chairman of JTB to attend and be asked questions subject to the provisions of the constitution of KCC or the Council whichever is relevant
- 6.2 The Cabinet Committee of either Council can request (but not compel) Members of the other Council who serve on the JTB and officers employed by the other Council who report to the JTB to attend and be asked questions
- 6.3 The Cabinet Committees of both Councils will abide by the protocol on inter-authority co-operation on overview and scrutiny agreed by the former Kent Association of Local Authorities and appended as Appendix 1 to this Schedule

#### **LOCAL MEMBER AND PARISH CONSULTATION**

7. The local Members of both the KCC and the Council and the Parish or Town Council(s) will be consulted on any relevant scheme proposals

(other than routine operational maintenance of the highway) within the scope of this Agreement

**REFERRAL**

- 8.1 Subject to the agreement of the JTB Chairman, if any JTB Member wishes and item to be further considered he/she may ask for it to be referred to KCC's Cabinet Member for Environment, Highways and Waste where the matter will be further discussed prior to a decision by the Cabinet Member
- 8.2 The KCC Executive will normally act in accordance with the advice or views of the JTB. If the Executive is minded to act otherwise, no decision will be taken until after a discussion with KCC's Cabinet Member for Environment, Highways and Waste at which the Chairman and Vice-Chairman of the JTB may attend and speak

**THE SECOND SCHEDULE**  
**DEFINITIONS**

“1972 Act”	the Local Government Act 1972
“Act”	the Highways Act 1980
“Agreement”	these terms and conditions together with the Schedule
“Highways”	shall have the meaning prescribed by Section 328 of the Act and the terms highway network shall be construed accordingly
“KCC – local Member”	the Member for the County Council electoral divisions within the Council’s area
“Member”	the elected Member’s of KCC or the Council as the case may be
“Cabinet Committee”	the KCC body which advises the KCC Cabinet or Cabinet Portfolio Holder on highway matters or in the case of the District Council the [ ]
“Kent & Medway Joint Chief Executives Group”	the group of Chief Executive Officers of the Kent County Council the twelve District Councils in Kent and Medway Council

**APPENDIX 1**  
**SCRUTINY – INTER AUTHORITY CO-OPERATION**

**AIM OF PROTOCOL**

1. To ensure relevant Cabinet Committees of all Kent Local Authorities can review issues of community interest effectively and with efficient use of all local authority staff resources

**PRINCIPLES**

2. All authorities should be supported in considering issues of community wellbeing wider than the responsibilities of their Councils
3. Authorities should work together to maximise the exchange of information and views, minimise bureaucracy and make best use of the time of Members and officers of local and other Authorities

**PROCEDURES**

4. Authorities should seek to exchange information or programmes and results of reviews
5. If a relevant Cabinet Committee wishes to review an issue in which another Authority has a statutory role or in which evidence from the officers of another Authority would be helpful, it should consult with that Authority about:-
  - (a) the purpose of the review
  - (b) the areas of interest to the other Authority
  - (c) the input that can be given by Members of officers of the other Authority
6. Consideration should be given to whether the issue is more appropriately discussed in another forum, for example a joint committee, or whether there is scope for joint action including the co-opting of Members of the other Authority onto the relevant Cabinet Committee for the purpose of the review
7. Where a proposal is subject to a public consultation process, scrutiny is most helpful if conducted as part of that process eg: allowing any findings and recommendations to be available in time to influence the final decision

8. Subject to such prior consultation, Authorities will seek to respond positively to requests for information or for a Member or officer to attend meetings of the relevant Cabinet Committees or for information
9. While it is ultimately for each Authority to decide whom it considers that most appropriate person(s) to speak on its behalf to a relevant Cabinet Committee, consideration will be given to meeting specific requests
10. Dates and times of Member and officer attendance at a relevant Cabinet Committee meeting should be agreed with them
11. Each Authority will nominate a contact officer for the operation of these procedures

EXECUTED as a Deed by KCC and the Council the day and year first before  
written

THE COMMON SEAL of THE KENT  
COUNTY COUNCIL was hereunto  
affixed to this Deed in the presence of:-

Authorised signatory

THE COMMON SEAL of  
COUNCIL was hereunto affixed to this  
Deed in the presence of:-

Authorised Signatory

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**From:** Bryan Sweetland , Cabinet Member – Environment, Highways & Waste  
Paul Crick, Director - Planning and Environment  
Carolyn McKenzie - Planning and Environment.

**To:** Environment, Highways & Waste Cabinet Committee

**Date:** 15 November 2012

**Subject:** Kent and Medway Green Deal Partnership

**Classification:** Unrestricted

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**Summary:**

This paper provides an update on the energy efficiency housing retrofit activities of the Kent and Medway Green Deal Partnership and asks Members to note progress and provide comment.

**Recommendation:**

The Environment, Highways & Waste Cabinet Committee are asked to:

- 1) Note and provide comment on the Kent and Medway Green Deal Partnership and actions identified
- 

**1. Introduction and background**

- 1.1. The improvement of Kent's homes through the installation of energy efficiency measures saves residents money, tackles fuel poverty by raising living conditions often for the most vulnerable residents and stimulates the low carbon economy which is a key priority for the Kent Environment Strategy and Bold Steps for Kent.
- 1.2. The potential for retrofit in Kent is significant. Over half of the homes in Kent are still insufficiently insulated and more than 13% of Kent's residents live in fuel poverty. If all Kent's homes were retrofitted this could generate £914m worth of sales, with the potential for 7000 jobs, generating savings of over £80m for residents
- 1.3. In parallel the Government has been developing its flagship 'Green Deal' programme to drive retrofit nationally.
- 1.4. The Green Deal is made up of two parts which are:
  - The Energy Companies Obligation (ECO) - energy companies with more than 250000 customers are obligated to pay for their carbon emissions by funding energy efficiency improvements in homes to the value of approximately **£1.3bn a year** (defined by set conditions). Significant amounts of this money could be available for Kent residents.

- 'Green Deal' - a new finance mechanism which allows householders to make energy improvements to their home with no upfront cost, paying for them through their energy bill

## 2. Kent and Medway Green Deal Partnership (KMGDP)

2.1. To enable Kent to maximise the amount of the £1.3bn a year 'ECO' funding levered into the county, the Kent and Medway Green Deal Partnership (KMGDP) has been set up. The KMGDP brings together, at a strategic level, all the key partners who would be essential in delivering a successful retrofit programme. The partnership is chaired by Graham Harris, Managing Director of Dartford Borough Council.

2.2. The purpose of the KMGDP is not only to ensure maximum 'ECO' funding for Kent residents but also secure additional benefits from a large scale programme of retrofit. This is not simply about physical measures, but low carbon regeneration with retrofit at its core and includes the ability to:

- save residents money, tackle fuel poverty and improve the health of vulnerable residents – young and old
- maximise benefits for local businesses and SMEs, generation of job opportunities and higher levels of local economic growth
- improve the links between industry, skills and training providers including apprenticeships
- develop opportunities around research and development activities and support for the supply chain

2.3. To this end a two phase programme of activity has been developed by the KMGDP:

**Phase 1:** Kent County Council, on behalf of the KMGDP will engage with an ECO funding provider to help facilitate early pilot projects. Each pilot will be approximately 200 dwellings in size located in communities of around 4000 homes over the next 12-18 months. The estimated cost of the pilots is around £11-12m, but the expansion to 5000 homes over the initial eco period (to March 2015) will result in far greater value (up to £40m). It is anticipated that the total cost of these pilots will be covered by the Eco Provider.

Agreed pilots are: Swanscombe, Northfleet/Singlewell, Sittingbourne/Sheppey, Ramsgate, Aylesham. A Medway pilot area is still being agreed. There will be cross cutting priorities for rural areas and affordable warmth.

**Phase 2:** Roll out of the process across Kent and the establishment of a long term relationship with an eco funder and/or Green Deal Provider

## 2. Next Steps

2.4. An Expression of Interest has now been sent to potential providers and is available on the Kent Portal with a closure date of the 16<sup>th</sup> November. Decisions are expected to be made in December based on criteria agreed by the KMGDP.

2.5. The next steps for the KMGDP will be to:

- Develop a Memorandum of Understanding for KMGDP partners
- Set up a KMGDP Project Board
- Fully engage with all key partners in the pilot areas including KCC Members

### **3. Recommendations**

The Environment, Highways & Waste Cabinet Committee are asked to:

- 1) Note and provide comment on the Kent and Medway Green Deal Partnership and actions identified

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