

KENT COUNTY COUNCIL

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 Tuesday, 21 January 2014.

PRESENT: Mrs P A V Stockell (Chairman), Mr M Baldock, Mr M A C Balfour, Mr R H Bird (Substitute for Mr I S Chittenden), Mr L Burgess, Mr C W Caller, Dr M R Eddy, Mr M J Harrison, Mrs S V Hohler, Mr J M Ozog, Mr C Simkins, Mr M E Whybrow and Mr M A Wickham

ALSO PRESENT: Mr D L Brazier

IN ATTENDANCE: Mr M Austerberry (Corporate Director, Enterprise and Environment), M D Beaver (Head of Network Management and Performance), Mr J Burr (Principal Director of Transformation), Ms A Carruthers (Transport Strategy - Delivery Manager), Mr P Crick (Director of Planning and Environment), Mr D Hall (Future Highways Manager), Mr A Loosemore (Head of Highway Operations), Mr T Read (Head of Highway Transport), Mr D Shipton (Head of Financial Strategy), Mr R Wilkin (Waste Manager) and Mrs K Mannering (Democratic Services Officer)

UNRESTRICTED ITEMS

43. Minutes of the meeting on 13 December 2013

(Item A4)

(1) With reference to paragraph 41 of 13 December 2013, and the reference by various Members to their membership of the KALC, local Parish Councils, and Area Committees, Mr Eddy referred to the requirement of Members to declare interests in accordance with the current code. The Kent Code of Conduct for Members and the operational procedures had been debated and agreed at the County Council meeting on 12 December 2013. It was suggested that Mr Wild circulated to all Members a simple note of clarification, with examples of the kind of issues which should be declared. For ease of reference the note could refer to the paper submitted to the County Council meeting.

(2) RESOLVED that:-

- (a) a clarification note be prepared by Mr Wild and circulated to all Members; and
- (b) the Minutes of the meeting held on 13 December 2013 are correctly recorded and that they be signed by the Chairman.

44. Cabinet Member's and Corporate Director's Update (Oral report)

(Item A5)

(1) Mr Brazier and Mr Austerberry gave verbal reports on the following issues:-

Mr Brazier

Planning & Environment – Airports Commission Announcement; and Third Thames Crossing

Highways & Transportation – Carriageway Collapse at Upper Street, Leeds; Winter Service Update; Freedom Pass; and Extreme Weather Events.

Mr Austerberry

Update on energy efficiency for residents & Green Deal for Kent; high speed services to Deal and Sandwich; Thameslink Franchise; safe and sensible street lighting; patching works; road safety – *Speak Up* Campaign; waste services; and welcome to Andrew Loosemore, Head of Highway Operations.

45. Fee & charges for Highways & Transportation 2014/15 - Decision No 14/00006
(Item B1)

(1) The report detailed a number of adjustments to the Fees & Charges for the services provided by Highways & Transportation. KCC recovered its reasonable costs supplying certain services; which prevented the Authority subsidising external organisations who then re-charged clients. Service fees & charges were reviewed annually, they were held for three years during the economic downturn. In June 2012 a small increase was approved, which was effective for 18 months.

(2) Officers had undertaken a review of charges to determine whether:-

- costs were being recovered
- how they compared with fees charged by other Highway Authorities
- services were charged by other Authorities but not by KCC

The effective date for agreed changes to fees and charges was April 2014.

(3) The paper detailed the review of fees & charges for Highways & Transportation 2014/15, which included:-

Highway service fees - to reflect the cost of providing the services, it was recommended to increase fees by up to 3% - rounded down to the whole pound. A review of charges made by other Highway Authorities showed that Kent had fallen behind in certain fees.

Highway developer fees - Most Highway Authorities charged developers for supervision of highway works as a percentage of the estimated scheme costs, typically between 8.5% - 10.5%. It was proposed to raise them from 8% to 10%.

It was also proposed to raise project management, design checks and site audit inspections of improvement schemes from 9% to 10% of the construction works plus 3% of the balance of the scheme above £499k.

Access to technical information - It was proposed to increase the charges for Developers, Consultants and the Legal profession by up to 3%.

Provision of training services - National driver alertness and speed awareness courses - the fees were set in accordance with Association of Chief Police Officers guidelines. As KCC was the training service provider the £5 increase was noted for information only.

Bike-ability Cycle Training for schools from £15 to £10.

For other KCC training delivered by H&T personnel, it was proposed to increase fees by up to 3%.

(4) A revised schedule of the Fees & Charges would be published on the KCC website, subject to approval for all highway charges, the amended rates would apply from 1 April 2014 and would be further reviewed each financial year.

(5) RESOLVED that, subject to no increase in the fees for Minibus Driver training and reassessment, the proposed adjustment of existing fees and charges, and the introduction of a charge for pre-application advice, as set out in Appendices 1 and 2 to the report, be noted.

46. Growth without Gridlock in Kent and Medway - Decision No 14/00007

(Item B2)

(1) In December 2010 KCC launched *Growth without Gridlock* (GwG), its 20 year transport delivery plan. In the intervening 3 years significant progress had been made despite the financial challenges facing the country. Given the Government's intention to create the Single Local Growth Fund and with it a major opportunity to fund transport interventions, as well as the development of the Kent and Medway economic strategy *Unlocking the Potential: Going for Growth*, it was an appropriate time to refresh and update GwG.

(2) The schemes proposed within *GwG in Kent and Medway* would, for the most part, be funded through a significant element of Single Local Growth Fund (SLGF), which was a devolved funding stream from government to the Local Enterprise Partnerships (LEPs) for transport, housing and skills and was available from April 2015. Government had committed £2 billion per year, for 6 years, nationally to the fund and would announce its distribution across all thirty nine LEP's in July 2014. In order to be in a position to take forward and deliver on the substantial transport delivery programme set out in *GwG in Kent and Medway*, KCC would need to invest resource in developing a number of the schemes in the programme prior to the SLGF becoming available in April 2015. The forward funding could be capitalised and therefore would be "repaid" through the SLGF.

(3) Growth without Gridlock formed the basis of Bold Steps for Transport in the Council's Medium Term Financial plan 'Bold Steps for Kent'. The proposed document was aligned to the Council's Local Transport Plan and fully supported the Kent and Medway economic strategy *Unlocking the Potential: Going for Growth*.

(4) There had been significant change in the context in which local government operated. LEPs had been established of which Kent was part of the largest LEP in

the country: the South East LEP. Within the South East LEP the current governance approach was to operate in a “federated” way with Kent and Medway forming one part of the federation. It meant that the SLGF which would be allocated to LEPs, would potentially be administered at the federated level. It was therefore appropriate to widen out GwG to include Medway.

(5) Collaboration had taken place with Medway Council in producing the draft document. The schemes presented for delivery between 2015 and 2021 formed the Kent and Medway transport element of the South East LEP’s bid to government for SLGF. The document provided a picture of the longer term transport priorities beyond 2021. In devising the Kent element of the update, collaboration had taken place with the district and borough councils to ensure the schemes put forward were the priorities required to deliver the growth set out in their Local Plans.

(6) The report set out why it was opportune to currently update GwG and widen its content to include Medway. A draft document had been produced which set out the achievements over the last 3 years and looked forward to the delivery priorities from 2015 to 2021 making the maximum of the SLGF devolved funding to come through the LEP. It would also help to deliver the transport aspects of the Kent and Medway economic strategy.

(7) RESOLVED that the draft update of *Growth without Gridlock in Kent and Medway* be noted.

47. Budget Consultation and Provisional Local Government Finance Settlement (Item D1)

(1) Mr Shipton introduced the report. The Draft Budget had been published on 14 January, and the Committee was being asked to consider the consultation feedback and provisional local government finance settlement. The consultation had been successful, with over 3,000 responses to the online ‘2 minutes, 2 questions’ and 487 responses to the on-line budget tool. It was the best ever response to a consultation on the budget; the responses to the three elements of the market research were consistent; and were also consistent with the views of staff.

(2) Most respondents had expressed a view that the Council should look to savings that had to be made through efficiencies and transformation rather than cutting back on existing service provision. Over 70% of respondents also supported a small increase in council tax in order to offer some protection from savings on front-line services. The more detailed budget modelling tool identified that those services for the most vulnerable and those where people had no choice other than to receive support from council services were the most highly valued and should be protected. This did not mean that other services were not valued but if savings had to be made then the council should look into those services.

(3) The 2014/15 settlement had been broadly as expected, with technical changes that meant some funds that had previously been allocated during the year had been rolled into the Revenue Support Grant e.g. the amount top-sliced for the New Homes Bonus had been reduced which increased RSG but reduced the amount which was paid as an in-year adjustment.

(4) It had been feared that the New Homes Bonus would be removed entirely and transferred into the single Local Growth Fund in 2015/16, however, this would now not be the case and New Homes Bonus would roll out as originally planned. The provisional settlement had also confirmed that the separate grants previously allocated to support Council Tax freezes would be rolled into the RSG settlement and thus would be safeguarded from being removed in future settlements. The conclusion was that indicative settlements for 2015/16 and 2016/17 looked better than anticipated during the consultation.

(5) RESOLVED that the feedback from consultation be noted.

48. Suggested changes for procuring highways works through the proposed Combined Members Grant

(Item D2)

(1) Further to Minute 37 of 13 December 2013 the paper outlined proposed changes to the highway element of the new combined fund.

(2) With the new amalgamated fund there would be no top slicing for funding staff, therefore a fee would need to be added to each application, and suggested fees were set out in Appendix C to the report. Also, to ensure that the demand for design services did not exceed the available resources it was proposed that the number of highway applications a member could submit before additional fees applied was reduced from 4 to 2.

(3) Some highway schemes were best delivered during certain times of the year for various reasons. Such schemes would be identified to members and applications for the works should be submitted during the specific application window if the Member wished the works to be carried out in that financial year. Applications outside of the set windows could still be received but the programming of the schemes would be discussed with the Member to ensure the works were carried out during the most appropriate conditions. It might be that the works would need to be carried out the following financial year. Commitment of funds to the schemes in the financial year would allow the funds to be rolled into the following financial year. Rolling of a scheme into the next financial year would incur an annual cost increase which would be added to the scheme cost.

(4) To speed up the processing of applications and give members cost certainty a list of pre-approved fixed price schemes had been put together and a draft was set out in Appendix A to the report. These types of works delivered simple highway schemes with standard materials which were available "off the shelf"; required less officer involvement; and could generally be delivered quickly throughout the year.

(5) Pre-approved meant that no further approval would be required for applications for works on the list so MHF1 and MHF3 approvals would no longer be required speeding up the overall process. The list would be constantly reviewed and any other schemes which could be delivered in that way would be added. All works costs would be subject to an annual increase on 1 April each year and a revised list would be issued to all members.

(6) A list of other pre-approved schemes had been put together and a draft was set out in Appendix B to the report as guidance but would not be fixed price. The list included more complex schemes which required bespoke design and/or consultation.

MHF 1 applications would not need to be pre-approved by the Director of Highways and Transportation but could be processed straight away by officers speeding up the current process. Members would still need to approve the final costs for the schemes in the current way via the MHF3 form.

(7) Any applications for highway schemes or projects which were not on the pre-approved fixed or non-fixed price list, including contributions to third parties, would be subject to the current process.

(8) The current criteria for the three pre-existing Member grant schemes which would be amalgamated with the Highways Members Fund stipulated that projects for which KCC had withdrawn funding in the past were not eligible for Member grants. If the rule were to be adopted as part of the new amalgamated grant, applications to support KCC funded bus services which had been identified to be cut would not be allowed. Any applications to fund trial services would be subject to a set of rules in order to ensure that correct contractual requirements, payment processing and performance monitoring could be put in place. Trials which would span financial years would need to be fully funded.

(9) In the past up to a quarter of all submitted applications had been cancelled following a significant amount of design work already being carried out on the application. It was therefore proposed that any application which was cancelled after design work had been undertaken would be subject to a nominal cancellation fee of £300. The suggested nominal fee of £300 equated to approximately 8.5 hours of officer time.

(10) During debate Dr Eddy proposed that, with the exception of the Financial Year preceding a County Council election, Members be permitted to carry over all or part of their Combined Members Fund from one financial year to the next financial year in order to fund significant projects within their division.

(11) A discussion followed where it was confirmed that funds would be rolled into the following financial year as stated in paragraph (3) above.

(12) RESOLVED that the following recommendations be noted:-

- (a) Members be allowed to commit an unrestricted number of applications for works from the fixed price list, within their available budget, but may only submit 2 applications for all other works before additional design fees apply;
- (b) specific types of seasonal works be given an application window which Members must meet if they wished for the works to be carried out in the same financial year;
- (c) a list of Pre-approved Fixed Price Schemes, which was regularly reviewed, be adopted for use by Members;
- (d) a list of Pre-approved Non-Fixed Price Schemes, which was regularly reviewed, be adopted for use by Members;

- (e) applications to support existing bus services which had been identified to be cut would not be funded in the new amalgamated scheme. Trial services must be fully funded and must meet contractual requirements; and
- (f) applications cancelled after design work had been undertaken be subject to a nominal cancellation fee of £300.

49. Environment, Highways & Waste Cabinet Committee Draft Programme of Work

(Item D3)

RESOLVED that the draft programme of work for Environment, Highways and Waste, be noted.

52. Retirement of Karen Mannering, Democratic Services Officer

(1) The Chairman stated that Karen Mannering, Democratic Services Officer, would be retiring from KCC on 31 March 2014 after over 44 years' service. The Chairman spoke on behalf of all Members in wishing Karen a long, happy and healthy retirement and thanked her for her contribution to Kent County Council.

(2) Mr Harrison gave tribute to Karen Mannering.