

KENT COUNTY COUNCIL

ENVIRONMENT & TRANSPORT CABINET COMMITTEE

MINUTES of a meeting of the Environment & Transport Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Thursday, 24 April 2014.

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

ALSO PRESENT: Mr D L Brazier and Mr B J Sweetland

IN ATTENDANCE: Mr M Austerberry (Interim Corporate Director, Growth, Environment & Transport), Mr J Burr (Director Highways, Transportation & Waste and Principal Director of Transformation), Mr P Crick (Director Environment, Planning & Enforcement), Mr R Fitzgerald (Performance Manager), Mr D Hall (Future Highways Manager), Mr D Joyner (Transport & Safety Policy Manager), Mr A Kamps (Finance Business Partner), Mr M Overbeke (Head of Regulatory Services), Mr T Read (Head of Highway Transport), Mr R Wilkin (Waste Manager), Ms T Smith (Local Bus Team Manager), Mrs L Whitaker (Democratic Services Manager (Executive)) and Ms A Evans (Democratic Services Officer)

UNRESTRICTED ITEMS

1. Apologies and Substitutes

(Item A1)

Apologies were received from Mr Balfour, Mr Simkins and Mr Whybrow who were substituted by Mr Pearman, Mr Bowles and Mr Harman respectively.

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

(Item A2)

Mr MacDowall informed the Committee that he was a director of the Alliance of British Drivers but stated that he had no financial interest and therefore no disclosable pecuniary interest or other significant interest to declare.

3. Minutes of the meeting held on 21 January 2014

(Item A3)

(1) The Chairman explained that the Minutes before her for signing were the Minutes of the Environment, Highways and Waste Cabinet Committee, now re-named as the Environment & Transport Cabinet Committee.

(2) Mr Harrison requested further information on an enforcement issue previously raised which he felt was not adequately reflected in the Minutes. Mr Austerberry agreed to investigate and ensure a response was sent to Members.

(3) Mr Baldock expressed concern that opposition to the Member Grant scheme voiced at the meeting had not been fully reflected in the in the Minutes but no amendment was proposed.

(4) The Chairman noted both points and the Minutes were agreed accordingly.

4. Verbal updates

(Item A4)

Mr Brazier, Cabinet Member for Environment & Transport, gave a verbal update as follows:

Highway Operations

(1) The extremely wet weather through January and February had caused severe damage to the road network. Between January and March over 7200 emergency jobs were raised with Enterprise compared to a little over 4000 for the same period last year, with the highest weekly pothole enquiry rate of 1339 recorded in mid-February. The wet conditions hampered initial repair work meaning it was not always possible to undertake first time permanent repairs on all potholes, however progress has been made on the latest Find and Fix campaign as drier weather returned throughout March and now April.

(2) Government had granted a total of £8.6m at the end of March towards costs incurred. £7.025m would be allocated directly to highway repairs, with £1.5m funding the 2013/14 emergency response, and £75k allocated to Public Rights of Way (PRoW).

Safe and Sensible Street Lighting

(3) The County Council was responsible for the maintenance of approximately 118,000 street lights and has implemented its Safe and Sensible Street Lighting policy to reduce the annual energy bill, carbon emission and light pollution. Implementation of Phase 1 of the initiative, the trial switch-off of approximately 2,500 street lights, has been completed.

(4) Phase 2 of the scheme would consist of conversion of around 70,000 street lights to part-night lighting which involved installing a sensor in each street light that would switch them off at midnight and back on again at 5:30am (1am and 6.30am during BST).

(5) Work on conversion to part-night lighting began in early December 2013 and suitable street lights in Tunbridge Wells, Tonbridge & Malling, Sevenoaks, Ashford, Dartford and Gravesham have been completed. Work in Swale, Shepway and Dover began in mid-April and work in the remaining districts, Maidstone, Canterbury and Thanet, would begin in May. The entire programme would be completed by the end of the summer.

(6) These measures when fully implemented would deliver an annual saving of around £900k.

Annual Resurfacing Programme (Repair & Renewal) 2014/15

(7) This year KCC would invest around £18m in the resurfacing programme focusing on three main programmes of works; Machine Resurfacing, Surface Treatments and Footway Improvements.

(8) Data collected from a range of sources was being used to develop a priority list of sites for inclusion in the Annual Maintenance Programme. Given the available funds and to achieve value for money prioritisation was largely based on economic ranking to ensure that sites that would need costly repairs in the future were treated sooner, before they deteriorate further.

Highway Drainage Infrastructure

(9) In recent years there had been an increase in prolonged and heavy rainfall events, the most recent being this winter. Between December and February there were a succession of storms bringing 340mm rain; double what would normally be expected. The ground was already highly saturated prior to these storms and as the highway drainage system was also running at full capacity, widespread flooding occurred. Customer enquiries increased accordingly, with around 10,000 enquiries related to drainage and flooding during the year, twice that of 2009.

(10) Much of the highway drainage system was reliant on soakaways with an estimated 8,000 across the county. These large perforated or deep bored chambers collected the water from the road drains and allow it to disperse into the surrounding ground. KCC had allocated an additional £3m to this and are in the process of developing a list of priority schemes to protect areas that frequently flood, especially residential and business properties.

Mike Austerberry, Corporate Director Growth, Environment & Transport, gave a verbal update as follows:

Flooding and Emergency Planning

(11) The new Growth, Environment and Transport (GET) directorate, and the Environment & Transport Cabinet Committee, had within their remit the Emergency Planning function which played a prominent role in dealing with the immediate consequences of the extremely severe weather over Christmas and which had continued well into January and February.

(12) An integrated Kent Resilience Team comprising emergency planning staff from Kent Police, Kent Fire and Rescue Service (KFRS) and KCC, based at the KFRS HQ in Tovil, came into operation on 14th April.

(13) There were clear lessons to be learnt from the events of the last winter, although answers would not be quick nor inexpensive in relation to the worst incidents. The capital costs of dealing with flooding in Yalding and other highly vulnerable communities were considerable, and beyond the resources of local government. The Chief Secretary to the Treasury, Danny Alexander, on his visit to Yalding, had pledged that government funding would be available. Until this funding was confirmed feasibility planning for capital schemes led by the Environment Agency would be proceeding.

(14) As the lead local flood authority KCC would continue to promote improved management of local flood risks which arose from surface water, groundwater and ordinary watercourses, and which have a part to play in mitigating the worst impacts of the kind of flooding seen this year, and in delivering local flood risk improvements.

(15) Later this year KCC would inherit a new role as the drainage approval body for new developments in Kent and was working with partners in the southeast to deliver guidance for planners on the integration of sustainable drainage into those developments. KCC's flood risk management work would be informed by the experience of recent months and the local vulnerabilities that had been exposed.

Transport Strategy

(16) Kent and Medway, as part of the South East Local Enterprise Partnership (LEP), has submitted its transport funding infrastructure bid from the Single Local Growth Fund for the period 2015-21. The transport bid for Kent and Medway for this period is £359.5 million with a total scheme cost of £709.5 million. The outcome was expected to be announced by Government in July.

(17) The EU RoCK project; an important rail scheme to improve the signalling system to enable continued longer term operation of international services at Ashford had been granted 50% funding from the EU towards the planning & design stage, with the balance provided by KCC, Ashford Borough Council, High Speed 1 & Eurostar. This was an important milestone towards project implementation.

(18) The rail scheme to improve journey times from Ashford to Ramsgate via Canterbury West had also progressed with receipt of Regional Growth Fund funding from the Department of Business, Innovation & Skills.

(19) Finally, from the Environment side of the directorate, Low Carbon Plus is an integrated programme of financial assistance and business support to increase demand for low carbon technology, increase efficiency and grow businesses in the low carbon and environmental goods and services sector was currently being progressed via Cabinet Member Decision.

(20) The proposed decision sought to approve the delivery of the Low Carbon Plus project and included the acceptance of the funding agreement from the Department of Communities and Local Government. The project would be 50% funded by the European Regional Development Fund with further financial input from the private sector and KCC. KCC had secured a £2million grant pot to be administered before June 2015 and should the decision be agreed KCC would become the accountable body for the dispersal of grants up to the value of £20,000 to small and medium-sized enterprises (SME) in the low carbon and environmental goods and services sector across Kent and Medway.

(21) The project supported both the Kent Environment Strategy and Unlocking the Potential: Kent and Medway's Growth Plan which highlighted the low carbon sector as an opportunity for growth and jobs creation, and it was hoped that the decision would receive the support of Members as it was currently published online for comment.

(22) Members raised the following points in response to the verbal updates and received assurances as follows:

- That where plans to reduce street lighting in particular localities had caused concern for residents, particularly in relation to the potential for increased criminal activity, all complaints and correspondence were logged and responded to. Mr Brazier assured Members that there was no evidence to support the assertion that reduced lighting would have any impact on crime.
- That the Police had been consulted on all proposals to switch off street lights and proposals only progressed where no concerns were expressed.
- That areas selected for switch off were generally in residential streets with low traffic use. If an area had traffic calming measures in place it would not be part of the programme of reduced use.
- That a report would be brought back to the Committee in the future reviewing the reduced street lighting programme to ensure that crime or road traffic accidents (RTAs) had not increased as a result of the new policy
- That work continued towards the objective of switching the light stock to LED; the cost of switching 50,000 lights to LED was £20m and the cost of switching all the stock over was £40m. EU funding sources were being investigated to facilitate the switch.
- That some of the recent issues with flooding had been the result of field run caused by failure of farmers to maintain land drains on their land.
- The Cabinet Member agreed that run off from agricultural land had been a large contributing factor. KCC would work with farmers to try to ensure that any issues were resolved but had the power to enforce against those that would not amend bad practice should this become necessary.
- Frustration was expressed by one Member of the Committee that dams could not be maintained at capacity for longer in order to ensure that water use in the summer was not restricted. Further information on the matter was requested and officers agreed it would be provided.

(23) RESOLVED that the Cabinet Member's and Corporate Director's verbal updates be noted.

5. 14/00024 - Road Casualty Reduction Strategy for Kent 2014-2020

(Item B1)

(1) The Cabinet Committee received a report of the Cabinet Member for Environment and Transport and the Corporate Director of Growth, Environment and Transport which contained the draft strategy for Road Casualty Reduction for Kent 2014-2020 for the consideration of the Committee. David Joyner, Transport and Safety Policy Manager, and Tim Read, Head of Highway Transport, were in attendance to introduce the report and in particular referred to the following:

(2) That the strategy had been developed following a workshop involving key stakeholder groups and representative organisations and had been subject to a full public consultation.

(3) That there had been 66 responses to the public consultation, the majority of which had been positive. Comments received had been incorporated into the Strategy.

(4) In Kent the number of people killed or seriously injured in road crashes had fallen by 50% between 2000 and 2010. KCC had a target to deliver a further 33% reduction by 2020.

(5) In response to questions raised and comments made the Committee received the following further information from officers:

(6) 'Licence to Kill' was an educational theatre event set round a staged, filmed road traffic accident (RTA) and involving appearances from emergency services personnel and a young person injured in a RTA. The film had been viewed by approximately 6,000 students a year to date. Members who had seen the production praised it and suggested that newer Members take up opportunities in the future to attend performances.

(7) 'Highway factors' identified as potential causes or contributory factors were derived from data collected by the first responding police officer at an RTA. Factors included signage, lighting, surfacing, visibility and road markings. Engineering work was then concentrated on those areas identified.

(8) Tim Read agreed with Members to expand the issues which had arisen during the debate on the Strategy. It was agreed that one of the regular Tuesday afternoon Member Briefing slots be utilised for that purpose.

(9) That police enforcement and communication was a key factor in reducing road casualties and a meeting was being arranged between the Cabinet Member, Kent Police, Kent & Medway Fire and Rescue Authority (KMFRA) and Medway Council to discuss this.

(10) RESOLVED that the Cabinet Committee recommend that the Cabinet Member for Transport & Environment adopts the Road Casualty Reduction Strategy for Kent 2014-2020 and the policies and actions contained therein.

6. 14/00049 - Food Waste Processing Contracts

(Item B2)

(1) The Cabinet Committee received a report of the Cabinet Member for Environment and Transport and the Corporate Director of Growth, Environment and Transport detailing the proposed award of tenders for Food Waste Processing in Kent. Roger Wilkin, Waste Manager, was in attendance to introduce the report and in particular referred to the following:

(2) That a number of the Council's current waste collection partners now also carried out separate food waste collection. As the waste disposal authority KCC had a duty to take household waste from those collection partners and dispose of it appropriately.

(3) That the forthcoming procurement and award of Food Waste Processing Contracts would be undertaken in accordance with the chosen evaluation methodology and this would be included in the published Food Waste Invitation to Tender. The evaluation would be undertaken by KCC Waste Management Officers, who would identify providers to receive, handle, store and process approximately 19,000 tonnes of household food waste per annum.

(4) The tendering process would be open to existing and new suppliers and the contract would be for a period of 6 years. This timeframe had been agreed to reflect the likelihood of investment being required by a successful tenderer and the need for this to be viable and attractive to bidders.

(5) Concern was expressed that Members were being asked to make comment without sufficient information being provided or at a time when comments could not be acted upon by officers.

(6) Members were advised that all tenders were published online prior to engaging in the democratic decision making process and that this particular procurement had been included in the Directorate Business Plan.

(7) RESOLVED that the Cabinet Committee agree the completion of a procurement process for the provision of Food Waste Processing as follows:

a) Lot 1: indicative tonnage of 14,000 p.a.

b) Lot 2: indicative tonnage of 5,000 p.a.

7. 13/00095/2 Young Person's Travel Pass and Petitions to extend the Young Person's Travel Pass to 16-19 year olds and reduce the cost from £100 to £50 for pupils entitled to free school meals

(Items B3 and B3a)

(1) The Cabinet Committee received a report of the Cabinet Member for Environment and Transport and the Corporate Director for Growth, Environment and Transport which sought endorsement of the proposed Cabinet Member decision to introduce a Young Person's Travel Pass for 11-16 year olds for the academic year 2014/15 providing free bus travel in Kent from 6am to 7pm on Monday to Friday and to reducing the cost of the Kent 16+ Travel Card from £520 to £400. In addition a petition had been received and had met the number of signatures required for a debate.

(2) The Chairman clarified that she would be taking Item B3 and Item B3a together.

(3) David Hall stated that two major influences on the proposals before the Committee were the Medium Term Financial Plan, which required savings in the current financial year, and a petition, signed by approximately 16,000, people to extend the 11-16 pass to 16-19 year olds.

(4) Following a report to the December 2013 meeting of the Environment, Highways & Waste Cabinet Committee comments and feedback were received to which the Council listened carefully and devised a revised scheme called the Young Persons Travel Pass for 11-16 year olds.

(5) This scheme retained the basic principle of the Freedom Pass and would provide free travel during the academic year on Kent bus services but limited to term time, Monday to Friday and between the hours of 6am to 7pm.

(6) The initial cost to the recipient had been raised to £200, now payable in two instalments. In order to assist those in receipt of free school meals, a reduced price

of £100 will be charged and young carers and looked after children would continue to receive the pass free of charge.

(7) The proposal for the 16+ Pass was that the price be reduced from £520 to £400 and that it would continue to offer unlimited bus travel in Kent.

(8) The key findings of the review and responses received from nearly 4,000 people were included in the papers.

(9) In order that the points made by the petitioners could also be considered a statement was read out by the clerk from the lead petitioner, Lynne Miller.

(10) It was proposed and seconded that the recommendations be agreed. Mr Caller raised a point of order that he had submitted an amendment to the Chairman and that this should be debated before any vote on the recommendations within the report.

(11) The Chairman agreed and read out the recommendations contained within the report as follows:

- Introduce a new young person's travel pass for 11 – 16 year olds providing free bus travel from 6am to 7pm Monday to Friday commencing at the start of the academic year through to the 31 July
- The pass will cost £200 but charged at £100 for those entitled to free school meals and free to young carers and looked after children.
- An option of two 6 monthly payments will be offered
- The 16+ pass be reduced from £520 to £400 and will continue to offer unlimited bus travel in Kent

The amendment was read as follows:

- An urgent review of the proposed 16+ Pass is undertaken to examine the cost variance between the proposal to continue with unlimited bus travel in Kent and the alternative proposal suggested by petitioners to extend the young person's travel pass scheme to 16 – 19 year olds.

It was suggested that bullet point 4 of the paper's recommendations be deleted and replaced with the above.

Mr Eddy seconded the amendment.

(12) Mr Chittenden asked, if debate was to be curtailed, could the two items be debated separately.

(13) Clarification was given that as a proposal had been put that the recommendations be agreed and an amendment had been proposed and seconded the debate was now on the amendment. It was at the Chairman's discretion as to whether the two items, B3 and B3a, be debated separately and any Member could request that this was the case.

(14) Detailed debate followed regarding the benefits and disbenefits of a discussion on the petition and whether it were possible for the Committee to do so.

(15) The Democratic Services Manager (Executive) read out the Petition Debate Scheme from the Constitution Appendix 4 Part 1 as follows:

Petition Debate Scheme

1.22 (1) The petition organiser, or a named representative, will be given the opportunity to present the petition at the meeting and speak for up to 5 minutes.

(2) If the lead petitioner, or their named representative, does not attend the County Council meeting then the petition may be considered in their absence.

(3) Local Members will be given the opportunity to speak for up to three minutes each.

(4) If the Petition relates to an executive matter then the Cabinet Member will be given the opportunity to respond at the end of the debate for up to 5 minutes

(5) All other speakers will speak for up to three minutes each.

(6) Debate on the petition shall not exceed 45 minutes. The Chairman has discretion to hold a combined debate on more than one petition if the subject matters are similar.

(7) In responding to the petition, the County Council may decide to:

(a) take the action the petition requests

(b) not to take the action requested for reasons put forward in the debate

(c) to commission further investigation into the matter, for example by a relevant committee or

(d) where the issue is one on which the Cabinet is required to make the final decision, to make recommendations to inform that decision.

(16) Mr Caller stated that, as per paragraph (7)(c) of the Petition Debate Scheme, the amendment requested a further review of the proposed 16+ Pass to examine the cost variances between the proposed scheme and the alternative proposal suggested by petitioners. Some of the proposals and suggestions made at the December meeting were now included in the proposed decision and he suspected that some of the suggestions and proposals from the 3,563 responses were also incorporated but as the responses were not given this could not be quantified.

(17) Dr Eddy stated that the petition highlighted a whole series of changes coming into Education including the extension of the school leaving age to 18. The amendment was a request to review the potential impact and cost implications of these changes in a democratic way openly and transparently.

(18) The Cabinet Member stated that costs were quantified in the report as follows:

If the County Council were to further halve the cost of the Kent 16+ Travel Card to £200 this would require the authority having to find an additional

£1,500,000 to cover lost income. There would also be greater additional costs associated with an anticipated increase in pass holders, journeys made and therefore the reimbursement due to bus companies. A halving in the cost of the Young Persons' Travel Pass to £50 for those entitled to free school meals would require an additional £100,000. There is no provision for these additional costs within the budgets allocated for these schemes.

(19) Mr Baldock stated that the response to the consultation, 500 times more than the response to a consultation on one the earlier items, showed that this was an issue that meant a lot to a great deal of people. The amendment would go some way to KCC giving the petition support.

(21) John Burr stated that the budget approved by County Council in January 2014 for 2014-15 had reduced the Freedom Pass budget by £3.9m. Mr Burr explained that if the recommendations were not agreed there would be an impact on the ability to issue passes for the new academic year.

(22) Mr Bowles proposed, Mr Harrison seconded that the question be put and a vote should be called. Following some debate over procedural correctness a vote was taken on the question being put and the result was as follows:

For (7)

Mr A Bowles, Mr M Harrison, Mrs S Hohler, Mr J Ozog, Mr C Pearman, Mrs P Stockell and Mr A Wickham

Against (4)

Mr M Baldock, Mr C Caller, Dr M Eddy and Mr B MacDowall

Abstain (2)

Mr I Chittenden, Mr P Harman

Carried

(23) Mr Caller stated that the amendment asked only for a review in order to consider the input of thousands of people.

(24) The Chairman then put the amendment to the vote and the result was as follows:

For (6)

Mr M Baldock, Mr C Caller, Mr I Chittenden, Dr M Eddy, Mr P Harman and Mr B MacDowall

Against (7)

Mr A Bowles, Mr M Harrison, Mrs S Hohler, Mr J Ozog, Mr C Pearman, Mrs P Stockell and Mr A Wickham

Lost

(25) Following the vote on the amendment being lost the original recommendations as proposed by Mrs Hohler and seconded by Mr Pearman were put to the vote and the result was as follows:

For (7)

Mr A Bowles, Mr M Harrison, Mrs S Hohler, Mr J Ozog, Mr C Pearman, Mrs P Stockell and Mr A Wickham

Against (3)

Mr M Baldock, Mr P Harman and Mr B MacDowall

Abstain (3)

Mr C Caller, Mr I Chittenden and Dr M Eddy

Carried

(26) RESOLVED that the Cabinet Committee recommend that the Cabinet Member for Environment and Transport agrees for Kent County Council to introduce;

- A Young Person's Travel Pass for 11-16 year olds providing free bus travel from 6am to 7pm on Monday to Friday commencing at the start of the academic year through to 31st July.
- The pass will cost £200 but charged at £100 for those entitled to free school meals and free to young carers and looked after children.
- An option of two six monthly payments will be offered.
- The 16+ Pass be reduced from £520 to £400 and will continue to offer unlimited bus travel in Kent.

A response would be issued by the Cabinet Member to the Lead Petitioner as the agreement of the recommendations in the report was also a refusal to act on the request of the petition.

8. Draft 2014-15 Growth, Environment and Transport Directorate Business Plan (Strategic Priority Statement)

(Item C1)

(1) The Cabinet Committee received a report of the Cabinet Member for Environment and Transport and the Corporate Director of Growth, Environment and Transport which presented for consideration the draft Strategic Priority Statement for the Growth, Environment and Transport directorate, the directorate level business plan for 2014-15.

(2) Mike Austerberry introduced the draft Strategic Priority Statement (SPS) for the new Growth, Environment and Transport directorate. It embraced all of the services within the directorate which fell within the remit of two Cabinet Committees, Environment & Transport (E&T) and Growth, Economic Development and Communities (GEDC).

(3) The covering report set out the new business planning approach for 2014-15 and explained the role and aim of the new directorate business plans which were designed to provide summaries of the key priorities for each directorate, along with high level resourcing, risk and performance management information.

(4) The document covers five key areas of strategic priority;

- Finance;
- Transformation;
- Meeting customer needs;
- Maximising partnerships; and
- Recognising the value of the environment to the Kent economy.

(5) In response to comments made and questions raised the Committee received the following additional information from officers:

- That the key performance indicator measuring responses to routine faults included all routine complaints including pothole repair and street lighting which were also recorded separately owing to the level of public interest in these particular matters;
- That improving responses to emergencies such as the recent flooding experience in Kent would remain a priority for the directorate but that preventative measures would also be taken to try to avoid negative consequences of such occurrences;
- That congestion information was collated in a number of ways and local information in particular came from different sources such as Joint Transportation Boards (JTBs), KCC Officers, Kent Association of Local Councils (KALC). The most efficient method by which Members could feed into local information or find out information was to maintain close relationships with the District Managers and Highway Stewards at KCC;
- That tidal power was supported within the Kent Environment Strategy but that currently it was expensive to capture. However, KCC continued to work with businesses in Kent to promote good environmental practices;
- That comments pertaining to work placements and community services would be referred to the appropriate Cabinet Committee Chairman; and
- That the performance priority relating to 11-16 years transport would be amended to include 16+ transport.

(6) RESOLVED that the report be noted.

9. Environment and Transport Cabinet Committee Draft Programme of Work *(Item C2)*

(1) Members were assured that the following decisions; Facing the Aviation Challenge decision number 13/00025 and Household Waste Recycling Centres and Transfer Station Contract decision number 14/00035 would be considered by the Cabinet Committee before being taken by the Cabinet Member.

(2) RESOLVED that the draft programme of work of the Environment and Transport Cabinet Committee be noted.

10. Environment and Transport Performance Dashboard

(Item D1)

(1) The Cabinet Committee received a report of the Cabinet Member for Environment and Transport and the Corporate Director of Growth, Environment and Transport which detailed progress made against Environment and Transport targets set for Key Performance Indicators for the consideration of the Committee. Richard Fitzgerald, Performance Manager, was in attendance to introduce the report and reported that positive results had been recorded in most areas.

(2) In response to questions raised and comments made the Committee received the following further information:

(3) That although figures relating to waste were down on the last reporting period they were up against the same period last year. Some fluctuation was due to seasonal impact; less green waste was generally recorded in the last quarter of the year, and in particular this year due to the heavy rainfall. Municipal waste to energy figures had suffered as a result of extended closure of the plant at Allington for maintenance but Members were assured that this would lead to better performance in the future.

(4) RESOLVED that the report be noted.

11. Financial Monitoring 2013/14

(Item D2)

(1) The Cabinet Committee received a report of the Cabinet Member for Environment and Transport and the Corporate Director of Growth, Environment and Transport which the third quarter's full budget monitoring report for 2013-14 as reported to Cabinet on 24 March 2014. Anthony Kamps, Principal Accountant, was in attendance to introduce the report and in particular referred to the following:

(2) That this was the report for the third financial quarter and contained the main items of variance for this Committee. For those budget responsibilities which had previously fallen within the Customer and Communities portfolio a forecast quarter 3 net underspend of £145,000 was reported. For the budget responsibilities which had previously fallen within the Environment, Highways and Waste portfolio a net overspend of £1.17m was reported.

(3) In response to comments made and questions raised the Committee received the following additional information from officers:

(4) That overspends within the report were offset by underspends elsewhere in the Growth, Environment & Transport portfolio resulting in a final forecast of a £1.1m net overspend.

(5) That the £8.6m from government was not included in this report as this report predated the announcement. Mike Austerberry confirmed that this was the case and added that the bad weather which the Find and Fix referred to within the report had occurred in April 2013 and was not the 'Christmas flooding' to which the £8.6m related.

(6) RESOLVED that the report be noted.

12. 14/00044 & 14/00047 - Waste Processing Contracts

(Item E1)

(1) The Cabinet Committee received a report of the Cabinet Member for Environment and Transport and the Corporate Director of Growth, Environment and Transport which contained information concerning two procurement processes and associated contracts to manage:

a) Organic Waste (garden waste) – subject of Decision Number 14/00044

b) Dry Recyclate – subject of Decision Number 14/00047

Provision was required to receive, handle, store and process household waste arising from district council kerbside collections and KCC Household Waste Recycling Centres.

(2) Questions were raised that the length of these contracts, an initial period of up to 6 years with a possible extension of up to 6 years based on performance, would reduce the opportunity for change in a competitive market. In addition Members were critical of the decision being taken under the 'Urgency Procedure'.

(3) In relation to the issue of the Urgency Procedure Members were reassured that in both tenders the procurement processes had been carried out in line with all KCC procedures as well as national and EU legislation. There had been some misunderstanding about the mechanism for reporting contract awards to Members but officers were confident that the procurement process had been entirely proper and elicited the best value for the Council.

(4) In response to the comments regarding the length of contracts Members were informed that in the handling of waste material a substantial investment in plant (equipment) was required by the contractors. The natural lifetime of a plant was between five and seven years and so this was reflected in the length of the contracts in order to achieve best value for the Council.

(5) Members acknowledged that on occasion decisions needed to be taken before a Cabinet Committee could consider it and asked that more frequent meetings be considered.

(6) RESOLVED that the report be noted.

13. 14/00046 Authorisation of Trading Standards Officers

(Item E2)

(1) The Cabinet Committee received a report of the Cabinet Member for Commercial and Traded Services and the Director of Environment, Planning & Enforcement and the Head of Regulatory Services Group which updated Members on the process undertaken to seek authority to delegate legal authorisation for Trading Standards Officers to use the powers contained in various legislation to carry out statutory duties and to commence legal proceedings if appropriate. The Cabinet Member introduced the report explaining that previously delegation had been granted

and annually renewed under the business planning process but, due to changes to that process, this governance route was no longer available.

(2) It had been agreed that the decision to grant delegated authority to continue operational activity within the legislative framework could not reasonably be deferred in order to conform to the normal statutory procedures. The respective spokespersons of the Cabinet Committee and Scrutiny Committee were consulted and no comments were received.

(3) RESOLVED that the report be noted.