

**ENVIRONMENT & TRANSPORT CABINET COMMITTEE**

**Thursday, 21st September, 2017**

**10.00 am**

**Darent Room, Sessions House, County Hall,  
Maidstone**







## AGENDA

### ENVIRONMENT & TRANSPORT CABINET COMMITTEE

Thursday, 21 September 2017 at 10.00 am  
Darent Room, Sessions House, County Hall,  
Maidstone

Ask for: **Ann Hunter**  
Telephone: **03000 416287**

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

#### **Membership (16)**

Conservative (12): Mr P J Homewood (Chairman), Mr M D Payne (Vice-Chairman), Mrs C Bell, Mr A Booth, Mr T Bond, Mr A Cook, Mr N J Collor, Mr S Holden, Mr A R Hills, Mr R C Love, Mr P J Messenger and Mr J M Ozog

Liberal Democrat (2): Mr I S Chittenden and Mr A J Hook

Labour (1) Mr B H Lewis

Independents (1) Mr M E Whybrow

#### Webcasting Notice

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#### **UNRESTRICTED ITEMS**

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

1 Introduction/Webcast announcement

2 Apologies and Substitutes

To receive apologies for absence and notification of any substitutes present

3 Declarations of Interest by Members in items on the Agenda

To receive any declarations of interest made by Members in relation to any matter on the agenda. Members are reminded to specify the agenda item number to which it refers and the nature of the interest being declared.

- 4 Minutes of the meeting held on 15 June 2017 (Pages 7 - 20)  
To consider and approve the minutes as a correct record.
- 5 Verbal Updates (Pages 21 - 24)  
To note the verbal update from the Cabinet Member for Community and Regulatory Services and the written update from the Cabinet Member for Planning, Highways, Transportation and Waste.
- 6 Directorate Dashboard (Pages 25 - 34)  
To receive and note a report that shows progress made against targets for Key Performance Indicators.
- 7 17/00081 - Asset Maintenance and Vegetation Clearance for PRoW Contract Awards (Pages 35 - 40)  
To consider and endorse, or make recommendations to the Cabinet Member for Community and Regulatory Services on the proposed decision to delegate authority to the Public Rights of Way and Access Service Manger to award contracts for the delivery of PRoW asset maintenance and vegetation clearance work.
- 8 17/00080 - Decision to approve fees and charges for rechargeable Public Rights of Way and Access Service Activity and the principles for establishing fees and charges (Pages 41 - 50)  
To consider and endorse, or make recommendations to the Cabinet Member for Community and Regulatory Services on the decision to publish fees and charges for PRoW and Access activity and to delegate authority to the Public Rights of Way and Access Service Manager to review and publish revised fees and charges subject to the application of a number of key principles.
- 9 17/00083 - Paper and Card Recycling from Waste Kent Household Waste Recycling Centres (Pages 51 - 56)  
To consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport and Waste to award and issue the Paper and Card Processing Contract with a delegation for Officers to offer extensions of up to two years if this is in Kent County Council's commercial interest.
- 10 17/00082 - Definition of our Resilient Highway Network (Pages 57 - 66)  
To consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport & Waste, on the proposed criteria to be used in adopting a definition for Kent's Resilient Highway Network, as part of our wider approach to Highways Asset Management and to maximise Incentive Fund resource.
- 11 17/00085 - Winter Service Policy 2017/18 (Pages 67 - 76)  
To consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport and Waste on the proposed decisions to agree the proposed changes to the Winter Service Policy for 2017/18.

12 17/00087 - DfT Safer Roads Fund (Pages 77 - 82)

The report seeks approval to submit a bid to the Department for Transport (DfT) under the Safer Roads Fund application process. It also seeks approval to proceed to the next stages of implementing the associated interventions should the submitted bid be successful.

13 Proposed amendments to the Joint Transportation Board agreement between Maidstone Borough Council and KCC (Pages 83 - 100)

The report sets out for the consideration of the Committee the proposed decision of the Cabinet Member for Planning, Highways, Transport and Waste to formally adopt the JTB agreement in line with the wishes of the Maidstone JTB which agreed to request the changes at a meeting earlier this year.

14 Road Casualties in Kent; 2016 (Pages 101 - 112)

The report sets out the initial data analysis for road casualties in Kent in 2016. It also provides context related to a change to the police reporting process that may have affected data, provides insight into current KCC casualty reduction activity and identifies an emerging risk to future funding.

15 Waste Collection Partnerships - a proposed Approach to performance payments (Pages 113 - 116)

The report sets out KCC's proposed funding arrangements for recognising, rewarding and incentivising improved recycling performance. The performance payments are legally binding through the development of Inter Authority Agreements (IAAs).

16 2016/17 Growth, Economic Development and Transport Equality and Diversity Review (Pages 117 - 126)

This report sets out a position statement for services within the Growth, Environment and Transport (GET) Directorate regarding equality and diversity work and subsequent progress on KCC equality and diversity objectives for 2016/17.

17 Work Programme 2017/18 (Pages 127 - 130)

To consider and agree a work programme for 2017/18

18 17/00079 - Renewal of contracts for post mortems (Pages 131 - 142)

The report seeks views on the proposed renewal of the contract for body storage and post mortems for the Mid Kent & Medway area. It specifically recommends that KCC renews its contracts (a) with Dartford & Gravesham NHS Trust to carry out PM's at Darent Valley Hospital for the North West Kent coroner area, and (b) with East Kent NHS Trust to carry out PMs at QEQM Hospital Margate and William Harvey Hospital Ashford for the North East Kent and Central & South East Kent coroner areas.

**Motion to Exclude the Press and Public**

That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the

likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

John Lynch,  
Head of Democratic Services  
03000 410466

**Wednesday, 13 September 2017**

*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****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, 15 June 2017.

PRESENT: Mr P J Homewood (Chairman), Mrs C Bell, Mr A Booth, Mr T Bond, Mr N J Collor, Mr A R Hills, Mr S Holden, Mr A J Hook, Mr B H Lewis, Mr R C Love, Mr P J Messenger, Mr J M Ozog, Mr M D Payne and Mr M E Whybrow

ALSO PRESENT: Mr M A C Balfour and Mr P M Hill, OBE

IN ATTENDANCE: Mrs B Cooper (Corporate Director of Growth, Environment and Transport), Mrs A Hunter (Principal Democratic Services Officer) and Miss E West (Democratic Services Officer)

**UNRESTRICTED ITEMS****2. Election of Vice-Chairman**

*(Item 2)*

- (1) It was proposed by Mrs C Bell and seconded by Mr S Holden that Mr M Payne be elected as Vice-Chairman of the Cabinet Committee.
- (2) Resolved that Mr M Payne be elected as Vice-Chairman of the Cabinet Committee.

**3. Apologies and Substitutes**

*(Item 3)*

Apologies for absence were received from Mr A Cook and Mr I Chittenden. Mr K Gregory attended as a substitute for Mr A Cook.

**4. Declarations of Interest by Members in items on the Agenda**

*(Item 4)*

- (1) Mr Love made a voluntary declaration in respect of Dunbrik Waste Transfer Station (Item 12 on the agenda) as it referred to the Kent Joint Municipal Waste Management Strategy and he was Chairman of the Kent Resource Partnership which had published the strategy.
- (2) Mrs Bell made a voluntary declaration in respect of the Ashford District Deal (Item 18 on the agenda) as she was a Cabinet Member on Ashford Borough Council.

**5. Minutes of the meeting held on 13 March 2017 and 25 May 2017**

*(Item 5)*

Resolved that the minutes of the meetings held on 13 March and 25 May 2017 are correct records and that they be signed by the Chairman.

## **6. Verbal updates**

*(Item 6)*

- (1) Mr Hill (Cabinet Member for Community and Regulatory Services) said that he provided updates to both this Cabinet Committee and to the Growth, Economic Development and Communities Cabinet Committee. He said he was pleased to announce that four days after taking over responsibility for Public Rights of Way he was able to open a refurbished footpath in Willesborough, Ashford.
- (2) He also said that a campaign to recruit volunteer community wardens had been launched and, although parish councils had been very enthusiastic about the voluntary community warden scheme, it was proving to be challenging to recruit volunteers.

## **7. Cabinet Member Written Update**

*(Item 7)*

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced his paper which provided an update on KCC's responses to recent consultations on Lower Thames Crossing, aviation and rail initiatives.
- (2) He also said that a Sub-National Transport Board was being established to advise on strategic transport issues and to provide a forum for highway authorities to work with Network Rail, the Highways Agency and other transport providers. He said a shadow stakeholder board had been established and Mr Carter (Leader of the Council) would attend its first meeting on 26 June 2017.
- (3) Mr Balfour said Phase 1 of the Pothole Blitz had been successful with over 11,500 square metres of patching and 1,200 individual potholes repaired since 8 May 2017. He also said that contractors would continue to do non-emergency repairs and general tidying up on secondary roads over the coming months.
- (4) The Keep Kent Clean was also a success and it was planned to renew the project in the autumn. It had been particularly successful in involving Highways England and it was hoped that Network Rail would be involved in the next phase.
- (5) Mr Balfour said that his portfolio encompassed a range of services and offered to provide more information on request to any Member. He also said that a number of informal groups would be required to consider a range of issues including household waste recycling, the Kent Minerals and Waste Sites Plan, the green agenda and heritage, and the commissioning of a new contract for highways term maintenance and encouraged Members from all parties to become involved.



- (6) In response to Members' questions, Mr Wilkin said that the initial distribution of funding for pothole repairs was based on road length, however this was reviewed during the year and adjusted based on need. He also said that he would expect any potholes marked with white lines on the road to be repaired within two months and would investigate specific instances if he were provided with the details.

## **8. Performance Dashboard**

*(Item 8)*

*Richard Fitzgerald (Business Intelligence Manager – Performance), Roger Wilkin (Director of Highways, Transportation and Waste), Stephen Gasche (Principal Transport Planner) Katie Stewart (Director of Environment, Planning and Enforcement) were in attendance for this item*

- (1) Mr Fitzgerald introduced the report which showed progress made against targets set for Key Performance indicators for 2016/17. He outlined his role in producing the report and referred, in particular, to the guidance notes and the Key Performance Indicator Summary at page 30 and 31 of the agenda pack.
- (2) In response to questions officers provided further information.
- (3) Mr Wilkin said there was not a reliable test to assess whether concrete columns were structurally sound and the conversion of street lights on such columns to LCD had been held back until the entire column could be replaced. He said a capital bid was being submitted to government for funding to replace concrete columns with steel across the whole of Kent including Thanet.
- (4) Mr Gasche said that the Ashford Spurs project that had been referred to in the Cabinet Member update was on time and on budget with an anticipated completion date of 28 February 2018 and a public launch at Easter 2018. There would be no gap in service. Mr Gasche said the London to Paris service was currently using the new trains with the exception of two class 373 trains which provided two services daily from London to Ashford and Paris and back. The new class E320 trains would be introduced over the coming months on the London – Brussels route without an adverse impact on the London - Ashford - Brussels service. A new service to Amsterdam was scheduled to start at Easter 2018 and had been conceived as a non-stop service from London with two trains per day. There were complex border issues for the return journey to the UK to be resolved. Eurostar had an ambition to expand the service further, after the Ashford Spurs project had been completed, and if there were a third train per day, efforts would be made to ensure it stopped at Ashford and possibly also at Antwerp.
- (5) Mr Wilkin said that the authority had a contract for the conversion of 310,000 tonnes of waste to energy at Allington and additional costs were incurred if that was not achieved. He said the amount of waste being recycled had increased significantly with Kent now being one of the top performing authorities and there was scope to increase recycling further which would reduce the amount being sent to Allington.

- (6) Ms Stewart said the LED street lighting conversion project was beginning to have a positive impact on the target relating to C02 emissions (EPE13). She anticipated that this, together with further actions such as increasing awareness of staff, a recently launched e-learning programme, and the growing profile and effectiveness of the Internal Environmental Board would result in the target being met.
- (7) In relation to EPE02 (Trading Standards – Serious or persistent offenders prosecuted) Ms Stewart said the policies, procedure and capacity had been reviewed and the KPI changed for 2017/18 to better reflect work in reducing criminality and demonstrate the complexity of the investigations.
- (8) Resolved that the report be noted.

**9. 17/00044 Step Ahead of the Rest (StAR) - Sustainable Travel Revenue Programme**

*(Item 14)*

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report which set out details of an award of £1,452,000 from the Department of Transport following a successful bid. Confirmation of the funding had been received in April 2017 and he had taken a decision between meetings of the Cabinet Committee to enable progress to be made in April, May and June 2017 towards mobilising partners and delivering the project.
- (2) Resolved that it be noted that decision number 17/00044 had been taken in accordance with the process set out in Appendix 4 Part 6 of the Council's constitution to accept the DfT funding to enable the StAR programme to be delivered. Specifically this comprised approval to spend this grant in order to:
  - i) Pay staffing costs associated with delivering the programme;
  - ii) Delegate authority to the Director of Highways, Transportation and Waste to procure, award and amend contracts as necessary; and
  - iii) Make grants to transport operators, community interest companies and businesses, in accordance with our agreement procedures.

**10. 17/00060 - Dunbrik Waste Transfer Station and House Waste Recycling Centre (Sevenoaks)**

*(Item 12)*

*Roger Wilkin (Director of Highways, Transportation and Waste) was in attendance for this item)*

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report which asked the Cabinet Committee to consider and endorse or make recommendations on a proposed decision to allow Waste Management extended occupation by continuing to operate a Waste Transfer Station and Household Waste Recycling Centre in Sevenoaks.

- (2) Mr Wilkin said the site owner wished to develop the wider site and secure extended tenure to 2030 and that KCC had negotiated more favourable terms and an additional operational area within the reduced lease cost.
- (3) Resolved that the proposed decision of the Cabinet Member to enter into a new leasing arrangement for Waste Services to occupy Dunbrik Waste Transfer Station and House Waste Recycling Centre (Sevenoaks) to 2030 be endorsed.

## **11. 16/00145 - Freight Action Plan for Kent**

*(Item 9)*

*Joe Ratcliffe (Transport Strategy Manager) and Sam Yates (Transport Planner) were in attendance for this item*

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) said that the plan was appropriate with sufficient flexibility to enable any special cases to be considered.
- (2) The clerk read an email from Cllr Paul Bartlett (Ashford Borough Council) noting the objections from residents to the Stanford Lorry Park and the impact on local residents of proposals for further overnight lorry parking at Waterbrook near Sevington in Ashford. It also said that a network of smaller lorry parks needed to be brought forward by all districts simultaneously to avoid excessive demand at Waterbrook if it were brought forward first.
- (3) Mr Balfour said that Kent County Council were supporting the DfT and the Highways England to bring forward a lorry holding area near to the major trunk routes that could be used when Operation Stack was in place. He referred to the proposals in the Freight Action Plan and a pilot project to take place later in the year aimed at eliminating inappropriate parking.
- (4) Mr Balfour said the authority was working with the government to address the issue of lorry parking. He anticipated there would be changes in legislation to make it easier to deal with inconsiderate parking where there were no specific traffic regulations. He acknowledged the need for local lorry parking and that it should be as close as possible to the major trunk roads. He also said work was underway to produce a plan to restrict inconsiderate parking in the county and that he hoped to announce a test project later in the year to deal with parking.
- (5) The Chairman read an email from Mr Collor, who was not in attendance for the Cabinet Member update, on rail at item 7 of the agenda. Mr Collor wished to respond to the Cabinet Member update by asking about possible improvements in the journey time between Dover and London St Pancras. He also wanted it recorded in the minutes that he did not agree with officers' comments in the Kent County Council response to the DfT on 19 May specifying the service enhancements it was seeking for High Speed, Mainline and Metro services in the new franchise.
- (6) In response Mr Balfour read an email from Stephen Gasche (Principal Transport Planner) that said the current fastest running times in the peak

periods between Dover Priory and London St Pancras were 64 minutes on the train leaving Dover at 07:16 and 64 minutes on the trains leaving St Pancras hourly between 19:37 and 23:37. The normal running times were 67 or 68 minutes in both directions. In theory it might be possible to have one journey in each direction in the peak period which omitted Folkestone West and Ebbsfleet, thus saving four minutes in each direction and taking sixty minutes, but this would require omitting stations with significant passenger demand. The email also said that KCC had presented alternative options to the DfT for the new franchise specification, one of which would have one train per hour omitting Folkestone West, and the other one train per hour calling at both Westenhanger (when required by development at Otterpool Garden Town) and Folkestone West, but this would depend on the agreement of the DfT to enhance the off-peak service to two trains per hour. The journey time of fifty-three minutes reported in Mr Collor's emails was not in the scheduled timetable, and would not normally be attainable.

- (7) Mr Ratcliffe introduced the report which asked the Cabinet Committee to consider and endorse, or make recommendations on a proposed decision to adopt a Freight Action Plan for Kent. He said the original Freight Action Plan had been adopted in 2012, the new proposed plan had been updated and that it was a supporting document to the Local Transport Plan 4 – Delivering Growth without Gridlock. He referred in particular to paragraph 1.3 of the report which set out five on-going actions for managing freight in Kent and to paragraph 4.3 which set out specific actions included in the plan following an 8-week public consultation between January and March 2017. He also said the response to the consultation had been very good; however, 90% of respondents said that road freight had a negative impact on them or their local community and 70% said inappropriate lorry parking had a negative impact.
- (8) Mr Whybrow said he was unable to support the report as the paragraphs relating to moving freight from road to rail were not strong enough. He also said he and an experienced railway consultant's detailed consultation responses had not been incorporated in the report. IN addition he said he could not support proposals for a lorry park at Stanford.
- (9) The Chairman invited Mr Rayner to address the Cabinet Committee. Mr Rayner said that he held a certificate of proficiency in road transport awarded by the DfT. He said that Brexit presented an opportunity to introduce a licensing arrangement for trucks which would make it more attractive for lorries making deliveries in the midlands and north of the country to use ports such Hull, Harwich, Ipswich or Felixstowe and limit licences for trucks using the Channel Tunnel or Dover Port to lorries making deliveries in Kent or neighbouring counties. He also said that over the years the benefits accruing to Dover from being a port had reduced. He finished by urging the Cabinet Committee to recommend to the Cabinet Member that the authority lobbied central government to pursue a licensing arrangement for lorries crossing from the continent.
- (10) Members generally welcomed the report, however, the impact of large lorries on the rural areas and on small towns was raised, as was the importance of enforcement, the use of technology to prevent lorries coming to Kent when Operation Stack was in place; the need to protect local employment

opportunities including the export of fish from the Romney Marsh area; and the need not only to keep the M20 open when Operation Stack was in place but also to keep the motor-way junctions open.

(11) Proposed by Mr Payne and seconded by Mr Ozog that the proposed decision be endorsed.

(12) Resolved that the proposed decision of the Cabinet Member for Planning, Highways, Transportation and Waste on the proposed decision to endorse and adopt the Freight Action Plan for Kent be endorsed.

(Voting: For 11; Against 3; Abstentions).

(13) After the vote Mr Whybrow requested that it be recorded that he had voted against endorsing the decision.

**12. 17/00050 Westwood Relief Strategy Thanet - Tesco Link Road, construction of a strategic link road and associated roundabouts linking the A256 and A254**

*(Item 10)*

This item was withdrawn from the agenda and not considered.

**13. 17/00051 - Maidstone Integrated Transport Package - Phase 1. A274 Sutton Road at its junction with Willington Street, construction of dedicated directional lanes**

*(Item 11)*

*Russell Boorman (Major Capital Programme Manager) was in attendance for this item*

(1) Mr Boorman introduced the report which provided an update on the progress on the design work for the Willington Street Junction Improvement Scheme. A preliminary scheme had been discussed by the Environment and Transport Cabinet Committee at its meeting on 16 March 2017; however, since then additional work had shown that the preliminary scheme would not deliver the intended benefits and a re-design was required. The Cabinet Committee was, therefore, now being asked to consider and endorse, or make recommendations to the Cabinet Member on his proposed decision to approve a revised outline design scheme for the A274 Sutton Road at its junction with Willington Street.

(2) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) said that most of the funding for the project was coming from the Local Enterprise Partnership and that engagement on the revised scheme had been delayed because of the local and parliamentary elections.

(3) Mr Cooke said that the Maidstone Joint Transportation Board had not responded favourably to the revised scheme and wanted the decision to be deferred to allow full engagement with residents. Mr Cooke said the proposed expenditure would have little impact on relieving congestion and the removal

of hedgerows and mature trees would increase noise and other pollution for residents of Sutton Road and Bell Meadow.

- (4) Mr Cooke proposed and Mr Lewis seconded a proposal to defer consideration of this matter until the next meeting of the Cabinet Committee when the views of the Maidstone Joint Transportation Board and the results of the public engagement would be available.
- (5) In response to comments, Mr Balfour asked the Cabinet Committee to consider the scheme being proposed as the basis for public engagement. Officers provided additional information about planting schemes and other actions to mitigate the impact of noise and other issues.
- (6) Resolved that:
  - (a) The proposed outline design scheme for the A274 Sutton Road at its junction with Willington Street be noted;
  - (b) Engagement with residents be undertaken; and
  - (c) The proposal be re-considered at the next meeting of the Cabinet Committee on 21 September 2017 when the results of the public engagement and the comments of the Joint Transportation Board would be available.

**14. 17/00061 - A28/A291 Sturry Link Road, Canterbury**  
(Item 13)

*Richard Shelton (Major Capital Programme Project Manager) was in attendance for this item.*

- (1) Mr Shelton introduced the report which asked the Cabinet Committee to consider and endorse or make recommendations to the Cabinet Member on a proposed decision to approve a revised outline scheme for the Sturry Link Road.
- (2) Mr Shelton said the Environment and Transport Cabinet Committee had considered an initial overview of the scheme at its meeting in September 2015. He also said the design encompassed the entire link road but that KCC would deliver the section from the A28 over both arms of the Great Stour and railway to connect with a proposed new roundabout within the adjacent development site. The rest of the link would be delivered as part of the development of sites in Sturry and adjacent areas.
- (3) In response to questions and comments, Mr Balfour said that if there were any further significant changes to the proposed scheme Members would be advised. Mr Shelton said the developer had carried out a consultation in April in Sturry Village Hall and the outcome of that consultation would be used to inform the questions asked during the consultation to be carried out by KCC. He also said that: an off road cycling route would be provided throughout the scheme; the bus lane was being provided on the route into Canterbury as this was considered to be the most congested; modelling work had been done on

the junction; the views of residents would be sought about changes to the junction; and that he anticipated that journey times would improve when there was an alternative to the railway crossing.

- (4) Resolved that the Cabinet Committee endorsed the proposed decision of the Cabinet Member for Planning, Highways, Transport & Waste, to:
  - i) Give approval to the revised outline design scheme for the Sturry Link Road Drawing No. 430392/000/49 Rev 0;
  - ii) Delegate to the Corporate Director of Growth, Environment & Transport, following consultation with the Cabinet Member, any further or other decisions as may be appropriate to deliver the Sturry Link Road scheme.

## **15. Country Parks Strategy**

*(Item 15)*

*Stephanie Holt (Head of Countryside, Leisure and Sport) and Tim Woodhouse (Country Parks and Countryside Partnerships Manager) were in attendance for this item*

- (1) Mr Hill (Cabinet member for Community and Regulatory Services) introduced the report which set out the context for and the draft of 2017-20121 Country Parks Strategy. He referred in particular to the success of the service in generating income equivalent to 74% of its direct costs compared with 40% in 2008-09 and to the exceptional customer satisfaction ratings. Mr Hill also paid tribute to the work done by the informal member board in developing the strategy.
- (2) Ms Holt said seven country parks had achieved Green Flag awards annually and referred to the customer satisfaction ratings.
- (3) Mr Woodhouse said the new strategy was supported by three strategic aims and ten objectives. He spoke in particular about Objective 5 which referred to working in partnership with the health sector to maximise the health benefits the parks bring to the community
- (4) Comments were made about the importance of making the country parks “bee-friendly” and about the absence of bridleways at some of the smaller parks.
- (5) Members supported the draft strategy and acknowledged the work done by the informal member board and officers in developing the strategy.
- (6) Resolved that:
  - (a) The draft Country Parks Strategy be endorsed;
  - (b) The proposed consultation process in Section 3 of the report be endorsed.

## **16. Medway Flood Partnership update**

*(Item 16)*

*Julie Foley (Environment Agency, Area Manager for Kent South London and East Sussex) and Max Tant (Flood and Water Manager) were in attendance for this item*

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report which asked the Cabinet Committee to consider and endorse KCC's role on the Medway Flood Partnership. He also introduced Julie Foley from the Environment Agency.
- (2) Ms Foley gave a short presentation which is available on line as an appendix to these minutes. The Committee was generally supportive of the strategic and integrated approach being taken to mitigate the effects of flooding.
- (3) In response to questions Ms Ely outlined the methods used to warn the general public about flooding. She confirmed that all funding had been secured for the Leigh Storage Scheme, the design phase was underway and construction would start by 2020.
- (4) Mr Tant provided information about plans for property protection resilience to minimise the impact of low level flooding and to enable people to return home more quickly following a flood as well as the development of local flood barriers to protect homes where flooding could not be mitigated at the property level.
- (5) Mr Balfour thanked Ms Ely for her presentation.
- (6) Resolved that KCC's role on the Medway Flood Partnership be endorsed.

## **17. Air Quality**

*(Item 17)*

*Carolyn McKenzie (Head of Sustainable Business and Communities) and Tim Read (Head of Transportation) were in attendance for this item*

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) said that air quality was rising up the government's agenda and that while KCC had little ability to directly influence air quality it was important to maximise its influence.
- (2) Ms McKenzie introduced the report. She said air pollution was estimated to be the largest environmental risk to public health and resulted in 40,000-50,000 early deaths annually. She also said that improving air quality had been identified as a key challenge within the Kent Environment Strategy which was being co-ordinated across the county by KCC. The report suggested a potential twofold approach for KCC that would focus on improving the data and evidence base for action, and developing targeted action in partnership with public sector partners through the production of a Low Emission Strategy.
- (3) Members welcomed the report. Comments were made about the importance of data and monitoring, using data to drive actions, the desirability of involving the University of Kent, particularly Professor Stephen Peckham and his team



who were developing new ways of monitoring air quality; and the increase in air pollution as a result of traffic calming and urban congestion. It was also suggested that Kent should aim to be the forerunner for air quality nationally and should ask the manufacturers of HGVs to use “start – stop” technology as standard in all vehicles.

- (4) Mr Read said that making “start-stop” technology a requirement in the contract specification would increase the cost of KCC’s contracts for bus services. He also said that most buses were already using eco-friendly technology by being hybrids.
- (5) Members suggested that reports on air quality monitoring and actions be included as part of the district briefings.
- (6) In response to a question, Ms McKenzie said the Kent Air website included data from districts that had bought into the air contract system. She also undertook to provide information about the location of air quality monitoring stations in Dartford to Mr Ozog.
- (7) Resolved that:
  - (a) The recommended approach and the actions outlined in Section 4 of the report and specifically the production of a Kent Low Emissions Strategy be endorsed;
  - (b) Members be involved and that a Member Information Briefing be arranged.

**18. 17/00063 - Ashford District Deal - Review and Refresh**  
(Item 18)

*Katie Stewart (Director of Environment, Planning and Enforcement) and Katie Chantler (Programme Manager – Infrastructure) were in attendance for this item*

- (1) Mrs Cooper (Corporate Director of Growth Environment and Transport introduced the item. She said it was an excellent example of joint working and provided a template for future two-tier working.
- (2) Ms Stewart said the original Ashford District Deal had been signed in 2015 and at that time it had been considered by both the Environment and Transport and Growth Economic Development and Communities Cabinet Committees. She said the proposed decision would be considered by the Growth Environment and Transport Cabinet Committee on 21 June 2017.
- (3) Miss Chantler drew Members’ attention to Conningbrook Lakes Country Park and the Newtown Works development which were new projects in the refreshed deal.
- (4) Mrs Bell said that Ashford Borough Council valued the arrangement and referred in particular to the governance arrangements that were set out in the report.

- (5) Resolved that the proposed decision of the Cabinet Member to enter into the refreshed deal with Ashford Borough Council as set out in the report be endorsed.

## **19. Work Programme 2017/18**

*(Item 19)*

Resolved that the work programme for 2017/18 be agreed.

## **20. Exclusion of the Press and Public**

*(Item )*

Resolved that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

## **21. 17/00064 Renewal of contracts for post mortems**

*(Item 20)*

*Katie Stewart (Director Environment, Planning and Enforcement) and Mike Overbeke (Group Head - Public Protection were in attendance for this item.*

- (1) Mr Hill (Cabinet Member for Community and Regulatory Affairs) introduced the report which asked the Cabinet Committee to consider and endorse or make recommendations on a proposed decision to award a four-year contract for post-mortems for the Mid Kent and Medway Coroner area to Medway NHS Trust for the period 1 July 2017 to 31 March 2021.
- (2) Mr Overbeke said that Kent County Council was responsible for meeting all the costs of the coroner service within its area; there were no other providers with sufficient capacity in Kent or nearby to provide the service and that the best option was to renew the contract through a single source tender.
- (3) He also answered Members' questions about the number of post mortems carried out and the service provided out of hours.
- (4) Resolved that the proposed decision of the Cabinet Member for Community and Regulatory Services to award a four year contract for Post Mortems for the Mid Kent & Medway coroner area to Medway NHS Trust for the period 1 July 2017 to 31 March 2021 be endorsed.

## **22. 17/00048 - Technical & Environmental Services Contract**

*(Item 21)*

*Tim Read (Head of Transportation) and Roger Wilkin (Director of Highways, Transportation and Waste) were in attendance for this item*

- (1) Mr Balfour (Cabinet Member for Planning Highways, Transport and Waste) introduced the report which asked the Cabinet Committee to consider and endorse or make recommendations on a proposed decision to provide the Director of Highways Transportation & Waste the delegated authority to enter

into appropriate contractual arrangements for the provision of technical and environmental professional services.

- (2) Mr Read answered Members' question on the proposed decision.
- (3) Resolved that the proposed decision of the Cabinet Member to provide the Director of Highways Transportation and Waste delegated authority to enter into appropriate contractual arrangements for the provision of professional, technical and environmental services in accordance with the expectations set out in the report, be endorsed.

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From: **Matthew Balfour, Cabinet Member - Planning, Highways, Transport and Waste**

To: **Environment & Transport Cabinet Committee – 21 September 2017**

Decision No: N/A

Subject: **Cabinet Member – Written Updates**

Classification: **Unrestricted - For Information**

**Past Pathway of Paper:** N/A

**Future Pathway of Paper:** N/A

**Electoral Division:** All

**Summary:** This paper provides an update to Members of the Environment and Transport Cabinet Committee on the Cross rail to Ebbsfleet project, major roads programme, refresh of the Local Flood Risk Management Strategy and Low Emissions Strategy development.

**Recommendation(s):**

The Cabinet Committee is asked to note the report.

## **1. Introduction**

1.1 This paper provides an update to Members of the Environment and Transport Cabinet Committee on the Cross rail to Ebbsfleet project, major roads programme and refresh of the Local Flood Risk Management Strategy

## **2. Cross rail to Ebbsfleet Project**

2.1 KCC officers have been involved in the Crossrail to Ebbsfleet (C2E) working group since October 2015. An Executives' Group was also established in 2016 and is attended by the Corporate Director for GET, and a Leaders' Group which is attended by the Leader. The project is led by Transport for London (TfL) / Greater London Authority (GLA) with partnership support from London Borough of Bexley, Dartford BC, Gravesham BC, Ebbsfleet DC, Thames Gateway Kent Partnership (TGKP) and KCC.

2.2 A Strategic Outline Business Case (SOBC) is being developed jointly by the project partners. This is planned for submission to Government for consideration in the Autumn 2018 budget, when a bid for Government funding of a full Business Case to support the delivery of the project will be made. The Secretary of State for Transport and the Mayor of London have jointly expressed their support in principle for the project to be developed, without at this stage committing any funding to its delivery.

### 3. Road Improvement Schemes Update

#### Current KCC Major Capital Programme

- 3.1 Good progress has been made on the Major Capital Programme. Highlights include:
- Maidstone Gyratory and associated towpath improvements scheme and the M20 J4 scheme are now complete
  - Rathmore Road, Gravesend is on track to finish on site in October 2017
  - Hermitage Lane improvement scheme, Maidstone, is currently under construction
  - Procurement of the A226 London Road/St. Clements Way scheme, Dartford, is well underway with work due to start in January 2018
  - The design of the A28 Chart Rd, Ashford, widening scheme is also well underway and Jackson Civil Engineering has been procured to deliver the scheme. Currently awaiting a date for the Public Inquiry (as a result of the CPO)
  - The Public Consultation for A28 Sturry Link Road, Canterbury is now closed. The results are being analysed and will be reported to November 2017 Environment & Transport Cabinet Committee. It is intended to submit a Planning Application in December 2017.
  - Design of A2500 Lower Rd/Barton Hill roundabout, Swale is nearing completion and procurement will start in October 2017.

#### Bids for new Transport Schemes

- 3.2 Two bids were submitted to the **DfT's National Productivity Investment Fund** in June for:
- Upgrade of 2 roundabouts on A249 at Kent Medical Campus, Maidstone
  - A2500 Lower Rd widening, Swale
- Funding announcements are due September 2017.
- 3.3 Two bids have been submitted to **Highways England's Growth and Housing Fund** on 8<sup>th</sup> September 2017 for:
- Upgrade of 2 roundabouts on A249 at Kent Medical Campus plus the signalisation on M20 J7
  - A2500 Lower Rd widening, Swale
- 3.4 Bids will be made by the District Councils for transport schemes to the **DCLG's Housing Infrastructure Fund (Marginal Viability Schemes)** on 28<sup>th</sup> September 2017. Details are still being developed and can be provided in a later update.

3.5 Two Expressions of Interest will be made by KCC to the **DCLG's Housing Infrastructure Fund (Forward Funding Schemes)** on the 28<sup>th</sup> September 2017:

- Physical Infrastructure for Otterpool Park, Shepway e.g. roads and rail improvements
- M2 J5a plus new relief roads, Swale

#### Other Transport Schemes

3.6 Highways England is due to start construction of M20 J10a early 2018.

### **4. Local Flood Risk Management Strategy**

4.1 KCC has commenced a consultation on a new Local Flood Risk Management Strategy, which sets out the strategy for managing Local Flood Risk, flooding from surface water groundwater and ordinary watercourses, in Kent. It is a multi-agency document that sets out the objectives and actions for KCC and our partners. The new Local Strategy will replace the one adopted in 2013 and will build on the lessons learned by delivering that local strategy.

4.2 The consultation is open until 8 October and the final draft of the Local Strategy will be presented to this committee on 30 November.

### **5. Low Emissions Strategy**

5.1 KCC is working with the Kent and Medway Air Quality Partnership and Public Health to understand the Health impacts from poor air quality across Kent. The purpose is to develop a Low Emissions Strategy which will include targeted measures to improve air quality in the most affected areas.

5.2 It is intended to report back to Environment & Transport Cabinet Committee in Spring 2018.

### **6. Recommendation(s)**

#### **Recommendation(s):**

6.1 The Cabinet Committee is asked to note the report.

### **7. Contact details**

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**From:** Matthew Balfour, Cabinet Member for Transport and Environment,  
Mike Hill, Cabinet Member for Community & Regulatory Services,  
Barbara Cooper, Corporate Director for Growth, Environment and Transport

**To:** Environment & Transport Cabinet Committee – 21 Sept 2017

**Subject:** Performance Dashboard

**Classification:** Unrestricted

**Summary:**

The Environment and Transport Performance Dashboard shows progress made against targets set for Key Performance Indicators. The latest Dashboard is for July 2017.

**Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to NOTE the report.

**1. Introduction**

- 1.1. Part of the role of Cabinet Committees is to review the performance of the functions of the Council that fall within the remit of the Committee.
- 1.2. To support this role, Performance Dashboards are regularly reported to each Cabinet Committee throughout the year, and this is the first report for the 2017/18 financial year.

**2. Performance Dashboard**

- 2.1. The current Environment and Transport Performance Dashboard is attached at Appendix 1.
- 2.2. The Dashboard provides a progress report on performance against target for the Key Performance Indicators (KPIs) included in this year's Directorate Business Plan.
- 2.3. The current Dashboard provides results up to the end of July.
- 2.4. The Dashboard also includes a range of activity indicators which help give context to the Key Performance Indicators.
- 2.5. Key Performance Indicators are presented with RAG (Red/Amber/Green) alerts to show progress against targets. Details of how the alerts are generated are outlined in the Guidance Notes, included with the Dashboard in Appendix 1.
- 2.6. Performance for July was ahead of target for four key performance indicators in Highways & Transportation, with two indicators, resident satisfaction with highways schemes and LED conversions behind target. For digital take-up, five

indicators were on or ahead of target, and two behind. It is expected that the GET digital transformation project will further improve digital take-up performance.

- 2.7. Performance is ahead of target for all indicators for Waste Management, with only 0.7% of waste now going to landfill.
- 2.8. For Environment, Planning and Enforcement, the three planning indicators were all exceeding or meeting target, as was income generated and investment secured. Greenhouse Gas emissions improved and narrowed the gap to its target.

### **3. Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to NOTE this report.

### **4. Background Documents**

The Council's Business Plans:

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/corporate-policies/business-plans>

### **5. Contact details**

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# **Environment and Transport Performance Dashboard**

## **Financial Year 2017/18**

### **Results up to July 2017**

Page 27

**Produced by Strategic Business Development and Intelligence**

**Publication Date: August 2017**

## Guidance Notes

Data is provided with monthly frequency except for Waste Management where indicators are reported with quarterly frequency and on the basis of rolling 12 month figures, to remove seasonality.

### 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 Directorate Business Plans and represent levels of performance where management action should be taken.

### DOT (Direction of Travel)

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

### Activity Indicators

Activity Indicators representing demand levels are also included in the report. They are not given a RAG rating or Direction of Travel alert. Instead they are tracked within an expected range represented by Upper and Lower Thresholds. The Alert provided for Activity Indicators is whether they are in expected range or not. Results can either be in expected range (**Yes**) or they could be **Above** or **Below**.

## Key Performance Indicators Summary

Highways and Transportation	Month RAG	YTD RAG
Potholes repaired in 28 calendar days (routine works not programmed)	GREEN	GREEN
Faults reported by the public completed in 28 calendar days	GREEN	GREEN
Streetlights repaired in 28 calendar days	GREEN	GREEN
Customer satisfaction with service delivery (100 Call Back)	GREEN	GREEN
Resident satisfaction with Highways schemes	AMBER	RED
Number of LED streetlight conversions	AMBER	AMBER

Digital Take up	RAG
Percentage of public enquiries for Highways Maintenance completed online	AMBER
Percentage of Young Persons Travel Pass applications successfully completed online	GREEN
Percentage of concessionary buss pass applications successfully completed online	GREEN
Percentage of speed awareness courses successfully completed online	GREEN
Percentage of Highway Licence applications successfully completed online	AMBER
Percentage of blue badge applications successfully completed online	GREEN
Percentage of 16+ Travel Cards applied for online	GREEN

Waste Management	RAG
Municipal waste recycled and composted	GREEN
Municipal waste converted to energy	GREEN
Municipal waste diverted from landfill	GREEN
Waste recycled and composted at HWRCs	GREEN

Environment, Planning and Enforcement	RAG
Income generated by EPE charged for services (£000s)	GREEN
Investment secured by EPE services (Grants / EU funding) (£000s)	GREEN
Customer satisfaction with planning application service	GREEN
Percentage of planning applications which meet DCLG standards and requirements	GREEN
Percentage of planning decisions challenged	GREEN
Greenhouse Gas emissions from KCC estate (excl schools) in tonnes	AMBER

Service Area	Director	Cabinet Member
Highways & Transportation	Roger Wilkin	Matthew Balfour

### Key Performance Indicators

Ref	Indicator description	Latest Month	Month RAG	DOT	Year to Date	YTD RAG	Target	Floor
HT01	Potholes repaired in 28 calendar days (routine works not programmed)	99%	GREEN	↑	98%	GREEN	90%	80%
HT02	Faults reported by the public completed in 28 calendar days	97%	GREEN	↔	94%	GREEN	90%	80%
HT03	Streetlights repaired in 28 calendar days	97%	GREEN	↔	94%	GREEN	90%	80%
HT04	Customer satisfaction with service delivery (100 Call Back)	89%	GREEN	↑	84%	GREEN	75%	60%
HT05	Resident satisfaction with Highways schemes	60%	AMBER	↑	55%	RED	75%	60%
HT11c	Number of actual LED streetlight conversions (cumulative since start of project)	69,875	AMBER	↑	69,875	AMBER	75,580	68,020

HT05 - The number of individual sites surveyed and survey cards returned has been very low so far this year, and the year to date result has been impacted by one scheme on the A25 in Borough Green where residents were not convinced of the benefits of the project, although they were not unhappy with the quality of the final works or how quickly it was delivered. We are reviewing how we can improve the way we can better communicate the benefits of schemes such as this which alter, rather than simply maintain, the highway.

HT11c - We are now working on the more challenging main road network but are still on track to complete a total of 100,000 conversions by March 2018 with the total 118,000 conversion programme across the County by May 2019, this will save Kent taxpayers up to £5.2 million each year.

Service Area	Director	Cabinet Member
Highways & Transportation	Roger Wilkin	Matthew Balfour

### Activity Indicators

Ref	Indicator description	Year to date	In expected range?	Expected Range		Prev. Yr YTD
				Upper	Lower	
HT01d	Potholes repaired (as routine works and not programmed)	3,391	<b>Below</b>	5,400	3,900	3,934
HT02d	Routine faults reported by the public completed	15,922	Yes	19,500	15,500	18,202
HT03d	Streetlights repaired	3,629	<b>Below</b>	6,800	4,800	3,148
HT06	Number of new enquiries requiring further action	28,940	<b>Below</b>	37,500	30,800	34,683
HT07	Work in Progress	5,912	Yes	6,900	5,400	6,685

HT01d – The mild winter has helped reduce the pothole demand, and customer enquiries are the lowest on record. Our £3 million Pothole Blitz delivered through a network of local suppliers has also helped reduce demand.

HT03d – Fewer streetlights are being repaired as conversion to LED progresses across the County.

HT06 – The reduction in pothole and streetlighting faults reported by customers has helped keep the customer demand below expected range. This together with the use of the online web-form means less demand on telephone calls to Contact Point.

Service Area	Director	Cabinet Member
Highways & Transportation	Roger Wilkin	Matthew Balfour

### Digital Take-up indicators

Ref	Indicator description	Year to Date	YTD RAG	Target	Floor	Previous Year
DT01	Public enquiries (new requests) for Highways Maintenance completed online	36%	AMBER	40%	25%	37%
DT02	Young Persons Travel Pass (YPTP) applications completed online	80%	GREEN	75%	60%	76%
DT03	Concessionary bus pass applications completed online	15%	GREEN	15%	5%	9%
DT04	Speed awareness courses completed online	81%	GREEN	75%	65%	80%
DT06	Highway Licence applications completed online	57%	AMBER	60%	50%	56%
DT07	Blue badge applications completed online	44%	GREEN	40%	35%	39%
DT13	16+ Travel Cards applied for online	64%	GREEN	50%	40%	47%

DT01 – There has been a lower number of enquiries logged for pothole and streetlight faults, around 70% of which are normally made on the online form. This has resulted in a lower overall percentage for all new requests made online. We are working with Agilisys and the Communications Team to continue to raise awareness of the web-form as the best way to report all routine faults.

DT06 – We are currently implementing a new process that will better support businesses who wish to apply for Highway Licenses such as skips and scaffolds.



Service Area	Director	Cabinet Member
Waste Management	Roger Wilkin	Matthew Balfour

### Key Performance Indicators

Ref	Indicator description	Latest Quarter	RAG	DOT	Previous Quarter	Target	Floor
WM01	Municipal waste recycled and composted	49.4%	GREEN	↑	49.2%	46.8%	41.8%
WM02	Municipal waste converted to energy	49.9%	GREEN	↑	48.7%	47.9%	42.9%
01+02	Municipal waste diverted from landfill	99.3%	GREEN	↑	97.9%	94.7%	89.7%
WM03	Waste recycled and composted at HWRCs	69.4%	GREEN	↓	70.2%	69.3%	67.3%

Results for Waste Management are collected quarterly so results are up to June 2017. All figures are provided as rolling 12 month totals to remove seasonality.

### Activity Indicators

Ref	Indicator description	Year to date	In expected range?	Expected Range		Previous Year
				Upper	Lower	
WM05	Waste tonnage collected by District Councils	540,300	Yes	560,000	540,000	545,500
WM06	Waste tonnage collected at HWRCs	184,500	Yes	190,000	170,000	177,900
05+06	Total waste tonnage collected	724,800				723,400

Division	Director	Cabinet Member
Environment, Planning and Enforcement	Katie Stewart	Matthew Balfour

### Key Performance Indicators

Ref	Indicator description	Year to Date	RAG	Target YTD	Floor YTD	Prev. Yr. YTD
EPE 15	Income generated by EPE charged for services (£000s)	899	GREEN	885	798	1,387
EPE 18	Investment secured by EPE services (Grants / EU funding) (£000s)	778	GREEN	271	244	N/a
EPE17	Customer satisfaction with planning application service	100%	GREEN	60%	50%	N/a
EPE20	Percentage of planning applications which meet DCLG standards and requirements	100%	GREEN	100%	80%	N/a
EPE21a	Percentage of planning decisions challenged	0%	GREEN	10%	20%	N/a

Note – income and investment KPI data is provided quarterly so figures are up to June.

Ref	Indicator description	Latest Quarter	RAG	DOT	Target	Floor	Previous Year
EPE13	Greenhouse Gas emissions from KCC estate (excluding schools) in tonnes	41,774	AMBER	↑	41,050	44,350	44,851

KCC continues to reduce Greenhouse Gas emissions and performance is just behind target. This improvement is mostly currently being delivered through impact of the Street lighting LED programme (with street lighting accounting for 51% of emissions). Results for Greenhouse emissions shown above are for the rolling 12 months to March 2017, as there is significant delay in collecting all of the data for this indicator.

From: **Mike Hill, Cabinet Member for Community and Regulatory Services**

**Barbara Cooper Corporate Director of Growth Environment and Transport**

To: **Environment and Transport Cabinet Committee 21 September 2017**

Decision No: **17/00081**

Subject: **Asset Maintenance and Vegetation Clearance for PRow Contract Awards**

Classification: **Unrestricted**

**Past Pathway of Paper:** Strategic Commissioning Board 23 January 2017 & 21 June 2017

**Future Pathway of Paper:** For Cabinet Member Decision

**Electoral Division:** County-wide Service

**Summary:** The Public Rights of Way (PRow) Commissioning and Procurement Plans for PRow asset maintenance and PRow vegetation clearance were approved at the Strategic Commissioning Board on the 23 January and 21 June 2017. The likely expenditure will exceed £1m. A key decision is therefore required to enable the procurement to proceed to market and subject to successful procurement to award contracts for the delivery of PRow asset maintenance and vegetation clearance work.

**Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Community and Regulatory Services on the proposed decision to delegate authority to the Public Rights of Way and Access Service Manger to award contracts for the delivery of PRow asset maintenance and vegetation clearance work; as attached at Appendix A

## 1. Introduction

1.1 The Public Rights of Way network extends to 4,375 miles (7,000Km) and with a small number of exceptions is publically maintainable highway. Works to maintain the network are identified through a mixture of planned and ad-hoc inspections by officers and volunteers and in response to reports from the public. Work programmes are established using a simple cost benefit analysis ensuring that works carried out are those that most closely reflect the County Council's policies and strategic objectives.

1.2 Maintenance of the PRow network requires a wide variety of suppliers with the capacity and capability to deal with a variety of requirements. These can range from installation of new gates, resurfacing a pathway through to bridge installation and repair. The PRow and Access Service wishes to establish

contract arrangements providing access to an appropriate mix of suitably skilled small and medium enterprises and is working with Startegic Sourcing and Procurement Team to achieve this.

## **2. Financial Implications**

2.1 Current spending on PRow asset maintenance and vegetation clearance is around £1.02 m per annum comprising £620k capital & £400k revenue. This figure varies reflecting income from grants and external funding and fluctuations to base budget. Capital funding has reduced from the £835k in the Medium Term Financial Plan (MTFP) to £620k in the last and current financial year. A capital bid for £900k per annum from 2018-19 has been submitted.

### **a) Asset Maintenance**

2.2 The proposed arrangement for asset maintenance is a framework contract. Under this arrangement the PRow and Access Service would have access to the range of suppliers it requires but there is no guarantee of work. Therefore the arrangement reflects the flexibility required should there be any significant fluctuation to budget.

### **b) Vegetation Clearance**

2.3 The proposed arrangement for vegetation clearance is term service contracts. The value of individual contracts may be relatively low but given the contract duration of 5 years and the opportunity to extend for a further 2 there is an ongoing commitment to vegetation clearance. Should the County Council not be in a position to fund the work in future years it may be liable for compensation payments.

## **3. Policy Framework**

3.1 The commission accords with the County Council's Strategic Statement "Increasing Opportunities – Improving Outcomes" that communities benefit from economic growth by being in work, healthy and enjoying a good quality of life.

3.2 The commission supports a number of identified policies within the Public Rights of Way Improvement Plan for Kent – The Countryside and Coast Access Improvement Plan 2013-17, most specifically those policies relating to well maintained access. The production of a Rights of Way Improvement Plan is a statutory obligation. The plan was produced following wide ranging public consultation and engagement. The importance of having well maintained rights of way was raised consistently by the public and stakeholders, if the positive outcomes for health, well being, the rural economy and active travel are to be delivered.

## **4. Procurement Proposals**

4.1 To help inform the procurement of the PRow asset maintenance and vegetation clearance arrangements we have engaged with the market and particularly existing specialist Kent and East Sussex based small and medium enterprises carrying out PRow maintenance works.

4.2 Commissioning and Procurement Reports have been considered and approved by the Strategic Commissioning Board on the 23 January and 21 June 2017. The procurement plan reports are included at Appendix B.

4.3 The outcome of the market engagement work undertaken by the Procurement Team is that framework contracts have been recommended for asset maintenance work. The framework contracts are split into six lots:

- Lot 1 – North West Kent.
- Lot 2 – North East Kent.
- Lot 3 – South West Kent.
- Lot 4 – South East Kent.
- Lot 5 – Pathway Surfacing East Kent (Surfacing including bound aggregate, un-bound aggregate & tarmac).
- Lot 6 – Pathway Surfacing West Kent (Surfacing including bound aggregate, un-bound aggregate & tarmac).

The framework contracts are of a scale that should ensure regular opportunities for contractors to tender for work, and that provide sufficient access to suppliers for the PRoW and Access Service.

4.4 The outcome of market engagement for vegetation clearance was a recommendation that the work be split into 10 lots, with no individual supplier being awarded more than 3 lots. The recommended contract duration of 5-7 years allows the service providers sufficient certainty to invest in specialist equipment. It is expected that this will encourage more local SMEs to bid.

4.5 An Equalities Impact Assessment (EqIA) has been completed for the commission; Appendix C. The EqIA, identified a number of potential positive impacts from the commissioning and procurement exercise relating to accessibility of the PRoW network.

4.6 Given the potential aggregated spend over the duration of the contracts delegated authority is sought by the Public Rights of Way and Access Service Manager to sign the contracts on conclusion of the procurement.

## **5. Legal Implications**

5.1 Maintenance of the Public Rights of Way network is an obligation under the Highways Act 1980 section 41.

## **6. Conclusions**

6.1 The County Council is under a statutory obligation to maintain the PRoW network. In order to maintain the network the PRoW and Access Service needs appropriate arrangements in place that provide access to a range of skilled and well equipped suppliers.

6.2. The proposed arrangements have been shaped following engagement with the market.

## 7. Recommendation(s)

### Recommendation(s):

- 7.1 The Environment and Transport Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Community and Regulatory Services on the proposed decision to delegate authority to the Public Rights of Way and Access Service Manger to award contracts for the delivery of PROW asset maintenance and vegetation clearance work; as attached at appendix A.

## 8. Background Documents

### 8.1 Appendix A: Proposed Record of Decision

#### Appendix B:

- PROW Vegetation Clearance Procurement Plan Report to the Startegic Commissioning Board, June 2017 - <https://democracy.kent.gov.uk/ecSDDisplay.aspx?NAME=SD5230&ID=5230&RPID=16991794>
- PROW Asset Management Procurement Plan Report to the Startegic Commissioning Board, June 2017 - <https://democracy.kent.gov.uk/ecSDDisplay.aspx?NAME=SD5229&ID=5229&RPID=16991800>

#### Appendix C: Equalities Impact Assessment -

<https://democracy.kent.gov.uk/ecSDDisplay.aspx?NAME=SD5231&ID=5231&RPID=16991805>

## 9. Contact details

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## KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TAKEN BY**

**Mike Hill, Cabinet Member for Community and Regulatory Services**

**DECISION NO:**

**17/00081**

**For publication**

**Key decision\***

Yes – expenditure over £1m

**Subject: Asset Maintenance and Vegetation Clearance for Public Rights of Way (PRoW)**

**Decision:**

As Cabinet Member for Community and Regulatory Services, I agree to delegate authority to the Public Rights of Way and Access Service Manger to award contracts for the delivery of PRoW asset maintenance and vegetation clearance work.

**Reason(s) for decision:**

Maintenance of the Public Rights of Way network is an obligation under the Highways Act 1980 section 41. Maintenance of the PRoW network requires a wide variety of suppliers with the capacity and capability to deal with a variety of requirements. These can range from installation of new gates, resurfacing a pathway through to bridge installation and repair. The PRoW and Access Service wishes to establish contract arrangements providing access to an appropriate mix of suitably skilled small and medium enterprises.

**Cabinet Committee recommendations and other consultation:**

In order inform the procurement of the PRoW asset maintenance and vegetation clearance arrangements market engagement has been carried out with the market and particularly existing niche small and medium enterprises carrying out PRoW maintenance works.

**Any alternatives considered:**

Commissioning and Procurement Reports have been considered and approved by the Statagic Commissioning Board on the 23 January and 21 June 2017.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

Name:

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From: **Mike Hill, Cabinet Member for Community and Regulatory Services**

**Barbara Cooper Corporate Director of Growth Environment and Transport**

To: **Environment and Transport Cabinet Committee 21 September 2017**

Decision No: **17/00080**

Subject: **Decision to approve fees and charges for rechargeable Public Rights of Way and Access Service Activity and the principles for establishing fees and charges.**

Classification: **Unrestricted**

**Future Pathway of Paper:** For Cabinet Member Decision

**Electoral Division:** All

**Summary:** This paper details fees and charges for Public Rights of Way (PRoW) and Access Service activity, following review, where a charge is made for the provision of services. The paper also sets out a number of key principles applied when establishing fees and charges.

**Recommendation(s):** The Environment and Transport Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Community and Regulatory Services on the decision to publish fees and charges for PRoW and Access activity and to delegate authority to the Public Rights of Way and Access Service Manager to review and publish revised fees and charges subject to the application of a number of key principles. Decision as attached at Appendix A.

## **1. Introduction**

- 1.1 This report details a number of adjustments to the fees and charges applied for Public Rights of Way (PRoW) services provided by Kent County Council. The fees and charges are set out at Appendix B.
- 1.2 The fees and charges for PRoW services are reviewed at least annually by officers applying a number of key principles. The principles are designed to ensure that the true costs of service provision to the County Council are recovered and that the fees and charges are reasonable and comply with the applicable legislation and regulation.

## **2. The Report**

- 2.1 The PRoW and Access Service is able to charge for a number of the services that it provides. The ability to charge for services is governed by a range of primary legislation, most notably the section 93 of the Local Government Act 2003 and section 3 of the Localism Act 2011. In the case of a number of

areas of work, and the ability to charge and how charges should be arrived at is further defined by regulations and guidance; for instance the Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 as amended. The legislative and regulatory framework specifies that the County Council may recover the reasonable costs incurred by the authority in providing the service.

2.2 The PRow and Access Service has applied a number of principles in establishing its fees and charges:

a) It is incumbent on the Service to charge for activities that are discretionary, or where permitted by regulation, given the pressures on the County Council finances.

b) Charges will be costed, reasonable and comply with all applicable legislation, regulation and guidance.

c) Charges will be reviewed annually and on the enactment of any amending legislation, regulation or the issuing of guidance; for instance HMRC issued guidance that VAT should be charged for Local Authority Searches as from March 2017.

d) Charges will reflect the true cost of service provision.

e) The direct and indirect costs of service provision will be included in arriving at the charge for an activity.

f) The calculation of indirect costs will include Corporate, Directorate, Divisional and Service overheads.

g) Staff costs for an activity will be calculated on the basis of the gross salary plus on-costs , provided in the KCC Ready Reckoner, (salary + National Insurance + KCC pension contribution) divided by the number of days or hours available to the service per financial year. The number of days and hours will be re-calculated each financial year.

h) The charges for specific activities have been established in line with the principles above and our best assessment of the time required completing tasks and the likely profile of the staff required.

2.3 In order to limit the need to seek further Executive-side decisions in respect of charges, authority is sought to enable adjustments to be made to the published fees and charges accounting for changes to staff salaries and indirect costs and legislative/ regulatory change. Adjustments will be made following a calculation of costs based on the principles set out in paragraph 4.2 a-h

### **3. Financial Implications**

3.1 The fees and charges set out in Appendix B ensure that the County Council continues to recover its reasonable costs where these are incurred in providing services that may be charged for. There is no significant departure from current charges and therefore no significant impact on income ,positive or negative is expected. Income from rechargeable and fee earning work is currently forecast at £141,000 for this financial year.

3.2 By charging for Public Rights of Way services , where permitted, the Public Rights of Way and Access Service is better able to meet the demand for some of its services while not impacting on otherwise pressured revenue budgets.

#### **4. Policy Framework**

4.1 The proposal ensures, as far as is possible, that the true costs of service provision are reflected in fees and charges for PRow work. This enables the existing revenue budget to be used in ways that support “Increasing opportunities and Improving Outcomes” rather than in subsidising discretionary services.

#### **5 Equalities Act 2010 Implications**

5.1 No equalities implications have been identified; an Equalities Impact Assessment (EqIA) initial screening has been completed.

#### **6. Conclusions**

6.1 The Public Rights of Way and Access Service may charge for a range of its services. It is, given the financial climate, essential that where the Service may recover its costs it does so. The true costs of service provision will be reflected in establishing fees and charges and the PRow and Access Service has set out a number of principles that are applied in calculating its costs.

#### **7. Recommendation(s)**

**Recommendation(s):** The Environment and Transport Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Community and Regulatory Services on the decision to publish fees and charges for PRow and Access activity and to delegate authority to the Public Rights of Way and Access Service Manager to review and publish revised fees and charges subject to the application of a number of key principles; as attached at Appendix A.

#### **8. Background Documents**

8.1 Appendix A Record of decision  
Appendix B – Public Rights of Way and Access Service Fees and Charges.  
EqIA:  
<https://democracy.kent.gov.uk/ecSDDisplay.aspx?NAME=SD5232&ID=5232&RPID=16991865>

#### **9. Contact details**

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Relevant Director: Katie Stewart  
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## KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TAKEN BY:**

**Michael Hill, Cabinet Member for Regulatory and  
Community Services**

**DECISION NO:**

17/00080

**For publication**

**Key decision\***

*Affects more than 2 Electoral Divisions*

**Subject: Title of Decision:**

Fees and Charges for rechargeable Public Rights of Way (Prow) and Access Service Activity and principles for establishing fees and charges

**Decision:**

As Cabinet Member for Regulatory and Community Services, I agree to publish the fees and charges for PRow and Access Service activity and to delegate authority to the Public Rights of Way and Access Service Manager to annually review and publish revised fees and charges subject to the application of a number of key principles.

**Reason(s) for decision:**

The Public Rights of Way and Access Service (PROWAS) is able to charge for a range of services that it provides. Where the power to charge exists it is limited, by primary legislation and regulation, to the recovery of the full costs to the County Council of the provision of that service.

It is, in the current financial climate, essential that where the PROWAS is able to charge for services that the full cost of provision to the County Council is recovered, subject to regulation. The decision report sets out the principles applied in establishing the true costs of service provision.

**Cabinet Committee recommendations and other consultation:**
**Any alternatives considered:**
**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

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## PRoW Fees and Charges - Appendix B 2017-18

<b>Provision of Information</b>		
Photocopies of PROW documents or files for information A4	£0.10	
Photocopies of PROW documents or files for information A3	£1.00	
Photocopy of Public Path Orders, Definitive Map Modification Orders, Creation Agreement, Legal Event Orders & Gating Orders.	£10.00	
Photocopy Extract from Claims Register, Public Path Order Register, and Deposit Register	£10.00	
Certified Copy Extract from the Definitive Map and Statement up to A3	£15.00	
Certified Copy Extract of Village Green Register (per register unit). Up to A3	£15.00	
Certified Copy Extract of Common Land Register (per register unit). Up to A3	£15.00	
Copy Extract from earlier iterations of the Definitive Map and it's preparatory editions. Up to A3	£10.00	
Definitive Map Sheet (whole square map)	£22.00	
Search Application made by an individual (or solicitor) through CON29 or CON to the PROW team	£15.00	ex VAT
Search Application made by an individual (or solicitor) through CON290 to the PROW team	£15.00	ex VAT
Search Application made through CON29 by the district/borough council	Fee set by the District	
<b>Commercial Searches for Public Rights Of Way or Common Land &amp; Village Green</b>		
Professional fee in replying to a commercial SEARCH enquiry re a PROW or Common Land & Village Green issue. Minimum	£22.00	Ex VAT
Professional fee in replying to a commercial SEARCH enquiry re a PROW or Common Land & Village Green issue. Additional time per half hour	£14.00	Ex VAT

<b>Provision of Services</b>		
Traffic Regulation Order Application Fee (plus advertising)	£410.00	
Temporary Traffic Regulation Order Extension Fee (plus advertising)	£280.00	
Closure of PROW under Emergency notice as a result of a third party act or omission.( Note this is in addition to the costs of a subsequent Order where necessary)	£260.00	
Special Events Closures	£330.00	
Filming on the highway - closure by Film Notice - closure up to 24 hours	£260.00	
Filming on the highway - closure by Film Order - closure up to 7 days (plus advertising)	£410.00	
Public Path Orders Extinguishment Fee (plus advertising) <b>Minimum cost</b>	£1,790.00	
Public Path Orders Diversion Fee (plus advertising) <b>Minimum cost</b>	£1,790.00	
S31(6) Deposits / Declarations Fee (plus advertising) Inclusive of declaration when submitted at the same time.	£250.00	
HA S31(6) CRA15(A) Deposits / Declarations Fee (plus advertising) Inclusive of declaration when submitted at the same time.	£360.00	
S31(6) Declarations Fee - where the declaration is not made at the time of the deposit (plus advertising)	£175.00	
<b>Furniture</b>		
Provision of New Furniture (stiles, gates & other furniture) - landowner is charged actual cost incurred by KCC (materials & labour)	bespoke quote	bespoke quote
Provision of new routes as result of PPO - landowner is charged actual cost incurred by KCC (Materials & labour)	bespoke quote	bespoke quote
Access Improvement (eg replacement of stile with a gate) - 20% voluntary contribution by landowner	bespoke quote	bespoke quote
Maintenance of Existing Furniture that is the responsibility of landowner (eg stiles, gates) - 75% paid by landowner & 25% contribution by KCC	bespoke quote	bespoke quote
<b>Professional Fees</b>		
Professional fees in respect of training or advice.	£58.00 Per hour	



<b>Common Land and Village Greens</b>	
Apportionment of a right of common	£250.00
Re-allocation of an attached right of common	£250.00
Transfer of a right in gross	£250.00
Surrender or extinguishment of a right of common	£250.00
Declaration of entitlement to exercise a right of common	£250.00
Amendment of a Register to reflect a statutory disposition (e.g. to register an exchange of land)	£250.00
Severance (of a right of common) by transfer to public bodies	£250.00
Severance (of a right of common) authorised by Order	£250.00
Correction of any other mistake that would not affect the extent of the CL or VG, or what can be done by virtue of a right of common	£250.00
Updating any entry to take account of accretion or diluvion	£400.00
Deregistration of certain land registered as Common Land or as a	£450.00
Creation of a right of common	£250.00
Surrender or extinguishment of a right of common	£250.00
Variation of a right of common	£250.00
Apportionment of a right of common	£250.00
Severance of a right of common	£250.00
Transfer of a right in gross	£250.00
Statutory disposition (including the exchange of land)	£250.00

*Reviewed 8 September 2017*

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**From:** Roger Wilkin, Director, Highways, Transportation and Waste  
Barbara Cooper, Corporate Director, Growth, Environment and Transport

**To:** Environment and Transport Cabinet Committee – 21 September 17

**Decision No:** 17/00083

**Subject:** Paper and Card Recycling from Waste Kent Household Waste Recycling Centres

**Classification** Unrestricted

**Future Pathway of Paper:** For Cabinet Member Decision

**Electoral Division:** All divisions within the West Kent area will be indirectly affected, as the material will be transported from the Household Waste Recycling Centre's in Dartford, Swanley, Pepperhill, Sevenoaks, Maidstone and Tunbridge Wells to the disposal point.

**Summary:**

It is proposed to commission services for the processing of paper and card deposited at six Household Waste Recycling Centres in West Kent at Dartford, Swanley, Pepperhill, Sevenoaks, Maidstone and Tunbridge Wells.

KCC Waste Management is the statutory waste disposal authority for Kent and has a duty to dispose of municipal waste. The current contractual arrangements cease in October 2017. KCC is procuring a new income based contract to obtain the best outcome for Kent residents.

The contract will be environmentally beneficial as the paper and card is 100% recyclable, therefore avoiding waste to landfill. This is a highly variable market with price fluctuations affected by international markets.

The new contract will be for an initial 2 year term, extendable by optional two single year periods. In order to achieve a sustainable income Waste Management is considering obtaining a fixed price for the first year of the initial term, with subsequent years' market tracked against the independent waste price guide published by Lets-recycle. .

At year three the first option to extend will align with the end of the initial term of the HWRC Contracts and there may be further options to consider regarding additional paper and card tonnage.

A whole life cost evaluation, which includes the costs of haulage, will ensure that value for money is attained with local businesses given the opportunity to bid for this contract.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport and Waste to award and issue the Paper and Card Processing Contract with a delegation for Officers to offer extensions of up to two years if this is in Kent County Council's commercial interest as shown at Appendix A.

**1. Introduction**

- 1.1 The current contract term for paper and card processing in west Kent is due to expire on 31 October 2017. There is no provision to extend the contract.
- 1.2 The indicative tonnages for this contract are forecast to be 2,673 tonnes annually.
- 1.3 The existing contract is let to Smurfit Kappa Recycling who processes the materials for use at their paper mill at Snodland, Kent.

**2. Financial Implications**

- 2.1 Based on the current rate and indicative tonnages from the current Provider, the value of the new contract over the full term may generate income of around £930,200 for KCC; this is reflected in the current budget position. Pricing fluctuations will be affected by international markets.

**3. Policy Framework**

- 3.1 This commission accords with the supporting outcome within the Strategic Outcome Plan;

*Kent's physical and natural environment is protected, enhanced and enjoyed by residents and visitors*

- 3.2 Kent Joint Municipal Waste Management Strategy, has three key policy statements that support the Waste Regulations – these apply directly to this proposed procurement;
  - Policy 8 - The Kent Resource Partnership will achieve a minimum level of 40% recycling and composting of house household waste by 2012 and will seek to exceed this target.
  - Policy 11 - The KRP will strive to make waste and recycling services accessible and easy to use for all householders, across all housing types and sectors of the community.
  - Policy 19 - Where it is cost-effective, Kent will exceed its statutory targets for diversion of biodegradable municipal waste from landfill in order to preserve landfill void space in the County.

## **4. Procurement**

- 4.1 Market engagement has been undertaken and has established that this material market will remain unstable for the foreseeable future which will result in varying levels of income over the contract period.
- 4.2 There are several providers who have the necessary infrastructure to provide the service. These potential providers do have progressive and constructive working relationships with Kent County Council and have been involved in the market engagement process.
- 4.3 Market engagement has informed KCC's approach to the tendering and financial modelling of this tender. The approach will be to seek a fixed income price for the first year; a price per tonne of material delivered to the facility. The risk of tracking commodity prices will be jointly shared between the Authority and provider. This will result in an equal share of the increase or reduction against the first year's fixed price, which shall be calculated on a monthly basis.
- 4.4 The stability of having a fixed price, moving onto a tracked price should provide an incentive for providers to seek better than market prices in the first year and should also provide an opportunity to receive tenders at the most competitive price. It also shares the risk which may result in KCC yielding higher returns.
- 4.5 Haulage elements will vary and be dependent upon the location of the processing site therefore haulage rates will be included in the whole life cost assessment so the Authority does not pay disproportionate transport costs.
- 4.6 This procurement process, and in particular its evaluation will be subject to a stringent QA process, carried out by the Waste Services Manager, and Procurement Category Management, to ensure the process has been transparent and fair. Due to its value, this project does not require approval from Strategic Commissioning Board.

Approval to Proceed has been provide by Henry Swan, Head of Procurement in accordance with the Delegated Authorities Matrix

## **5. Legal implications**

- 5.1 KCC Waste Management is the statutory waste disposal authority for Kent and has a duty to dispose of municipal waste

## **6. Equality Implications**

- 6.1 An EQIA has been carried out and no equalities implications have been identified.

## **7. Conclusions**

- 7.1 Under the Landfill (England & Wales) Regulations 2012, local councils are required to increase recycling and composting of household waste to meet rising targets over a number of years and to reduce the quantity of biodegradable and recyclable household waste being disposed of via landfill.

7.2 Where commodity markets have changed, Waste Disposal Authorities inevitably may receive less income for the final processing of this material, however there is shared risk and prices may be sustained or increase.

7.3 This commissioning solution is underway with locally based, but national providers. A shared risk approach ensures a balanced view of the market, but allows KCC to seek income from any increases in material prices.

## **8. Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member of Planning, Highways, Transport and Waste to award issue the Paper and Card Processing Contract with a delegation for Officers to offer extensions of up to two years if this in in Kent County Council's commercial interest as shown at Appendix A.

## **9. Appendices**

Appendix A: Proposed Record of Decision

## **10. Contact details**

Report Author:	David Beaver
Name and title:	Head of Waste Management Services
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Relevant Director:	Roger Wilkin
Name and title:	Director, Highways, Transportation and Waste
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## KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TAKEN BY**

**Matthew Balfour, Cabinet Member for Planning,  
Highways, Transport and Waste**

**DECISION NO:**

17/00083

**For publication**

**Key decision\***

Yes –

**Subject: Paper and Card Recycling Contract**

**Decision:**

As Cabinet Member for Planning, Highways, Transport and Waste, I agree to to award issue the Paper and Card Processing Contract with a delegation for Officers to offer extensions of up to two years if this in in Kent County Council's commercial interest as shown at Appendix A.

The Executive Scheme of Delegation for Officers set out in Appendix 2 Part 4 of the Constitution )and the directorate schemes of sub-delegation made thereunder) provides the governance pathway foe the implementation of this decision by officers as it assumes at 1.9 of the scheme that once a Member-level decision has been taken, the implementation of that decision will normally be delegated to officers, so that multiple Member decisions are not required in respect of the same manner.

In this instance the Director of Highways, Transport and Waste will be the lead officer seeking to ensure that all such steps as are necessary to implement the decision are undertaken.

**Reason(s) for decision:**

KCC Waste Management is the statutory waste disposal authority for Kent and has an obligation in law to provide for the disposal of municipal waste. The current contract term is due to expire on 31 October 2017. There is no provision to extend the contract.

**Cabinet Committee recommendations and other consultation:**

Market engagement has been undertaken with several providers who have the necessary infrastructure to provide the service.

**Any alternatives considered:**

The market engagement has informed KCC's approach to the tendering and financial modelling of this tender.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

Name:

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From: **Matthew Balfour - Cabinet Member for Planning, Highways, Transport & Waste**  
**Barbara Cooper, Corporate Director – Growth, Environment and Transport**

To: **Environment & Transport Cabinet Committee – 21 September 2017**

Decision No: 17/00082

Subject: **Definition of our Resilient Highway Network**

Classification: **Unrestricted**

**Past Pathway of Paper:** None

**Future Pathway of Paper:** Cabinet Member Decision

**Electoral Division:** Affects the whole of Kent

**Summary:** This report briefly updates the Cabinet Committee on the County Council's progress towards achieving a Band 3 Incentive Fund rating in order to avoid a reduction in capital funding provided by the Department for Transport for highway maintenance. A key requirement of the Incentive Fund is that local authorities must review and define a Resilient Highway Network so that investment in that part of that network may be prioritised. This report proposes a definition of Kent's Resilient Highway Network.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport & Waste, on the proposed criteria to be used in adopting a definition for Kent's Resilient Highway Network, as part of our wider approach to Highways Asset Management and to maximise Incentive Fund resource, as attached at Appendix A.

**1. Introduction**

1.1 This report proposes a definition for Kent's Resilient Highway Network, so that this may be used alongside other factors to prioritise capital maintenance resource on that part of the wider highway network and in turn improve the county's resilience against extreme weather and other emergencies going forward.

**2. Financial Implications**

2.1 This decision does not have any direct financial implications as defining our Resilient Highway Network is about prioritising existing capital resource on that part of the overall network, in recognition of its importance to the economy of Kent and the wellbeing of its residents and businesses, particularly during extreme weather events.

### **3. Policy Framework**

- 3.1 Defining our Resilient Highway Network and prioritising existing capital resource in that key part of our overall network, will enable Kent to evidence a Band 3 Incentive Fund rating and maximise Department for Transport (DfT) capital funding for 2018/19, 2019/20 and 2020/21. Retaining this funding and continuing to implement our highway asset management strategy contributes to our day to day management of highway maintenance and therefore plays a vital part in delivering Our Vision in Kent County Council's Strategic Statement *Increasing Opportunities, Improving Outcomes*.

### **4. Background**

- 4.1 Changes to DfT rules for funding highway maintenance have been introduced through its Incentive Fund to encourage local authorities to embed the use of asset management principles and methodology into their management of highway maintenance and decision making around funding and priorities. The main aim of the asset management approach being encouraged by DfT is that local authorities use appropriate levels of information to clearly link investment decisions with an understanding of what that means in terms of outcomes and how that relates to strategic objectives. An increasing proportion of DfT maintenance funding provided to the County Council is based on our ability to evidence that we have fully adopted the use of asset management techniques.
- 4.2 Incentive Fund ratings are based on an annual self-assessment questionnaire containing 22 questions covering asset management, resilience, customers, operational delivery, benchmarking and efficiency. Under this mechanism, in January 2016, we assessed ourselves as a Band 1 authority. Since then, guided by a Member Task and Finish Group and this Cabinet Committee, officers have been implementing a series of measures to improve our rating and we achieved a Band 2 Incentive Fund rating in January 2017. That work continues and we are on course to achieve a Band 3 rating by the end of this year and maximise Incentive Fund resource in 2018/19. If we had remained at Band 1 instead of achieving a Band 3 rating at the end of this year, we would receive £4.6m less in capital funding in each year from 2018/19.

### **5. Resilience**

- 5.1 Resilience is high on the DfT's agenda. The severe winter weather of 2013/14 had a major impact on transport systems, including local roads, which in some parts of the country were flooded for prolonged periods. As a consequence of this disruption, the Secretary of State for Transport commissioned a Transport Resilience Review, which was published in July 2014. All 63 recommendations were supported by the DfT. A key one for local roads was that:

*"Local Highway Authorities identify a 'resilient network' to which they give priority in order to maintain economic activity and access to key services during extreme weather"*

- 5.2 The Incentive Fund mechanism acknowledges that resilience is a key component of highways asset management through three related questions. Two of these relate to the implementation of the 2012 Highways Maintenance Efficiency Programme

(HMEP) Potholes Review and HMEP Guidance on the Management of the Highway Drainage Asset, which Kent has already implemented.

- 5.3 The remaining question requires local authorities to review and define their Resilient Network. Kent needs to agree and publish a document that sets out criteria for defining our Resilient Highway Network, so that it informs decision making and enables asset managers to prioritise existing capital resource in 2018/19 and beyond.

## 6. Resilient Highway Network

- 6.1 Whilst the County Council has long had robust systems in place to respond effectively to severe weather emergencies and therefore improve highway resilience, it does not currently have a defined Resilient Highway Network. However, in addition to the national road classification system (which is intended to direct motorists towards the most suitable routes for reaching their destination by identifying roads that are best suited for traffic), we already follow a tiered approach to the management and planned maintenance of our 5,400 miles (8,700 km) of highway network. Such maintenance is prioritised using a number of factors including Kent's Road Maintenance Hierarchy which has four categories: Major Strategic (MS), Other Strategic (OS), Locally Important (LI) and Minor (M). This hierarchy reflects how roads are actually used in Kent. Thus, in practice, the County Council already prioritises investment in important routes. A breakdown of our highway network by both national road classification and maintenance hierarchy, together with category definitions, are set out below.

	Maintenance Hierarchy					Road Classification				
	MS	OS	LI	M	Total	A	B	C	U	Total
km	431	784	1,252	6,200	8,667	995	449	1,886	5,337	8,667
miles	269	490	782	3,875	5,416	622	280	1,179	3,335	5,416

- Major Strategic (MS) – routes, or parts of routes, linking major urban centres where these are not linked by trunk roads.
- Other Strategic (OS) – routes, or parts of routes, between other urban centres or centres of industry/commerce.
- Locally Important (LI) – routes, or parts of routes, of local importance in distribution of goods or people.
- Minor Roads (M) – all other routes, including estate roads and rural lanes.

- 6.2 Our maintenance hierarchy is also used to determine the Winter Maintenance Network which includes all MS, OS and LI routes. This network defines the precautionary salting routes and totals about 1,560 miles (2,500km) or 30% of the whole highway network. There is a further refinement of this network, called the *Minimum* Winter Network, which determines the priority routes that are to be kept open in the event of a prolonged snow emergency. This network is around 750 miles (1,200km) in length, about 14% of the total network.

- 6.3 The County Council also has a Severe Weather Plan which sets out how the authority will respond to and manage the effects of severe weather events including snow, ice, wind, rain and flooding. This too prioritises our response on MS, OS and LI routes.

- 6.4 The brief for a Resilient Highway Network is somewhat different to that for our winter and severe weather plans, which have been developed to allow KCC to discharge its duties under the Highways Act by ensuring, so far as is reasonably practical, safe passage along the highway without danger from snow or ice, fallen trees, flooding and other hazards. Our winter and severe weather plans are therefore more about preparing for, and reacting effectively to weather conditions.
- 6.5 A Resilient Highway Network may be defined as the portion of a local authority's highway network that is absolutely vital to maintaining economic activity and access to key services during extreme weather emergencies and other major incidents. It is not designed to link every community in Kent. The purpose of defining such a network is to identify the *most* critical routes (and associated highways assets, such as bridges and drainage systems) so that planned whole asset maintenance on that part of the network may be prioritised. In doing so, we can ensure that our defined Resilient Highway Network is less prone to failure and in turn improve the county's resilience to extreme weather events, industrial action and major incidents.
- 6.6 The criteria used to specify a Resilient Highway Network will differ from authority to authority depending on the nature of their locality and respective highway networks. Officers have considered a number of options taking into account the County's needs and the approach taken by other authorities.
- 6.7 A resilient network should be a much narrower definition than that used to prioritise general network maintenance. It ought to equate to less than 10% of the overall network and ideally around 5%. Defining a Resilient Highway Network that is significantly larger than that would be unaffordable and lead to less resilience as existing resource is spread more thinly. If a greater share of existing resource is diverted to focus on a larger resilient network, it would have a detrimental effect on overall network condition. For those reasons, officers are of the view that it is not appropriate to adopt our Winter Maintenance Network, Minimum Winter Network or Severe Weather Plan as the county's definition of our Resilient Highway Network. Similarly, definitions including either all classified roads (e.g. all A, B and C roads) or all Major Strategic, Other Strategic and Locally Important roads should be discounted as these equate to 38% and 28% of our highway network respectively.
- 6.8 It is therefore necessary to create a new 'network' for highway resilience purposes. The Incentive Fund mechanism requires local authorities to define, document and publish the criteria used. Given the overall purpose of defining a resilient network, it is proposed that the overarching aims of Kent's Resilient Highway Network should be:
- to protect economic activity in and through the county;
  - to protect access to key services; and
  - to protect access to key infrastructure.
- 6.9 To achieve these overarching aims, it is proposed to use the following criteria to identify and map a network of the most critical routes and highway assets that equates to 5-10% of the overall highway network.
- Roads connecting main towns in the County of Kent with a population of 20,000 and above.
  - Roads connecting main towns with Highway England's Strategic Road Network.

- Roads connecting main towns with main employment sites.
- Roads connecting with key operational services requiring emergency public access, such as hospitals with Accident and Emergency facilities.
- Roads connecting with key infrastructure, such as power stations and main transport facilities.

6.10 If the above approach is adopted, in addition to mapping against these criteria, officers will need to liaise with neighbouring highway authorities to ensure that our respective resilient networks connect where this is appropriate. It will also be necessary for officers to identify critical assets on those routes. The network and any identified critical assets will then need to be incorporated into the maintenance regimes of all highway assets which may, depending on the asset, include:

- additional maintenance interventions to ensure the asset continues to function (for example, an increased drainage cleansing frequency);
- the prioritisation of existing maintenance resource to mitigate the onset of deterioration of the asset; and
- fast-tracking any works already in the programme to reduce the risk of failure of the asset.

6.11 There are no identified legal or equality implications of the suggested approach.

## **7. Conclusions**

7.1 Kent County Council needs to define, document and publish a Resilient Highway Network, in order to achieve a Band 3 Incentive Fund rating and avoid a reduction in Capital funding provided by the Department for Transport for highway maintenance. Given the specific and narrow purpose of defining a Resilient Highway Network outlined above, and that it should be less than 10% of the overall highway network, it would not be appropriate to adopt existing network definitions (such as our Winter Maintenance Network, Minimum Winter Network or Severe Weather Plan) or classifications (such as all classified roads or all non-Minor roads) as Kent's definition of our Resilient Highway Network.

7.2 Instead, we propose that such a network be defined around identifying a 5-10% portion of our very large highway network that is absolutely vital to maintaining economic activity and access to key services/infrastructure during extreme weather emergencies and other major incidents, using the criteria detailed in paragraph 6.9. We are therefore seeking this Cabinet Committee to consider and endorse these proposed criteria, or make recommendations prior to a Cabinet Member Key Decision following this meeting.

7.3 Once the proposed criteria have been formally agreed and adopted by KCC, officers will carry out detailed work to map this network and prioritise existing maintenance resource to maximise resilience on this most critical part of our highway network. It is expected that the mapping work will be completed by November prior to using this information to build our 2018/19 capital maintenance programmes in early 2018.

7.4 By adopting and publishing this definition of Kent's Resilient Highway Network (see Appendix B), we will also be able to evidence a Band 3 Incentive Fund rating and maximise DfT capital funding going forward.

## 8. Recommendation(s)

### Recommendation(s):

The Environment and Transport Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport & Waste on the proposed criteria to be used in adopting a definition for Kent's Resilient Highway Network, as part of our wider approach to Highways Asset Management and to maximise Incentive Fund resource, as attached at Appendix A.

## 9. Appendices and Background Documents

- Appendix A: Record of Decision
- Appendix B: Definition of Kent's Resilient Highway Network
- Our Approach to Asset Management in Highways.
- Implementing Our Approach to Asset Management in Highways.

Both documents available via: <http://www.kent.gov.uk/about-the-council/strategies-and-policies/transport-and-highways-policies/highways-asset-management>

## 10. Contact details

Lead officer: Alan Casson, Senior Asset Manager – Highways, Transportation and Waste 03000 413563 alan.casson@kent.gov.uk	Lead Director: Roger Wilkin, Director – Highways, Transportation and Waste 03000 413479 roger.wilkin@kent.gov.uk
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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TAKEN BY**

**Matthew Balfour**

**Cabinet Member for Planning, Highways, Transport and Waste**

**DECISION NO:**

17/00082

**For publication**

**Key decision\***

Yes –

**Subject: Definition of Resilient Highway Network****Decision:**

As Cabinet Member for Planning, Highways, Transport & Waste, I agree to adopt a definition of Kent's Resilient Highway Network, as part of our wider approach to Highways Asset Management and to maximise Incentive Fund resource.

**Reason(s) for decision:**

Changes to Department for Transport (DfT) rules for funding highway maintenance have been introduced through its Incentive Fund to encourage local authorities to embed the use of asset management techniques into their management of highway maintenance and decision making around funding and priorities. The main aim of the asset management approach being encouraged by DfT is to use appropriate levels of information to clearly link investment decisions with an understanding of what that means in terms of outcomes. An increasing proportion of DfT maintenance funding provided to the County Council will be based on our ability to evidence that we have fully adopted the use of asset management methodology. If we do not, and not progress to the highest rating, Band 3, we will receive £4.6m less in capital funding in each year from 2018/19.

The Incentive Fund acknowledges that resilience is a key component of highways asset management through three related questions. Two of these relate to the implementation of the 2012 Highways Maintenance Efficiency Programme (HMEP) Potholes Review and HMEP Guidance on the Management of the Highway Drainage Asset, which Kent has already implemented.

The remaining question requires local authorities to review and define their Resilient Network. Kent County Council needs to agree and publish a document that defines our Resilient Highway Network, so that it informs decision making and enables asset managers to prioritise existing resource in 2018/19 and beyond. A resilient network may be defined as the portion of a local authority's highway network that is absolutely vital to maintaining economic activity and access to key services during extreme weather emergencies. The criteria used to specify a resilient highway network will differ from county to county depending on the nature of their respective highway networks but, broadly speaking, a resilient network ought to equate to around 5-10% of the overall network. This key decision concerns the adoption of such criteria to meet the specific needs of Kent residents, visitors and businesses.

**Cabinet Committee recommendations and other consultation:****Any alternatives considered:**

N/A – if we do not evidence that KCC has fully adopted the use of asset management methodology, KCC will receive less in capital funding each year from 2018/19.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

Name:



# Definition of Kent's Resilient Highway Network



## Introduction

Kent has some of the most intensively used roads in the country meaning that any disruption is felt very quickly by very many people. Ensuring these roads are as resilient as is practicable must be a priority. Resilience in this context is the ability of a road network to withstand not only the impacts of extreme weather (snow, ice or flooding) but also industrial action, major incidents and other local risks. It should therefore be maintained in a condition that makes it more resilient to failure and allows it to recover promptly from the effects of these events.

If there were unlimited budgets the resilient network could be considered to be all roads in the county, this isn't the case. Therefore, the level of resilience sought for any length of road needs to be commensurate with its intensity of use, economic or social importance and the availability of alternatives. The more intensively used and economically or socially important a route is, the shorter the disruption that is acceptable.

## Our Approach to Managing Highways for Resilience

Kent County Council (KCC) has long had robust systems in place to respond effectively to severe weather emergencies and we already take a tiered approach to the management of our 8,600 km highway network. Routine maintenance and investment is prioritised based on a maintenance hierarchy of major strategic (MS), other strategic (OS), locally important (LI) and minor (M) routes.

We also use this hierarchy to determine the Winter Maintenance Network, which defines the precautionary salting routes and totals about 1,560 miles (2,500 km) or 30% of the whole highway network. It includes all MS, OS and LI routes. There is a further refinement of this network, called the Minimum Winter Network, which determines the priority routes that are to be kept open in the event of a prolonged snow emergency. This network is around 750 miles (1,200km) in length, about 14% of the total network.

KCC also has a Severe Weather Plan which sets out how we will respond to and manage the effects of severe weather events including snow, ice, wind, rain and flooding. This too prioritises our response on MS, OS and LI routes.

## Our Resilient Highway Network

While our winter and severe weather plans are about preparing for and reacting effectively to adverse weather conditions, our Resilient Highway Network is defined as the portion of our highway network that is absolutely vital to maintaining economic activity and access to key services during extreme weather emergencies and other major incidents. The purpose of defining this network is to identify the *most* critical routes and associated highway assets, such as bridges, so that planned whole asset maintenance on that part of the network may be prioritised. In doing so, we can ensure that our defined Resilient Highway Network is less prone to failure and in turn improve the county's resilience to extreme weather events, industrial action and major incidents.

The overarching aims of Kent's Resilient Highway Network are;

- to protect economic activity in and through the county;
- to protect access to key services; and
- to protect access to key infrastructure.

To achieve this we have used the following criteria to identify and map a network of our most critical routes and highway assets;

- roads connecting main towns in the County of Kent with a population of 20,000 and above,
- roads connecting main towns with Highway England's Strategic Road Network,
- roads connecting main towns with main employment sites,
- roads connecting with key operational services requiring emergency public access, such as hospitals with Accident and Emergency facilities,
- roads connecting with key infrastructure, such as power stations and main transport facilities.

### **How we use the Resilient Highway Network**

This network, and the identified critical assets on these routes, are incorporated into the maintenance regimes of all highway assets which may, depending on the asset, give rise to;

- additional maintenance interventions to ensure the asset continues to function (for example, an increased drainage cleansing frequency);
- the prioritisation of existing maintenance resource to mitigate the onset of deterioration of the asset; and
- fast tracking any works already in the programme to reduce the risk of failure of the asset.

### **How we ensure our Resilient Highway Network remains relevant**

Our Resilient Highway Network is reviewed by KCC's Highways, Transportation and Waste's Divisional Management Team at least every two years and after any major event to ensure it remains relevant as lessons are learnt and services and businesses within the County change.

**From:** Roger Wilkin, Director of Highways, Transportation and Waste  
**To:** Environment and Transport Cabinet Committee – 21 September  
**Subject:** Winter Service Policy for 2017/18

**Decision Number:** 17/00085

**Classification:** Unrestricted

Past Pathway of Paper: N/A

Future Pathway of Paper: For Cabinet Member Decision

Divisions Affected: All

**Summary:** Each year officers in Highways, Transportation and Waste review the Council's Winter Service Policy and the operational plan that supports it in light of changes in national guidance and lessons learnt from the previous winter. This report sets out revisions to this year's policy.

**Recommendation:** The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport and Waste on the proposed decisions as shown at Appendix A and to agree the proposed changes to the Winter Service Policy for 2017/18 as shown below and at paragraph 7.1:

- (s.1.3.2) - Medway Council winter service on behalf of KCC to be formalised;
- (s. 3.3.2) - Brine only trial to be extended;
- (s. 4.4.1) - Bureau Maintenance service for weather stations contract to be procured; and
- (s 5.5.1) - instructions for precautionary slating of primary routes to be carried out in line with KCC winter treatment instruction matrix contained in the Winter Service Plan 2017/18.

## 1. Introduction

- 1.1 Last winter (2016/17) could be considered an average winter with most of the colder weather occurring in December and January. The number of primary route runs undertaken was 66 with an additional 4 secondary route runs. This compares to 52 primary runs and no secondary runs in 2015/16.
- 1.2 There was one snow day on 12<sup>th</sup> January 2017. This was not a county wide event and mainly affected areas from Ashford going west to Maidstone. At low levels, typical snow depths were in the region of 1-2cm in northern and western Kent but, locally, and particularly over the hills, 3-5cm was reported. Despite the sudden onset of the snow,

melting took place fairly quickly going into the following day. A total of 8 farmers cleared snow on their pre-planned ploughing routes.

## **2. Financial implications**

2.1 The allocated budget for winter service for 2017/8 is £3,328,600. The budget is broken down as follows:

- £1,277,071 of this budget is allocated for 66 pre-cautionary salting runs on the primary network
- £20,000 is allocated for the purchase of additional salt bins.
- £83,000 pays for the Kent bespoke weather forecast and ice prediction services (NB. The ice prediction Bureau maintenance service is out to tender at the point of preparing this report – see paragraph 3.3 below)
- The balance of the budget, £1,948,529 is for plant, equipment, salt and other resources necessary to deliver the service
- The costs for the farmers contract for snow ploughing are unknown as the farmers are only used at times when there is a snow event. The cost during the last snow emergency in 2012/13 was £52,371. Costs will vary depending on the severity of the weather. The costs for farmers last season was £2,457. The costs for deploying the farmers during a snow emergency are paid for from the Council's reserve revenue budget.

## **3. National guidance and winter planning**

3.1 In recent years the Highways winter service team has been working to implement the National guidance for winter service issued by the Department for Transport and detailed in the recently updated Code of Practice for highway authorities – Well Managed Highways and the relevant section on Winter Service.

3.2 During the summer work was done to further refine and improve the winter service. This work focused on:

- Procurement of the Bureau Maintenance of the Road Weather stations (ice prediction service)
- Evaluation of the brine only treatment
- Formalising arrangements with Medway Council for the work they do on treating sections of the Kent road networks

3.3 A network of road weather stations are in place across the county. The weather stations are supported and monitored by the provision of a Bureau and Maintenance service which provides data that is utilised by the road weather forecast providers to produce the daily Kent Road Weather Forecast during the winter service season. The contract also covers the maintenance and repair of the road weather stations. The contract was previously held by Vaisala plc and came to an end in April 2017. At the time of writing this report a procurement process is in

place for a new contract for 5 years with an option to extend for an additional 3 years.

- 3.4 Last winter season a specialist gritter lorry was equipped with a brine solution to treat designated routes in the Maidstone area as part of a brine only pre-cautionary treatment trial. The trial was subject to weather conditions when brine would be a suitable treatment. (Winter Service Policy para: 3.3.2). The adapted gritter lorry was not available until mid-January 2017 and there were insufficiently low road surface temperatures to use the brine for more than a few treatments. Therefore it was not possible to collect sufficient data for evaluation by Transport Research Laboratories to produce a report on the outcomes. It is therefore proposed that the trial continues for the 2017/18 winter service season.
- 3.5 For a number of years Medway Council Highways department has carried out gritting on behalf of KCC on some of our adjacent roads during the winter season. These roads are principally in the north and west of the county in the borough areas of Maidstone, Tonbridge and Malling and Gravesham and are the responsibility of KCC. These roads are adjacent and adjoining the Medway network and over many years there has been an informal agreement with Medway do this work. In consideration of this gritting of our network KCC has provided Medway Council with the daily road weather forecast during the winter season, access to our road weather stations and bureau system and annual winter service training. This has worked very well and has proven effective. To formalise this arrangement for the future KCC and Medway officers are working to put in place a contractual arrangement to ensure that both authorities formally recognise their respective obligations and service commitments. An agreed contract will be in place by the start of the 2017/18 winter service season.

#### **4. Winter resilience**

- 4.1 The Code of Practice for Well Managed Highways recommends that local authorities identify a minimum network that would be treated continuously for a period of six days in a severe winter event. The minimum network for Kent has been identified as being the main strategic network, that is, all A and B roads and some other locally important roads as detailed in the highway network hierarchy and amended in the policy accordingly. Essentially, these equate to the current primary routes minus the local roads and roads that go through estates etc. KCC Highways will always endeavour to treat the entire primary network as identified in the policy. However we recognise that there may be times as experienced in previous years where it will be necessary to reduce the network as stated above to maintain our salt stock levels and keep the main roads in Kent moving during protracted winter weather events.

- 4.2 Additionally we have identified an Operational Winter Period which is October to April and a Core Winter Period which is December to February and the stocks of salt needed during those periods to effectively treat the network in line with recommended resilience levels. The minimum levels of salt needed to maintain the resilient network (as defined in the Quarmby review 2012) are shown at Appendix B. We maintain a salt stock of 20,500 tonnes (including 2000 tonnes of a salt/grit mix which is held in a strategic stockpile at Faversham Highway depot) so we are within the recommended minimum levels. Arrangements are in place for winter deliveries to keep us topped up during winter.

## **5. Collaboration with neighbouring authorities**

- 5.1 In previous years good relationships have been established with Highways England (HE) Area 4 who manage the motorways and trunk roads in Kent. KCC no longer shares depot facilities with Highways England however when needed mutual aid will continue as in previous years. Arrangements are being put in place for KCC to access stocks of HE salt at Stanford and Coldharbour depots. In the event of a snow emergency we will also be able to access national strategic salt stocks managed by the Department for Transport. Additionally there is an arrangement with Medway Council in respect of the weather forecast and treating areas on the borders of Kent and Medway (see para. 3.5 above). We also have good working relationships with adjacent local authorities who we can work with in the event that mutual aid is required during a snow emergency. We will continue to contribute toward national guidance, being a member of the National Winter Service Research Group (NWSRG).

## **6. Media and communication**

- 6.1 Following the successful winter service campaign titled '*We're prepared are/have you?*' which was run across the county in 2016/17 a similar campaign is planned for this year. A series of infographics have been prepared which gives information about the winter service in an engaging manner. These will feature in a range of media, including social media.
- 6.2 The campaign will increase awareness of the service and also encourage everyone to be prepared and undertake self-help when possible. This year the media – radio, television and press – will be provided with media briefs in advance of the winter season detailing the essentials of the winter service.
- 6.3 Key staff in Highways are working with the press office to prepare statements and press releases for rapid issue at the onset of winter conditions. These will be pre-approved for use during periods of severe conditions when the winter service delivery team will be busy

## **7. Winter Service Policy and Plan 2017/18**

- 7.1 The Winter Service Policy is presented at Appendix C. The following additions have been made to this year's policy:

Section 1.3.2 – Medway Council winter service on behalf of KCC to be formalised (see para. 3.5 above)

Section 3.3.2 – Brine only trial to be extended (see para 3.4 above)

Section 4.4.1 – Bureau Maintenance service for weather stations contract to be procured (see para 3.3 above)

Section 5.5.1 – instructions for precautionary slating of primary routes to be carried out in line with KCC winter treatment instruction matrix contained in the Winter Service Plan 2017/18

- 7.2 The Winter Service Policy is supported by an Operational Plan which has been updated in line with the policy and discussions have taken place with our Highway Maintenance Service Provider to ensure that plans are aligned.

- 7.3 The Plan is available for Members to view on request. In addition district plans have been developed in conjunction with district councils across the county and these will be used together with the policy and plan to deliver the winter service. Local district plans will be reported to the next round of Joint Transportation Boards.

## **8. Strategic Statement**

- 8.1 Winter service is essential to “Keep Kent Moving” for social and economic development reasons. It also contributes towards Kent residents having a good quality of life in all weathers through local district winter plans, the provision of salt bins and the communication strategy that complements the winter service policy.

## **9. Equality Impact Assessment**

- 9.1 An equality impact assessment (EQIA) is being carried out on the policy and in the event that any negative impacts are identified, action will be taken to mitigate or remove them. The EQIA undertaken last year did not identify any factors that required mitigation or changes to the policy.

## **10. Conclusion**

- 10.1 The Winter Service Policy sets out the Council's arrangements to deliver a winter service across Kent. A number of revisions have been made as set out above and detailed in the recommendations below.

## 11. Recommendation(s)

11.1 The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport and Waste on the proposed decisions as shown at Appendix A and to agree the proposed changes to the Winter Service Policy for 2017/18 as shown below and at paragraph 7.1:

- (s.1.3.2) - Medway Council winter service on behalf of KCC to be formalised;
- (s. 3.3.2) - Brine only trial to be extended;
- (s. 4.4.1) - Bureau Maintenance service for weather stations contract to be procured; and
- (s 5.5.1) - instructions for precautionary slating of primary routes to be carried out in line with KCC winter treatment instruction matrix contained in the Winter Service Plan 2017/18.

## 12. Background documents and appendices

- Well Managed Highways 2016; Appendix H winter service guidance NWSRG - <http://www.ukroadsliasongroup.org/en/utilities/document-summary.cfm?docid=C7214A5B-66E1-4994-AA7FBAC360DC5CC7>
- Appendix A – Record of Decision
- Appendix B - Minimum Salt Stock Levels
- Appendix C – Winter Service Policy - [http://www.kent.gov.uk/\\_data/assets/pdf\\_file/0005/18977/Winter-service-policy-2016-17.pdf](http://www.kent.gov.uk/_data/assets/pdf_file/0005/18977/Winter-service-policy-2016-17.pdf)

## 13. Contact details

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Head of Service:

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TAKEN BY**

**Matthew Balfour, Cabinet Member for Planning, Highways,  
Transport & waste**

**DECISION NO:**

17/00085

**For publication**

**Key decision\***

Yes –

**Subject:**

**Decision:**

As Cabinet Member for Planning, Highways, Transport & Waste, I agree the proposed decisions as shown at Appendix A and to agree the proposed changes to the Winter Service Policy for 2017/18 as shown below and at paragraph 7.1:

- (s.1.3.2) - Medway Council winter service on behalf of KCC to be formalised;
- (s. 3.3.2) - Brine only trial to be extended;
- (s. 4.4.1) - Bureau Maintenance service for weather stations contract to be procured; and
- (s 5.5.1) - instructions for precautionary slating of primary routes to be carried out in line with KCC winter treatment instruction matrix contained in the Winter Service Plan 2017/18.

**Reason(s) for decision:**

Each year officers in Highways, Transportation and Waste review the Council's Winter Service Policy and the operational plan that supports it in light of changes in national guidance and lessons learnt from the previous winter.

**Cabinet Committee recommendations and other consultation:**

**Any alternatives considered:**

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

Name:

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## Minimum Salt Stock

Minimum Stock					
Routes	Normal salting network	Minimum Winter Network (tonnes/run	Full Pre-season stock (12 days/48 runs)	Core winter period 6 days/36 runs	Overall winter period Minimum Network(3 days/18 runs)
Primary	350	350	16,800	12,600	6,300
Secondary	300	0	0	1800	5400
<b>Total</b>			<b>16,800</b>	<b>14,400</b>	<b>11,700</b>
<b>Actual Stock levels as @ 20<sup>th</sup> October 2017</b>			<b>20,500</b>		

Overall winter period – 20<sup>th</sup> October 2017 to 27<sup>th</sup> April 2018

Core winter period - 1<sup>st</sup> November to 1<sup>st</sup> March

Days resilience (overall winter period) 3 days

Days resilience (core winter period) 6 days

The minimum in season stocks are the minimum to which stocks should be allowed to fall, i.e. restocking should take place well before the minimum is likely to be reached

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From: **Matthew Balfour, Cabinet Member for Planning, Highways, Transport & Waste**

**Barbara Cooper, Corporate Director, Growth, Environment & Transport**

To: **Environment & Transport Cabinet Committee – 21 September 2017**

Decision No: **17/00087**

Subject: **DfT Safer Roads Fund**

Classification: **Unrestricted**

**Past Pathway of Paper:** None

**Future Pathway of Paper:** None

**Electoral Division:** All in Ashford and Canterbury

**Summary:** This paper is seeking approval to submit a bid to the Department for Transport (DfT) under the Safer Roads Fund application process. It also seeks approval to proceed to the next stages of implementing the associated interventions should the submitted bid be successful.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport & Waste on the proposed decision (appendix A), as follows:

- 1) give approval to the principle of the bid submission for the two routes identified by the DfT and the Road Safety Foundation and
- 2) give delegated authority to the Director of Highways Transportation and Waste to spend the funding should the bid be successful.

**1. Introduction**

- 1.1 Central Government allocated £1.3 billion of new roads funding to Councils to improve safety and cut congestion between 2017 and 2021. Of this funding, the new Safer Roads Fund of £175m, is being made available to local highway authorities for 2017/18, with the subsequent £150m being allocated in the subsequent three financial years. The Department for Transport (DfT) has invited proposals from eligible local highway authorities to improve the safety of 50 specific sections of local “A” roads, where the risk of fatal and serious collisions is highest, based on the analysis by the Road Safety Foundation between 2012 - 2014.

1.2 The eligible roads within Kent are:

- A252 between Charing and Chilham – 14.1 km in length
- A290 between Canterbury and Whitstable - 8.6km in length

## **2. Financial Implications**

2.1 The bid will seek funding for approximately £3.5m of capital funding for the two routes combined. There is no revenue implication, however there may be some additional features which will need to be adopted for maintenance such as short sections of crash barriers in some locations.

## **3. Policy Framework**

3.1 Investing in safer roads will help reduce disruption from congestion thereby benefiting the economy and supporting KCC's Strategic Statement outcome 2 that Kent communities feel the benefits of economic growth. The Safer Roads fund submission also supports Kent County Council's Casualty Reduction Strategy.

## **4. The Report**

4.1 The DfT's Safer Roads Fund programme aims to reduce death and serious injury through a systematic assessment of risk and identifying the major shortcomings that can be addressed by practical road improvement measures. It aims to ensure that assessment of risk lies at the heart of strategic decisions on route improvements, crash protection and standards of route management.

4.2 In simple terms the programme is seeking to make roads 'more forgiving' rather than necessarily reducing the number of accidents occurring as this is often caused by driver error

4.3 Using the EuroRap risk mapping approach, roads have been video surveyed and then coded, in 100m sections, using more than 50 road features known to influence crash likelihood and severity. The coding work was undertaken in March 2017 by the Road Safety Foundation at no cost to KCC. Roads are then star rated for risk from 1 to 5 stars. The aim is to improve star ratings up to (ideally) 5 stars. Both roads at present are predominately 1-2 star rated.

4.4 This method allows Highway Authorities to take a proactive risk assessment approach to identify potential treatments to reduce risk on existing roads rather than focus on historical crash cluster sites. Real risks that may not yet have resulted in crashes are identified in a proactive way. This represents a step change in our approach to Crash Remedial Programme and offers a significant opportunity for Kent County Council.

4.5 The application process depends on refining the Safer Road Investment Plan, whereby the DfT offer a selection of proposals to make the routes safer. At present officers are refining the bid details but the schemes will involve a variety of interventions along each route including, but not limited to:

- Improved delineation
- Shoulder sealing (increased run-off spaces)

- Rumble strip edge of carriageway markings
- Refreshing of lines and cat eyes
- Sections of crash barriers, generally in areas of dramatic level change
- Central hatching
- Converting signs to passively safe posts
- Measures to improve visibility
- Skid resistant surfacing
- Street lighting at junction intersections

4.6 The bid must be submitted by 29 September 2017 and a decision is expected in the Autumn.

## 5. Conclusions

5.1 This is an important opportunity to gain additional capital funding to improve the highway and reduce the number of people killed and seriously injured on two of Kent's key routes. The schemes have been developed through support from the Road Safety Foundation and we are confident that a strong bid will be submitted although we will need to await a decision in the Autumn. By giving the Director of Highways Transportation and Waste delegated authority to proceed with the bid and the implementation of the scheme, officers will be in a position to commence work on the schemes as soon as funds are available, as with many funding opportunities from the DfT there will be a limited window in which the funds can be spent. The programme of works has been developed and some preliminary work has already been done in order to submit the bid and there is confidence the scheme could start early in 2018 if the funding is agreed.

## 6. Recommendation(s)

### Recommendation(s):

**The Environment & Transport Cabinet Committee** is asked to consider and endorse, or make recommendations to the Cabinet Member for Planning, Highways, Transport & Waste on the proposed decision (appendix A) as follows

- i) give approval to submit the bid for the A252 and the A290 safer roads scheme and
- ii) give delegated authority to the Director of Highways to spend the funding should the bid be successful, utilising the existing Highways Term Maintenance contract in order to construct the works

## 7. Background Documents

- Appendix A Proposed Record of Decision
- Appendix B Scheme Extents Plans - <https://democracy.kent.gov.uk/ecSDDisplay.aspx?NAME=SD5228&ID=5228&RPID=16992019>

## 8. Contact details

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Relevant Director:

- Lead Director: Roger Wilkin
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## KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TAKEN BY:**

**Matthew Balfour, Cabinet Member for Planning, Highways,  
Transport and Waste**

**DECISION NO:**

17/00087

**For publication**

**Key decision\***

Expenditure over £1m

**Subject: Title of Decision**

Safer Roads Fund Bid

**Decision:**

As Cabinet Member for Planning, Highways, Transport and Waste, I agree to:

- 1) give approval to the principle of the bid submission for the two routes identified by the DfT and the Road Safety Foundation and
- 2) give delegated authority to the Director of Highways Transportation and Waste to spend the funding should the bid be successful.

**Reason(s) for decision:**

The two routes below have been identified by the DfT as the highest risk of fatal or serious collisions in Kent based on analysis between 2012-2014.

- A252 between Charing and Chilham
- A290 between Canterbury and Whitstable

There is potentially up to £200k per km available (A252- £2.8m and A290- £1.7m) for specific interventions on these roads only to make them safer.

**Cabinet Committee recommendations and other consultation:**

At this stage no formal consultation has taken place although the transport intelligence scheme and the Schemes Planning & Delivery team have engaged with an active member of Chilham Parish Council and both District Mangers to understand potential maintenance implications of any proposed interventions.

**Any alternatives considered:**

Selection of routes was based on analysis by the Road Safety Foundation between 2012 - 2014

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

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To: Environment and Transport Cabinet Committee – 21 September 2017

From: Cabinet Member for Planning, Highways, Transport and Waste, Mr Matthew Balfour

Subject: Proposed amendments to the Joint Transportation Board agreement between Maidstone Borough Council and Kent County Council

Classification: Unrestricted

Past Pathway of Paper: Maidstone JTB – 19 April 2017

<https://services.maidstone.gov.uk/meetings/ieListDocuments.aspx?CId=137&MId=2652&Ver=4>

Future Pathway of Paper: Non-key Cabinet Member Decision

**Summary:** This report sets out for the consideration of the Committee the proposed decision of the Cabinet Member for Planning, Highways, Transport and Waste to formally adopt the JTB agreement as amended and attached at appendix 1 in line with the wishes of the Maidstone JTB which agreed to request the changes at a meeting earlier this year.

**Recommendation(s):**

That the Committee consider, endorse or make recommendations to the Cabinet Member on the proposed decision to adopt the amended JTB agreement between Maidstone Borough Council and Kent County Council attached as appendices A and 1 respectively.

## 1. Background

- 1.1 In 2013 the Kent Association of Local Councils (KALC) requested that Parish Council representation at Joint Transportation Boards be increased to two members and that those two members be permitted voting rights.
- 1.2 Under the existing JTB agreement only one Parish representative may be appointed and although that representative may speak there are currently no voting rights attached to the appointment.
- 1.3 The agreement was duly amended by officers at Kent County Council to include the KALC recommendation and to include any other changes made necessary by committee or governance changes that had occurred in the time since it was originally signed.
- 1.4 Each JTB was consulted on the matter as was the KCC Environment and Transport Cabinet Committee. Despite the Cabinet Committee endorsing the proposed decision and amended agreement it was not taken by the KCC

Cabinet Member for Environment and transport at that time as it was not possible to amend the agreement in such ways that were acceptable to all JTB's across the County.

## **2. Developments**

- 2.1 Maidstone JTB, by agreement at its meeting of 19 April 2017, has requested that amendments to its individual agreement with KCC be made to adopt the recommendations of KALC as described in 1.1 above.
- 2.2 Nothing in the current agreement precludes amendments to individual agreements.
- 2.3 The amended document at appendix 1 reflects the recommendations of KALC and also makes amendments to the reporting and dispute resolution procedures to improve current practice and reflect changes to committee structures that have occurred since the original agreement was entered in to, eg. The decommissioning of the Highways Advisory Board.

## **3. Financial Implications**

- 3.1 There are no financial implications of the proposed amendments.

## **4. Legal implications**

- 4.1 There are no direct legal implications of the propose amendments, however more clearly set out reporting and recording methods will strengthen any resulting decisions of either Council.

## **5. Equalities implications**

- 5.1 There are no equalities implications resulting from the proposed amendments.

## **6. Governance**

- 6.1 It is necessary that each council agrees the amendments in accordance with its own governance procedures. This proposed non-key Cabinet Member decision satisfies both statutory and local requirements for KCC and Maidstone Borough Council plans to have the amendments agreed at its Council meeting scheduled for 27 September 2017.

## **7. Conclusions**

- 7.1 The proposed decision will allow the wishes of the Maidstone JTB to be reflected within an individual agreement. In addition the amended agreement corrects any factual inaccuracies that have occurred over time since the original agreement was signed and strengthens reporting and recording procedures.

## **8. Recommendation:**

- 8.1 That the Committee consider, endorse or make recommendations to the Cabinet Member on the proposed decision to adopt the amended JTB agreement between Maidstone Borough Council and Kent County Council attached as appendices A and 1 respectively.

## **9. Background Documents**

- 9.1 Maidstone JTB 19 April 2017 (Report, appendices and minutes)  
<https://services.maidstone.gov.uk/meetings/ieListDocuments.aspx?CId=137&MIId=2652&Ver=4>

## **10. Contact details**

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BETAKEN BY:**

**Matthew Balfour, Cabinet Member for Planning, Highways,  
Transport and Waste**

**DECISION NO:**

17/00096

**For publication**

**Key decision: NO**

**Maidstone JTB – amendments to the agreement between Maidstone Borough Council and Kent County Council**

**Decision:**

As Cabinet Member for Planning, Highways, Transport and Waste, I agree to adopt the amended Maidstone Joint Transportation Board agreement between Maidstone Borough Council and Kent County Council, as attached, and as requested by the Joint Transportation Board at its meeting held 19 April 2017.

**Governance:**

The Executive Scheme of Delegation for Officers set out in Appendix 2 Part 4 of the Constitution (and the directorate schemes of sub-delegation made thereunder) provides the governance pathway for the implementation of this decision by officers.

**Reason(s) for decision:**

In order that the agreement is current, fit for purpose and reflects the wishes of the Maidstone Joint Transportation Board.

**Cabinet Committee recommendations and other consultation:**

The matter has been considered by the Maidstone Joint Transportation Board on 19 April 2017 and the proposed decision reflects the outcome of that consideration.

To be completed on consideration of the matter by the Environment and Transport Cabinet Committee

**Any alternatives considered and rejected:**

Not allowing the amendment of an individual JTB agreements and maintaining a uniform approach for all JTB's across the Borough would not allow the wishes of each JTB to be reflected in their particular agreement with KCC. As the JTB structure is designed to encourage local involvement in the democratic process this lack of flexibility was not considered to be appropriate.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

None

.....  
signed

.....  
date

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DATED

.....2017

THE KENT COUNTY COUNCIL

-and-

MAIDSTONE BOROUGH COUNCIL

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AGREEMENT ON  
JOINT TRANSPORTATION BOARDS

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Kent Legal Services  
Kent County Council  
County Hall  
Maidstone  
Kent ME14 1XQ

Contact Tel: 03000 416824

## Appendix 1: Amdended JTB Agreement

THIS DEED OF AGREEMENT is made the [date] day of [Month] Two thousand and seventeen between THE KENT COUNTY COUNCIL of County Hall Maidstone Kent ME14 1XQ of the one part (hereinafter referred to as "KCC") and MAIDSTONE BOROUGH COUNCIL of London House 5-11 London Road Maidstone Kent ME16 8HR (hereinafter referred to as the "Council") of the other part

In this Agreement the words and expressions contained or referred to hereunder shall have the meaning thereby ascribed to them in the Second Schedule. The clause headings do not form part of this Agreement and shall not be taken into account in its construction or interpretation.

### WHEREAS:

1. KCC and the Council are local authorities as defined by Section 270(1) of the 1972 Act
2. By virtue of Section 1(2) of the Act KCC is the local highway authority for all the highways in the County of Kent whether or not maintainable at the public expense (and which are not highways for which the Secretary of State for Transport is the highway authority) and is by enactments also the Traffic Authority and Street Works Authority
3. KCC and the Council have agreed to act together to continue with certain political arrangements previously established in relation to highways issues
4. This Agreement reflects the intention of KCC and the Council to co-operate regarding highway and transportation issues in the interests of the residents of Kent

### COMMENCEMENT AND OPERATING TERM

5. This Agreement shall commence on the first day of {Date to be confirmed after adoption date}Two thousand and Seventeen and will continue until terminated by either party in writing in accordance with the provisions of this Agreement

Appendix 1: Amdended JTB Agreement  
COUNCIL OBLIGATIONS

6. The Council will establish and maintain during the currency of this Agreement the arrangements for the Joint Transportation Board as set out in the First Schedule

KCC OBLIGATIONS

7. KCC will establish and maintain during the currency of this Agreement the arrangements for the Joint Transportation Board as set out in the First Schedule

MISCELLANEOUS

8. The parties acknowledge that the committee structure of KCC and/or the Council may change which may result in consequential changes to the Agreement
9. This Agreement shall be known as the JTB Agreement
10. 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

11. This Agreement may be reviewed at the instigation of the Kent and Medway Chief Executives and amended by agreement between the parties if necessary as a consequence of any review
12. This Agreement may be terminated by either party on six months written notice addressed to the relevant Chief Executive.

THE FIRST SCHEDULE

Joint  
Transportation  
Boards

- 1.1 A Joint Transportation Board {JTB) will be established by 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 KCC local members for divisions in the Council's area an equal number of members appointed by the Council and two representatives of the Parish Councils within the district. The Council may appoint substitutes for its Members.
- 2.2 The Parish Council representatives will be nominated by the Area Committee of the Kent Association of Parish Councils or other representative body for Parish Councils within the district if this provides a more complete representation; a substitute member may also be nominated.
- 2.2(a) All Board members, including Parish Council Members shall have the right to propose motions and amendments and to vote on the same

Representations to the JTB

- 2.3 Any JTB Member, KCC elected Member and any Maidstone Borough Council elected Member, may place a relevant item on the agenda and attend and speak at any meeting of the JTB but may not vote nor propose a motion nor an amendment (unless already a voting member of the JTB)

## Appendix 1: Amdended JTB Agreement

- 2.4 The Chairman of any Parish 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 relevance 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 existed 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 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 his/her behalf).
- 4.5 The Access to information principles shall be applied to the JTB as if it were a Council committee.

## Appendix 1: Amdended JTB Agreement

### 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
- 5.2 Be a forum for consultation between KCC and the Council on policies, plans and strategies related to highways road traffic and public transport
- 5.3 Review the progress and out-turn of works and business performance indicators
- 5.4 Recommend and advise on the prioritisation of bids for future programmes of work
- 5.5 Receive reports on highways and transportation needs within the district
- 6.1 The overview and/or scrutiny committee of KCC 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
- 6.2 The overview and scrutiny committee of KCC 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 overview and scrutiny committee of KCC 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 Council(s) will be consulted on any relevant scheme proposals (other than routine operational maintenance of the highway) within the scope of this Agreement.

## Appendix 1: Amdended JTB Agreement

### Committee Action

- 8.1 The Council Clerk to the JTB shall ensure that the Council's Strategic Planning, Sustainability and Transport Committee is made aware of any recommendations made by the Board that relate to its responsibilities and will record that notification and any comments received.
- 8.2 The Council Clerk to the JTB shall ensure that the relevant KCC Democratic Services Officer is made aware of any recommendations made by the Board that relate to the responsibilities of the KCC Executive. The KCC officer will in turn report them to the relevant Cabinet Member and record that notification and any comments received.
- 8.3 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 between the relevant Executive Member and the Chairman and Vice-Chairman of the JTB has taken place.
- 8.4 The Council's Strategic Planning, Sustainability and Transport Committee will normally act in accordance with the advice or views of the JTB. If the Strategic Planning, Sustainability and Transport Committee is minded to act otherwise, no decision will be taken and the decision will be deferred until the next meeting to enable further information to be obtained. A final decision will then be made at the next meeting following full consideration of the additional information.

Appendix 1

Protocol as agreed by the former KALA during November 2001

OVERVIEW AND SCRUTINY - INTERAUTHORITY CO-OPERATION

Aim of Protocol.

1. To ensure the Overview and Scrutiny 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 well-being 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 an Overview and Scrutiny 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 or officers of the other Authority.



## Appendix 1: Amdended JTB Agreement

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 Overview and Scrutiny 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 e.g. 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 Overview and Scrutiny Committees or for information.
9. While it is ultimately for each Authority to decide who it considers that most appropriate person(s) to speak on its behalf to an Overview and Scrutiny Committee, consideration will be given to meeting specific requests.
10. Dates and times of Member and officer attendance at Overview and Scrutiny meetings should be agreed with them.
11. Each Authority will nominate a contact officer for the operation of these procedures.

Appendix 1: Amdended JTB Agreement

THE SECOND SCHEDULE

Definitions and Interpretations

"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 term 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 Members of KCC or the Council as the case may be
Kent and Medway Chief Executives	The group of Chief Executive Officers of the Kent County Council the twelve District Councils in Kent and Medway Council

Appendix 1: Amdended JTB Agreement

EXECUTED as a DEED by Kent County Council and Maidstone Borough Council  
the day and year first before written

THE COMMON SEAL of the KENT )  
COUNTY COUNCIL was hereunto )  
affixed in the presence of:- )

Authorised Signatory

THE COMMON SEAL of MAIDSTONE )  
BOROUGH COUNCIL was hereunto )  
affixed in the presence of:- )

Authorised Signatory

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From: Matthew Balfour, Cabinet Member for Planning, Highways, Transport and Waste  
Barbara Cooper, Corporate Director Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 21 September 2017

Subject: Road Casualties in Kent; 2016

Classification: **Unrestricted**

**Past Pathway of Paper:** N/A

**Future Pathway of Paper:** N/A

**Electoral Division:** Countywide

**Summary:**

This report sets out the initial data analysis for road casualties in Kent in 2016. It also provides context related to a change to the police reporting process that may have affected data, provides insight into current KCC casualty reduction activity and identifies an emerging risk to future funding.

**Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to note for information road casualties in Kent; 2016, the context of data reporting, and to note the ongoing work of the Highways, Transportation and Waste education and engineering teams.

## 1. Introduction

- 1.1 Road casualty data in Kent for 2016 has been finalised and, under KCC's statutory duty within the Road Traffic Act (outlined in 2.19 below), was reported to the Department for Transport in May and publically released in July.
- 1.2 Overall, in Kent casualties of all severity (Fatal, Serious and Slight) increased by 6%.

Figure 1: Comparison of casualties 2016 to 2015

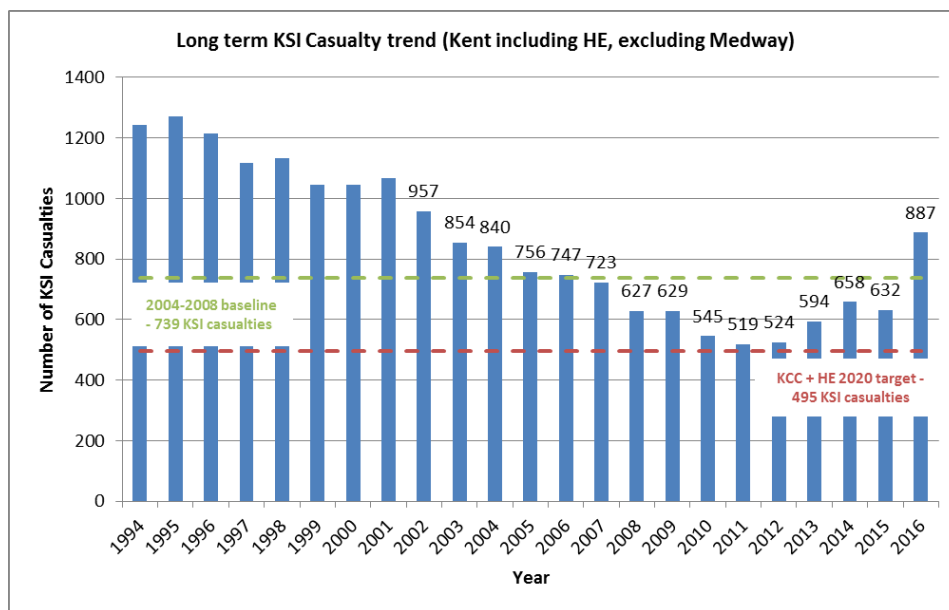
Casualties	Fatal	Serious	KSI	Slight
<b>2015</b>	<b>54</b>	<b>578</b>	<b>632</b>	<b>5167</b>
<b>2016</b>	<b>45</b>	<b>842</b>	<b>887</b>	<b>5235</b>
<b>Difference</b>	<b>-9</b>	<b>264</b>	<b>255</b>	<b>68</b>
<b>% Change</b>	<b>-17%</b>	<b>46%</b>	<b>40%</b>	<b>1%</b>

- 1.3 Serious injuries (including motorways and strategic roads managed by Highways England) increased by 46% (842) compared to 2015; fatalities decreased by 17% (54 to 45) and slight injuries increased by 1% (5,235). KSIs increased by 40%. Fatal and serious injuries are classified under a single heading of Killed or Seriously Injured (KSI) in order to produce a meaningful sized data set to quantify the most serious incidents and identify trends.
- 1.4 National comparisons are not yet possible as Department for Transport (DfT) has delayed their 2016 data release for Great Britain until late September, although early indications are that nationally fatalities rose by 2%, KSIs rose by 6% and all casualties decreased by 4%. It should be noted that not all police authorities are using the new CRASH reporting system (as outlined 2.13 - 2.16 below) that Kent Police started using in January 2016.
- 1.5 DfT report a rise in traffic levels nationally of 1.4% and traffic volumes on major roads in Kent rose by 2%.

**2. Casualty data; analysis, collection and interventions**

2.1 KSIs are at their highest level since 2002.

Figure 2: Long term KSI casualty trend



Note: In 2016, Kent Police used a new reporting process that may impact on some casualty injury classification therefore comparisons to previous data may not be accurate.

2.2 Initial data analysis for 2016 shows an increase in KSIs for all main road user groups, as below. (Note; 'Others' includes goods vehicles, farm vehicles, mobility scooters, horse riders, etc.).

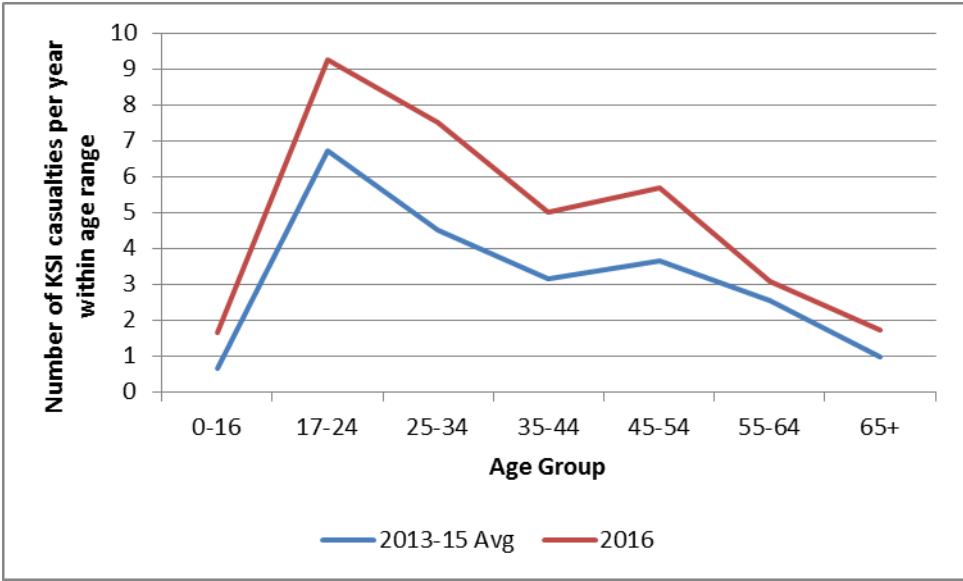
Figure 3: Change in KSI and Total Casualties in 2016 compared to 2015

Casualties	Pedestrians		Cyclists		Motorcyclists		Car Users		Other	
	KSI	Total	KSI	Total	KSI	Total	KSI	Total	KSI	Total
2015	117	626	82	387	161	602	233	3813	39	371
2016	127	579	97	413	233	657	379	4129	51	344
Difference	10	-47	15	26	72	55	146	316	12	-27
% Change	9%	-8%	18%	7%	45%	9%	63%	8%	31%	-7%

2.3 Overall there are a higher proportion of car users KSIs than the 3 year average indicating a worsening trend for car users. Pedestrians saw a comparatively reduced proportion; all other road user groups stayed around the same proportion.

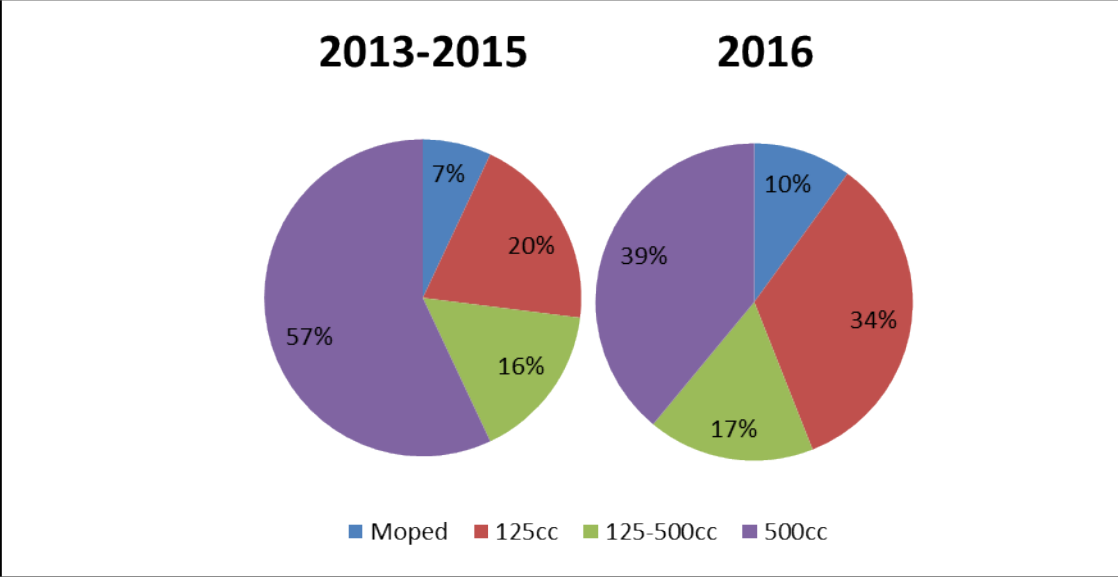
2.4 Young people (aged 17-24) remain the largest car user KSI group, although 2016 saw a narrowing of the gap between 17-24 year old and the 24-34 year old KSIs.

Figure 4: Number of car user KSI casualties per year of age group by age group



2.5 The profile of motorcycle engine size involved in KSIs changed noticeably in 2016. Previously 500cc and above motorcycles made up over 50% of motorcycle KSIs and in 2016 this dropped to 39%. 50-125cc motorcycle KSIs have seen a sharp increase from 20% to 34%.

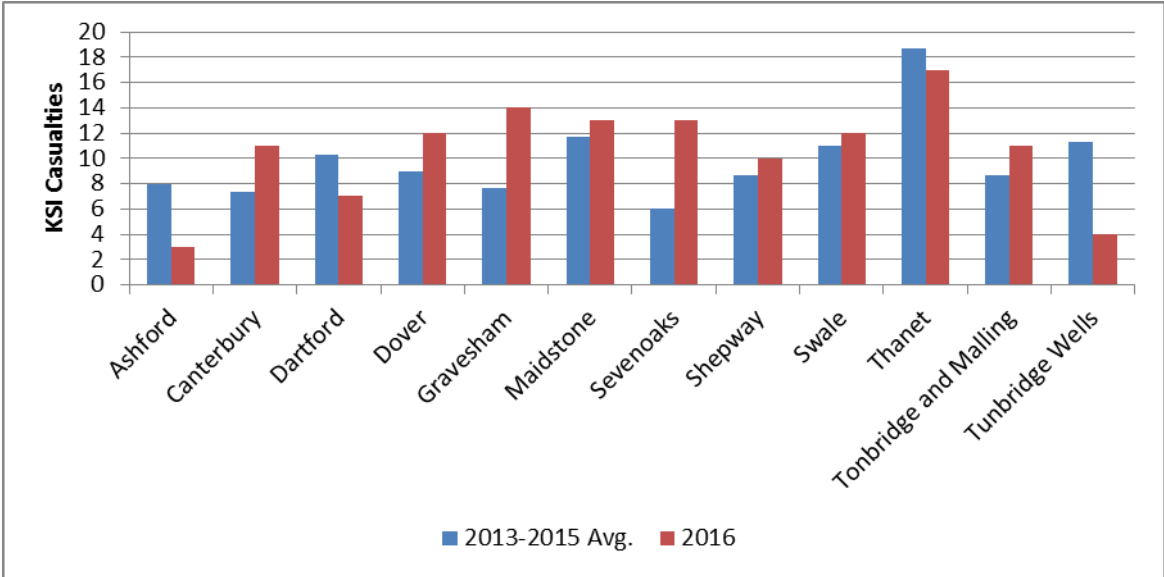
Figure 5: Proportion of motorcycle KSI casualties by bike engine size



2.6 The 11–15 age group comprise the majority of pedestrian KSIs, and 30% of KSIs were aged 0-16.

2.7 All Districts saw an increase in pedestrian KSIs except Ashford, Dartford and Tunbridge Wells.

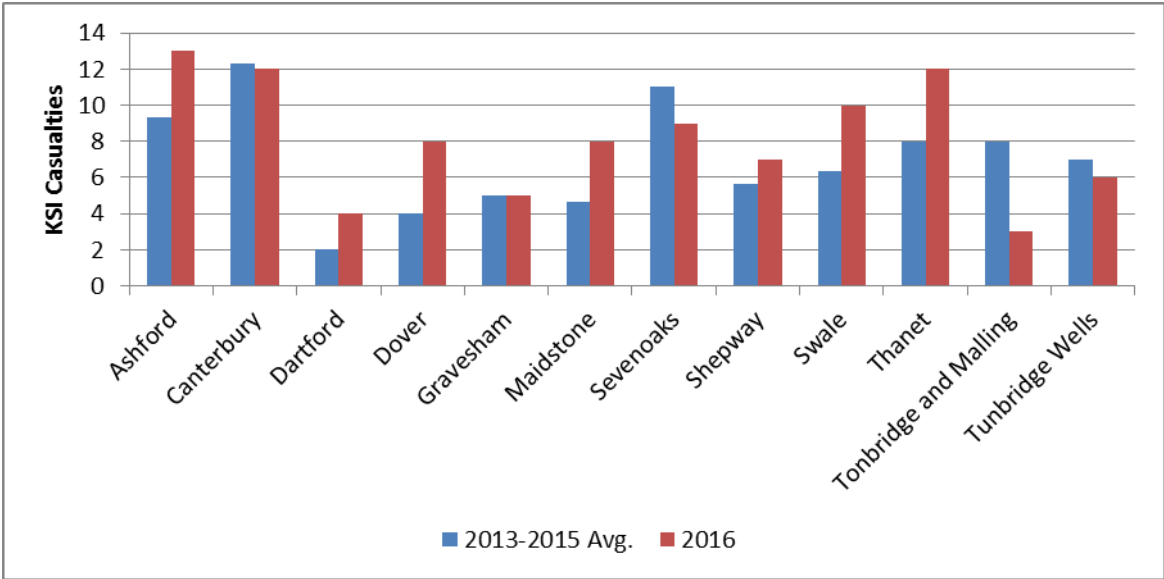
Figure 6: Pedestrian KSI casualties by district





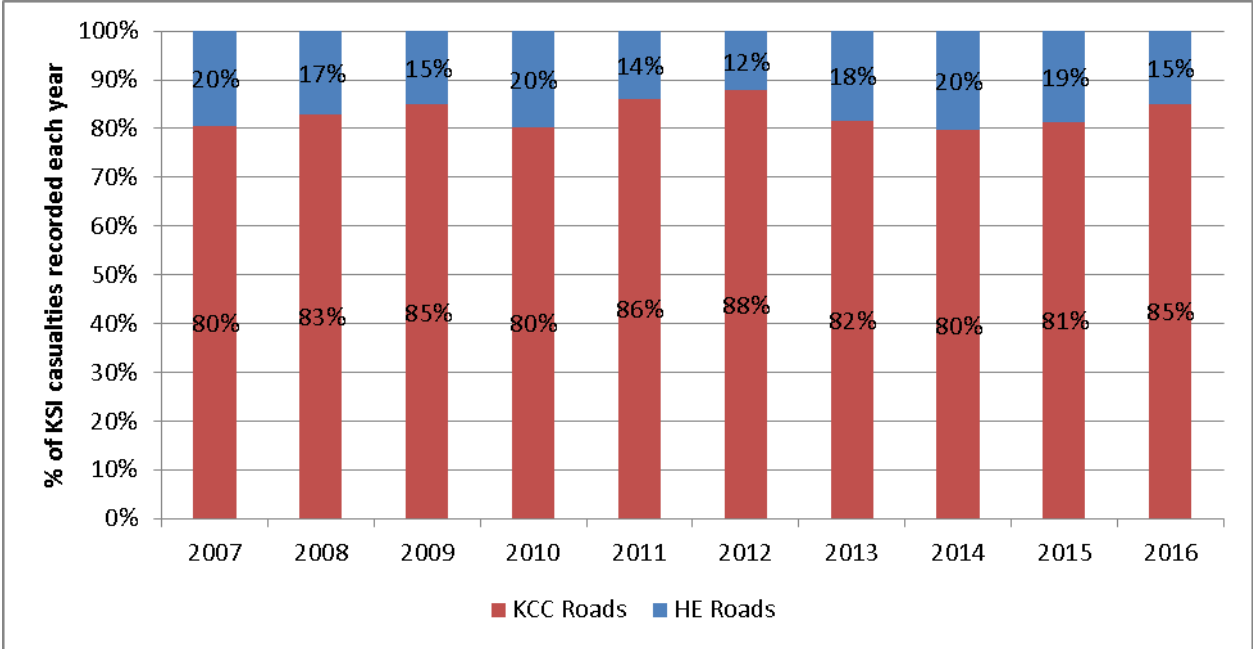
2.8 The 45-54 year old age group continues to be the group with the most pedal cyclist KSIs. Ashford and Thanet had the highest increase in pedal cyclist KSIs.

Figure 7: Pedal cycle KSI casualties by district



2.9 15% of all KSIs were on the strategic road network managed by Highways England. 85% of KSIs were on KCC maintained roads and this is the largest proportion of KSI occurring on the KCC network since 2012 and stands 2% above the average proportion for the last 10 years (since 2007)

Figure 8: KSI casualties split by Highways Authority

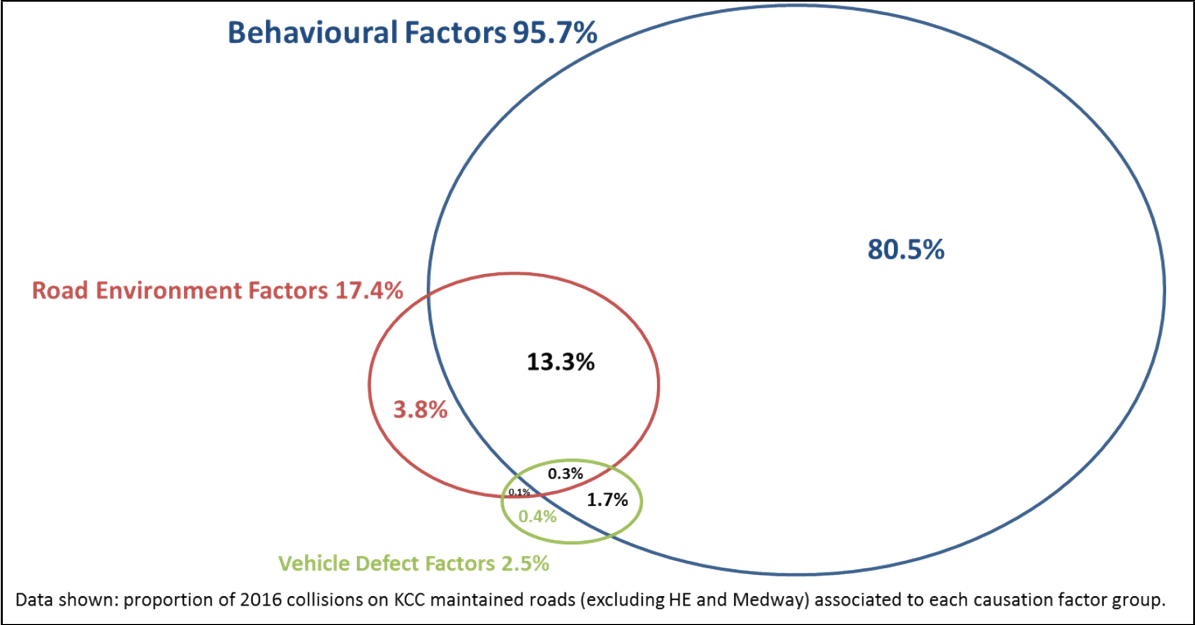


2.10 Road user behaviour factors were attributed to 96% of collisions that occurred on KCC maintained roads (excluding HE and Medway).

2.11 Road environment factors were attributed to 17.4% of collisions and were the sole cause in 3.8% of the collisions. (Note; only collisions attended by an officer were analysed in this sample for greater assurance of the cause).

2.12 Vehicle defect factors were attributed to 2.5% of collisions.

Figure 9: Causation of 2016 collisions



2.13 In a recent change to reporting procedure, Kent Police provide their data to KCC and DfT at the same time. Previously data would come through KCC before being cleansed and sent to DfT. This new process is called CRASH (Collision Recording and SHaring) and will lead to improvements in data accuracy and immediacy.

2.14 Half of all police authorities in England are now using CRASH with the expectation that eventually all will.

2.15 It has been identified nationally that CRASH may record a higher incidence of serious injuries than the previous process. This may in part be due to non-life threatening broken bones (e.g. hands / fingers) being previously logged as slight. DfT definition classifies 'broken bones' as 'serious', which CRASH now does automatically.

2.16 DfT are carrying out research into the 'CRASH effect' to quantify injury classification differences and in future it may be possible to apply a factor to old data that would allow some comparison across the two recording processes. Until such time, it is misleading to compare CRASH data with that recorded under a different reporting process. The research is underway and findings expected in October.

2.17 We are working with Kent Police to identify process improvements as a recent review suggested three quarters (77%) of all injury crash reports from Kent Police had errors or information missing, e.g. accuracy of the location, casualty age, vehicle details. This necessitates a protracted process of clarification with Kent Police and means incomplete data is sent to DfT that requires later alteration.

- 2.18 Kent Police have accepted our offer to support the development of their mobile App which eventually will be used by all officers as the means to input CRASH data at the scene. This is expected to enhance accuracy rates by ensuring all necessary information is collected at the time.
- 2.19 Annual road casualty data is published by Kent County Council as part of its statutory duty under the Road Traffic Act. The Act also places a duty on KCC to:
- prepare and carry out a programme of measures designed to promote road safety;
  - carry out studies into accidents arising out of the use of vehicles;
  - in the light of those studies, take such measures as appear to the authority to be appropriate to prevent such accidents, including the dissemination of information and advice relating to the use of roads, the giving of practical training to road users or any class or description of road users, the construction, improvement, maintenance or repair of roads;
  - and, in constructing new roads, take such measures as appear to the authority to be appropriate to reduce the possibilities of such accidents when the roads come into use.
- 2.20 KCC publishes annual casualty data at [www.kent.gov.uk/roads-and-travel/road-safety/crash-and-casualty-data](http://www.kent.gov.uk/roads-and-travel/road-safety/crash-and-casualty-data) from August each year and provides data and analysis for internal and external use; supporting internal business planning, hot-spot identification, partners' interventions, media and public enquiries and commercial data requests.
- 2.21 The Casualty Reduction Strategy 2014-2020 outlines our rationale and approach to road safety ([www.kent.gov.uk/roads-and-travel/road-safety/road-casualty-reduction-strategy](http://www.kent.gov.uk/roads-and-travel/road-safety/road-casualty-reduction-strategy)). The Strategy has recently been reviewed and the actions listed within it are still current.
- 2.22 KCC continues to provide a range of activities under the headings *Education* and *Engineering*, whilst supporting partner Education and Enforcement activity. All our activities are based on intelligence and data with the primary source being from CRASH, although we also carry our qualitative research into road user perceptions.
- 2.23 *Education*
- The Casualty Reduction Team delivers a range of road user education activities in order to raise awareness, increase knowledge and affect intended behaviour. These include child pedestrian skills training, cyclist training, young driver education, driver awareness courses and public awareness campaigns. The team has recently begun to deliver the HASTE course to Highways fleet drivers (approximately 280) to enhance 'At Work' driver safety and promote KCC as a responsible employer. HASTE is a 4 hour classroom based course that discusses a range of driving related issues, with the 'golden thread' of speed management to maintain Space and Time as the core requirements to safer driving. We also work with other groups such as Community Safety Partnerships, to promote consistency of message and coordinated activity. Over the last 5 years the team has received national recognition for the quality of its

work through the Prince Michael of Kent International Road Safety Award programme and nationally recognised organisations like First Car.

#### 2.24 *Engineering*

Annual cluster site analysis identifies crash 'hot-spots' to be investigated for appropriate crash remedial measures. Arranging the sites in priority order based on casualty numbers enables safety engineering teams to deal with the most pressing situations first, within the available budget. KCC is expanding its interest in 'risk rating for roads' using an international rating tool called EuroRAP (European Road Assessment Programme) to identify how our major roads could achieve a suitable level of safety star rating. EuroRAP identified one of our roads as being the most improved route (A227 western end) in the country, for which last year KCC was recognised with a Prince Michael of Kent International Road Safety Award. The same process has now identified that Kent has two of the '50 worst rated roads in the country' - A252 and A290. This has enabled KCC to bid for national funding to deliver engineering improvements over the next 12 months – see report elsewhere on this agenda. We are investigating the wider application of EuroRAP across more of the county's major routes.

#### 2.25 *Casualty Reduction Partnership*

The Casualty Reduction Partnership (CRP) has initiated a review of the way partners collaborate and coordinate activity, which is being led by Kent Fire and Rescue Service. Recommendations are expected by December with any changes implemented from January 2018.

2.26 KCC is a key partner; Tim Read, Head of Transportation, is Chairman of the Strategic Board, whilst officers are integral to the newly formed Partnership Delivery Group.

2.27 The CRP Delivery Group has adopted the National Police Chief's Council (NPCC) road safety calendar to focus partner education and enforcement activity. This provides a monthly focus for action that complements national messages. Each partner has taken on a specific lead role for individual messages where they coordinate partner contributions.

2.28 This approach helps ensure coordinated, countywide activity (e.g. Licence to Kill and education / enforcement campaigns,) and is also being used to influence local delivery through Community Safety Partnerships (where they have identified 'road safety' as a priority) and partners' wider community services (e.g. Community Wardens, local Fire Stations, etc.)

2.29 In December 2016 Kent & Medway Safety Camera Partnership (KMSCP) began replacing existing fixed safety cameras with digital technology and by April 2017 9 had been installed with the remaining 70 sites programmed into a 3 year plan. Digital safety cameras will allow the Police more flexibility in detecting speeding drivers in high risk crash areas. Digital technology is also fundamental to the future of the Kent safety camera network as the current 'wet film' used in cameras is not being manufactured from 2019.

### 2.30 *Challenges / Risks*

Beyond the perennial risks to road crash numbers of traffic and population growth, the transient nature of the Kent Highway network for those passing through the county and public service resourcing (police, fire, highway authorities), a specific pressure to casualty reduction funding has emerged. The Automated and Electronic Vehicles Bill announced in the Queen's Speech partly addresses the ability for over-cost recovery from driver awareness courses, but currently only provides scope for police forces to do this. Local Authority service providers across the country have been discussing ways of influencing the Bill wording to include local authority over-cost recovery. Currently any surplus from the KCC courses is invested in casualty reduction activity; this is a key benefit of KCC acting as service provider to Kent Police for these courses.

## **3. Financial Implications**

- 3.1 In light of casualty rises in 2016 and of increasing public exposure to risk through growing traffic and population levels, there is a need to sustain levels of resource provided for casualty reduction activity (education and engineering).
- 3.2 The potential pressure caused by an inability to over-cost recover on driver awareness courses has been identified in the Medium Term Financial Plan.

## **4. Legal implications**

- 4.1 KCC has a statutory duty under the Road Traffic Act for 'road safety', as outlined above. The collection and analysis of crash data, the provision of information, advice and training to road users, and the process for providing a safer highway environment are all part of this Duty.

## **5. Equalities implications**

- 5.1 There are no specific equalities implications. Road crashes impact across all protected characteristics and, where data is available, activity is appropriately targeted to reduce risk and harm.
- 5.2 The Casualty Reduction Strategy has a recently reviewed and updated Equalities Impact Assessment.

## **6. Other corporate implications**

- 6.1 There is scope to provide more support and advice across all KCC staff on the safer use of the road network.
- 6.2 Highways fleet drivers are being required to participate in an 'At Work' driver safety course (HASTE), which might be of benefit to other Directorates.
- 6.3 Stronger links to Public Health could be developed to identify funding mechanisms and coordinated messages (e.g. anti-drink driving). The recently approved Active Travel Strategy is an example of cross Directorate working between HTW and Public Health.

## 7. Conclusions

- 7.1 Road crash casualties increased in 2016 and are at levels higher than that previously seen in 2002.
- 7.2 Further in-depth analysis into 2016 data will take place to help identify key target areas, groups and messages, and 3 year trends will continue to be used as the basis for future action.
- 7.3 The new police reporting process (CRASH) appears to have an inflationary effect on the count of serious injuries, but the factor of increase is not yet understood and is being investigated by DfT.
- 7.4 Accurate data is key to targeting and prioritising activity, both for education programmes and engineering solutions. We are working positively with Kent Police to identify process improvements to enhance data accuracy at point of entry.
- 7.5 There is a range of casualty reduction activity which KCC leads on. Whilst there is always scope to do more, our ability to influence the work of partners provides opportunities to broaden the reach of our key messages, whilst working collaboratively with public service stakeholders.
- 7.6 Loss of the ability to over-cost recover from driver awareness courses could impact on resource levels for Casualty Reduction Team activity.

## 9. Recommendation:

- 9.1 The Environment and Transport Cabinet Committee is asked to note for information the road casualties in Kent 2016, the context of data reporting, and to note the ongoing work of the HTW education and engineering teams.

## 10. Background Documents

- 10.1 The Road Casualty Reduction Strategy, 2014-2020, prepared by the Casualty Reduction Manager and available on the KCC web site:  
[www.kent.gov.uk/roads-and-travel/road-safety/road-casualty-reduction-strategy](http://www.kent.gov.uk/roads-and-travel/road-safety/road-casualty-reduction-strategy)
- 10.2 Road Crash and Collision Data 2016, prepared by the Transport Intelligence Team and available on the KCC web site:  
[www.kent.gov.uk/roads-and-travel/road-safety/crash-and-casualty-data](http://www.kent.gov.uk/roads-and-travel/road-safety/crash-and-casualty-data)

## 11. Contact details

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**From:** Barbara Cooper, Corporate Director, Growth, Environment and Transport

**To:** Matthew Balfour, Cabinet Member of Planning, Highways, Transport and Waste

**Decision No:** N/A

**Subject:** Waste Collection Partnerships – a proposed Approach to performance payments

**Key decision:** N/A

**Future Pathway of Paper:** not applicable

**Electoral Division:** All in West Kent area

**Summary:**

KCC as statutory Waste Disposal Authority (WDA) works closely with District / Borough Councils, the statutory Waste Collection Authorities (WCAs), in order to maximise recycling through kerbside collections.

Where higher levels of recycling levels are achieved; KCC's disposal costs are reduced. More comprehensive kerbside collections are more expensive for WCA's to operate but do offer WDAs cost saving, therefore it is common that Partnerships are formed to mutually benefit both Authorities.

This report sets out KCC's proposed funding arrangements for recognising, rewarding and incentivising improved recycling performance. The performance payments are legally binding through the development of Inter Authority Agreements (IAAs).

Dartford Borough Council, Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council are together tendering for renewed kerbside waste collection services in 2019 with the aim of optimising kerbside recycling.

**Recommendation(s)**

The Cabinet Committee is asked to comment on the proposed approach to funding arrangements to incentivise improved recycling performance.

**1. Introduction**

- 1.1 This report proposes an approach to form a funding Agreement between Kent County Council (KCC) and individual Authorities within West Kent Waste Partnership Group (WKWPG) to incentivise improved recycling performance.
- 1.2 The consequence of increased levels of recycling and composting by the Borough waste collection authority reduces the final disposal costs borne by KCC.

- 1.3 The funding Agreement incentivises both parties to increase and maximise levels of kerbside recycling across all waste streams and as a result savings achieved by the KCC as the WDA are shared with the WCA.

## **2. Financial Implications**

- 2.1 Payments to incentivise WCA's will be recycling performance-based payments where there is a cost saving made against disposal cost – they will therefore be funded through savings realised.
- 2.2 These payments will be calculated on the actual reduction of residual waste (waste that is not recycled) against the agreed baseline.
- 2.3 The baseline tonnage will be adjusted annually by the overall increase of waste collected in WCA's – this takes into account housing growth or general increases in household waste.
- 2.4 There may be capital investment required which will be recouped through the operational savings.

## **3. Policy Framework**

- 3.1 This proposed Agreement accords with the supporting outcome within the Strategic Outcome Plan;

*Kent's physical and natural environment is protected, enhanced and enjoyed by residents and visitors*

- 3.2 Kent Joint Municipal Waste Management Strategy, has three key policy statements that support the Waste Regulations – these apply directly to this proposed procurement;
  - Policy 8 - The Kent Resource Partnership will achieve a minimum level of 40% recycling and composting of house household waste by 2012 and will seek to exceed this target.
  - Policy 11 - The KRP will strive to make waste and recycling services accessible and easy to use for all householders, across all housing types and sectors of the community.
  - Policy 19 - Where it is cost-effective, Kent will exceed its statutory targets for diversion of biodegradable municipal waste from landfill in order to preserve landfill void space in the County.

## **4. The Report**

- 4.1 Dartford Borough Council, Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council are together tendering for renewed kerbside waste collection services in 2019 with the aim of optimising kerbside recycling.

- 4.2 Individual WCA's within the WKWPG have defined their collection specifications to maximise recycling alongside collection models that replicate their existing collection specifications
- 4.3 The proposed approach to incentivising performance and thereby reducing costs to the WDA is based upon *actual* recycling performance attained by the WKWPG. The basis of the reward is to share equally the WDA cost savings which are derived from improving the existing kerbside collection service. The recycling performance payments are made to reward increased levels of waste disposal cost reduction – this places the accountability on the WKWPG as the collection authority and rewards both KCC and individual WCA's within the WKWPG equally.
- 4.4 This also reflects the most recent agreement between KCC & Gravesham Borough Council endorsed by the Environment and Transport Cabinet Committee in August 2016.
- 4.5 Furthermore both WDA & WCA's have identified opportunities for operational efficiency that could also be reflected in the Agreement.
- 4.6 It should be noted that this proposed approach is different to that in place for existing agreements in East & West Kent. These have been based upon modelled and forecast performance and have resulted in KCC paying fixed prices irrespective of actual performance achieved. The agreements have been entirely at KCCs risk and have not driven performance improvement. Therefore it is proposed that the Agreement outlined in this report form the basis of future agreements.

## **5. Legal implications**

- 5.1 KCC Waste Management is the statutory waste disposal authority for Kent and has a duty to dispose of municipal waste.

## **6. Conclusions**

- 6.1 Members are asked to consider the approach of entering an agreement which jointly shares the economic benefits of improved recycling performance.
- 6.2 This Agreement reflects the other Inter Authority Agreement with Gravesham Borough Council but is a departure from other existing Agreements where the financial payment has not rewarded improved performance.

## **7. Recommendation(s):**

The Cabinet Committee is asked to comment on the proposed approach to funding arrangements to incentivise improved recycling performance.

## 8. Contact details

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From: Matthew Balfour, Cabinet Member for Planning, Highways, Transport and Waste  
 Mike Hill, Cabinet Member for Community and Regulatory Services  
 Mark Dance, Cabinet Member for Economic Development  
 Barbara Cooper, Corporate Director Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 21 September 2017

Subject: **2016/17 Growth, Economic Development and Transport Equality and Diversity Review**

Classification: **Unrestricted**

**Past Pathway of Paper:** N/A

**Future Pathway of Paper:** Growth, Economic Development and Communities Cabinet Committee – 6 September 2017

**Summary:** This report sets out a position statement for services within the Growth, Environment and Transport (GET) Directorate regarding equality and diversity work and subsequent progress on KCC equality and diversity objectives for 2016/17.

**Recommendation:**

The Cabinet Committee is asked to note current performance, provide any comment, and agree to receive this report annually in order to comply with the Public Sector Equality Duty 2010.

**1. Introduction**

- 1.1 Publication of equality and diversity information is compulsory in England for all public authorities, as stipulated in the Public Sector Equality Duty 2010. Proactive publication of equality and diversity information ensures not only compliance with the legal requirements, but also transparency for the public in how this Directorate ensures equality and diversity considerations are part of every stage of our programmes and projects.
- 1.2 The detail attached as Appendix 1 seeks to capture and consider the 2016/17 performance of the GET Directorate against what was the current KCC Equality and Diversity Policy for most of 2016/17, with each chapter considering each KCC equality and diversity objective in turn.
- 1.3 Progress has continued to be made in embedding a stronger equality and diversity approach across the entire Directorate, and a wealth of good practice is detailed in the Appendix.

- 1.4 The content captured is being utilised at Divisional as well as at Directorate level, and has been used to inform the Directorate's approach to equality and diversity for 2017/18. This includes an enhanced focus on the equality and diversity data that GET services gather, and how that data is then actioned; a consistent approach to equality and diversity being an underpinning critical factor to understanding and meeting the needs of Kent residents; understanding the role of equality and diversity at each stage of the commissioning cycle and practically applying that; and aligning equality and diversity data more closely with the Directorate's organisational development priorities.
- 1.5 The Directorate has five lead objectives in the KCC Equality and Human Rights Policy 2016 – 2019 that was agreed in December 2016. These are:
- a) Protected characteristics will be considered within all highways and transport schemes identified in the Local Transport Plan 4, as well as the schemes' potential to advance equality of opportunity.
  - b) The protected characteristics of all members of a community will be considered when investing in roads, facilities and utilities that are identified through the Growth and Infrastructure Framework, and delivered to meet the needs of Kent's population changes.
  - c) Irrespective of age, disability, race or belief, Kent residents should be able to access our county's high quality landscapes and environment.
  - d) The Libraries, Registration and Archives Service in Kent will continue to understand its local communities' needs, and tailor its services accordingly.
  - e) The Equality Duty will inform all services' efforts to maximise all residents, communities and businesses' potential.
- 1.6 GET is using 2017/18 to establish baseline equality and diversity performance of what are predominantly large strategic programmes that began in similar timeframes to the KCC Equality and Human Rights Policy, and will continue beyond that current Policy. The baseline data gathered in 2017/18 may inform the setting of specific targets with regards to one or more of the protected characteristics, which will in turn define what success might look like in future years of the Policy, for these major GET programmes. The focus on the five objectives will also ensure protected characteristic data collection and analysis is built into the contracts and commissions relating to the five objectives.

## **2. Financial Implications**

- 2.1 There are no financial implications in producing an annual report

## **3. Other corporate implications**

- 3.1 The entire KCC Equality and Diversity Review will be considered by the Policy and Resources Committee in December 2016. The content of this paper will inform the KCC Review.

## 4. Governance

- 4.1 Following an internal audit in 2012, governance arrangements across the authority were agreed to ensure compliance with the Public Sector Equality Duty. If Key Decisions are taken without full equality analysis the authority is open to potential Judicial Review.
- 4.2 As part of excellent customer service, GET has additionally committed to every policy, programme and project being equality impact assessed every three years or at a point of significant change of that policy, programme or project, whichever is soonest. A portal on KNET is used by all GET teams as a repository for current and archived equality impact assessments, and as a source of best practice.
- 4.3 The Directorate has an overarching Equality and Diversity Group, whose membership consists of senior Divisional representatives, a Staff Group representative, a GET Customer Service Programme representative, and a KCC Policy representative. This Group meets every six weeks, with a clear focus on:
- a) ensuring equality and diversity are embedded into every stage of the commissioning cycle – i.e. analyse, plan, do, and review;
  - b) providing oversight to ensure that evidenced Equality Impact Assessments are undertaken for all priority programmes and projects as set out in Directorate and Divisional Business Plans, including service redesign and transformation;
  - c) ensuring appropriate training for staff to ensure the Directorate meets our equality and diversity duties efficiently and effectively; and
  - d) understanding and analysing the data regarding GET staffing, to ensure the Directorate is realising the potential and benefits of all staff.

## 5. Conclusions

- 5.1 The Directorate's approach to equality and diversity is carefully positioned to underpin the Directorate's approach to customer insight and customer service.
- 5.2 Extensive training and awareness raising of the Public Sector Equality Duty and its practical application in informing and improving delivery of GET services and programmes is successfully embedding its tenets within day to day delivery.
- 5.3 A clear focus on equality and diversity data, and utilisation of that data, is at the heart of GET's equality and diversity approach.
- 5.4 Analysis of diversity data of GET staff is now an established core element of the Directorate's organisational development priorities.

## 6. Recommendation(s):

- 6.1 The Cabinet Committee is asked to note current performance, provide any comment, and agree to receive this report annually in order to comply with the Public Sector Equality Duty 2010.

## 7. Background Documents

7.1 KCC Equality and Diversity Policy 2012 – 2016

7.2 KCC Equality and Human Rights Policy 2016 – 2019:

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/corporate-policies/equality-and-diversity>

## 8. Contact details

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**Subject: GET's contribution to the Corporate 2016/17 Equality and Diversity Review**

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**Summary**

As part of the County Council's demonstration of how we meet our responsibilities against the Equality Duty 2010, an annual KCC Equality and Diversity Review is produced. This GET report, as with other Directorates, is shaped against the 2012 – 2016 KCC Equalities Strategy as that was the corporate strategy until December 2016.

This paper was pulled together focusing on projects and programmes identified in the GET 202016/17 Business Plan and the Divisions' 202016/17 Projects Registers.

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**1. Working with all our partners to define and jointly address areas of inequality**

- 1.1. KCC's Procurement Team has a clearly stated policy to "ensure there is equality analysis for every specification to cover any additional needs required to complete the contract and promotion of equality in procurement". The template the Procurement Team uses to assess all planned procurement explicitly asks the service whether an Equality Impact Assessment (EqIA) is required, and emphasises the role of the service in completing one.
- 1.2. As part of the 2016/17 review, officers at all levels and across all four GET Divisions referred frequently to awareness and understanding of the existence and the relevance of the two interacting Procurement and Equality policies.
- 1.3. Examples from 2016/17 where GET services have proactively worked with partners to define and jointly address areas of inequality include;
  - a. Thanet Parkway outline design stage, which additionally complies with the Department for Transport's Design Standards for Accessible Stations
  - b. The majority of KCC's Local Growth Funded Local Transport Schemes are designed and built by Amey Highways and Amey TESC. In addition to KCC's procurement process, each individual scheme has its own EqIA which identifies and defines any areas of inequality that require to be addressed by delivery partners
  - c. Road traffic casualty reduction where partners included Kent Police, Kent Fire and Rescue, and Highways England, to tackle particularly the impact on age and sex characteristics
  - d. Folkestone Seafront regeneration where partners were Buro Happold, Folkestone Harbour Board and Graham Construction. The EqIA identified the disability characteristic as a key consideration

- e. The Active Travel Strategy, which was developed and consulted upon in 2016/17. Cycling stakeholders including Sport England and British Cycling provided further evidence around the disproportionately low number of women who choose to cycle in the county (and indeed nationally), leading to some specific actions being written into the strategy.

## **2. Promoting fair employment practices and creating an organisation that is aware of and committed to equality and diversity and delivers its Public Sector Equality Duty**

- 2.1. In 2016/17, Highways, Transportation and Waste (HTW) have undertaken an EqIA on the impact on staff of changing the delivery model of a major programme, the Highway Term Maintenance Commission. Whilst restructures and service transformation are informed by an EqIA, it is a new development to apply an EqIA to a potential change in a delivery model. The EqIA identified a number of simple alterations to engaging with staff around the potential models, and has resulted in very positive engagement from affected staff with the process to date.
- 2.2. GET brings together its Organisational Development and Equality & Diversity Groups on a quarterly basis to support the Directorate to work on fair employment practice and ensuring a diverse workforce. In 2016/17 this joint group,
  - a) positioned diversity as integral to the future workforce planning;
  - b) delivered a peer review of national employers recognised as delivering 'Excellence in Diversity' to apply learning to GET's own organisational development approach, including staff groups;
  - c) commissioned face to face equality impact assessment training for senior managers, to achieve leadership across the Directorate on this element of customer insight;
  - d) analysed GET staffing data to understand how the protected characteristics of GET's staffing reflects the protected characteristics of Kent's population. This has informed a commission of the KCC Engagement, Organisation Design and Development Division to determine how the protected characteristics are profiled across GET's recruitment, leadership, leavers, Total Contribution Pay, Part Time, apprentices, cash awards and capability procedures; and
  - e) commissioned protected characteristic analysis within GET's 2016/17 Employee Value Proposition monitoring, which now informs the work of both Groups.

## **3. Improving the way KCC listens to and engages with its employees, communities and partners to develop, implement and review policy and to inform the commissioning of services.**

- 3.1. To inform the KCC Active Travel Strategy which GET has led, two stakeholder workshops were held in 2016/17 ahead of a wider public consultation. The stakeholder workshops were subdivided into infrastructure stakeholders, education stakeholders (thereby ensuring the age characteristic was considered), health provider

stakeholders, and older and disability stakeholders (thereby ensuring age and disability characteristics were considered).

- 3.2. To maximise the impact on young entrepreneurs, The Kent Foundation project collected equalities data about their Volunteer Business Mentors to maximise the diversity of the mentor pool to in turn provide the best match for the young entrepreneurs.
- 3.3 For the least mobile elderly or disabled customers, or those with young children or other carer responsibilities, the action plan that came out of the Mobile Library Service's EqlA delivered an improved alternative offer from 2016/17 onwards. The home library service involves volunteers visiting customers in their own home and delivering books for them to read. This ensures access to the service is maintained but that customers still keep a valued social interaction, in this case through a volunteer.
- 3.4 The libraries service works with West Kent Communities (part of West Kent Housing) to manage and delivers its extensive volunteer programme. From joint analysis of current volunteers; a proportionate lack of young people, especially young men, those from a BME background, and disabled volunteers was established. The service has since identified a new targeted and proactive approach to reach these particular groups, with a view to strengthening the diversity of service volunteers.
- 4. Improving the quality, collection, monitoring and use of equality data as part of the evidence base to inform service design delivery and policy decision.  
Consistent and clear standards in the use of data in defining service need and managing the performance of services.**
- 4.1 Heritage Lottery Fund requires protected characteristic data to be collected, and linked targets reached, with a number of the projects they fund within GET's Countryside Partnerships service. Primarily this is against the characteristics of age, ethnicity, gender and disability.
- 4.2 Similarly, Sport England requires age, gender, disability and race data to be collected, and linked targets reached, with a number of the projects they fund within GET's Sport and Physical Activity service. As a result of such data capture in previous years, certain programmes in 2016/17 were able to draw down additional funding per participant if those participants were disabled, female or of a minority ethnic group.
- 4.3 For Economic Development's East Kent and Kent Downs & Marshes LEADER Programmes, the gender and age profile of applicants is monitored, and successful applicants in turn monitor the age, gender and disability profiles of those who secure the jobs created. These characteristics are as selected by the Rural Payments Agency.
- 4.4 GET services and GET's Equality and Diversity Group proactively informed the development of a new KCC EqlA template, to ensure more accurate completion, and to engender greater use of the EqlA as a service tool.
- 4.5 A new process to deliver a greater number and more considered EqlAs was embedded within GET in 2016/17, led by the GET Customer Service Programme in

tangent with the KCC Corporate Lead for Equality and Diversity. The new process involves two formalised review points before an EqlA is 'signed off', as well as one shared online portal for all GET EqlAs within a wider KCC EqlA repository. The GET EqlAs are now openly available to all, and are subjected to an overview quarterly analysis which enables the Directorate to identify and share best practice, common challenges, and projects and programmes where the EqlAs are outstanding.

4.6 Through cross-Directorate work in 2016/17, GET identified and assumed lead responsibility for five Equality objectives in the new KCC 2016 – 2020 Equalities and Human Rights Policy. An action plan has been developed with the relevant services for the following objectives:

- a) The protected characteristics of all members of a community will be considered when investing in roads, facilities and utilities that are identified through the Growth and Infrastructure Framework, and delivered to meet the needs of Kent's population changes
- b) Irrespective of Age, Disability, Race or Religion and Belief, Kent residents should be able to access our county's high quality landscapes and environment
- c) The Libraries, Registration and Archives Service in Kent will continue to understand its local communities' needs, and tailor its services accordingly
- d) The Equality Duty will inform all services' efforts to maximise businesses' potential

4.7 A programme of agreed EqlAs, sampling and other monitoring approaches has been established for 2017/18, which will inform whether any further objectives targeted at certain protected characteristics will be required for 2018/19.

**5. Providing inclusive and responsive customer services through; Understanding our customers' needs; Connecting with our customers effectively and efficiently; Empowering staff to meet service expectations; Improving access to services; Working with our partners to improve our customer experience.**

5.1. GET routinely captures protected characteristic data as part of all of our public consultations. Examples from 2016/17 where this has then influenced the service our customers received include:

- a) A toucan crossing and bus stops being relocated from the positions consulted upon, in order that they can be of use to younger road users seeking to get to school (age characteristic)
- b) A disabled access ramp being installed at East Farleigh, and a disabled access fishing peg (platform) being installed at Barming, both as part of Public Rights of Way improvements (disabled and carers characteristic)
- c) Minimum stopping times for mobile libraries being extended from ten minutes to 30 minutes (age, disabled, maternity and carers characteristics)
- d) Adjusted times for stops for school children as a result of feedback to ensure that mobile library stops will be at a time the school can use (age characteristic).

5.2. As an integral part of our Customer Service Programme, GET has continued to seek to deliver responsive customer services by proactively engaging with community groups that represent the interests of one or more protected characteristics. Examples from 2016/17 include:

- a) Gravesham Access Group regarding a proposed shared use cycle route (disability characteristic)
- b) Local schools around Tonbridge Railway Station (age characteristic)
- c) Guide Dogs for the Blind regarding Active Travel Strategy (disability characteristic)
- d) Hi Kent regarding the roll out of wifi to all libraries (disability characteristic)
- e) Kent Women in Business regarding business loans programmes (sex characteristic)
- f) Good Day Programme regarding Dartford Library and Museum (disability characteristic)

5.3. Awareness of the KCC 'About You' process to collect customer insight including protected characteristics has somewhat improved since 2015/16. This is supplemented by a number of other tools across GET which provides valuable intelligence on various customer groups. These include Mosaic, Nomisweb, Census, and Joint Strategic Needs Assessment data sets.

5.4 By utilising 'About You' Libraries, Registration and Archives have engaged with many more members of the public who identify themselves disabled, and are actively participating in the library provision/are registered members. However, actual Library membership which seeks to capture protected characteristic data shows disabled membership to be lower than is now believed. The Service is examining how to more accurately profile its membership, in order to better inform future service planning.

5.5 Volunteers supporting GET services have on a number of occasions in 2016/17 been of a minority ethnic background with only developing fluency in English. Services including Countryside Partnerships have adapted the approach to their environmental and conservation tasks to ensure this protected characteristic (race) is fully included within any project. Trading Standards have within 2016/17 and previous years also worked with customers (businesses) of a minority ethnic background with only developing fluency in English, and similarly have had to adapt their approach to ensure such businesses are able to understand and follow the advice, guidance and any investigatory processes applicable.

5.6 No complaints relating to any of the nine protected characteristics or any quality and diversity issue were reported in 2016/17 to any GET service.

## **6.0 Conclusions**

6.1. As with the 2015/16 Review, this Report was pulled together on a 'no blame' approach, where all programme/project owners were encouraged to be honest in their responses, rather than attempt to demonstrate equalities considerations if there had

been very little or none. The information that underpins this report allows GET to have an accurate understanding of our equalities 'baseline' performance.

- 6.2. The GET Equality and Diversity Group has a 15 month work programme for January 2017 to March 2018 that is mapped against the LGA Equality Framework for Local Government. This allows GET to evidence continuous improvement from 'Developing' within five categories that underpin the Framework; Knowing your Communities; Leadership, Partnership and Organisational Commitment; Involving Your Communities; Responsive Services and Customer Care; and A Skilled and Committed Workforce. GET is the only KCC Directorate to be working in this way.

From: John Lynch, Head of Democratic Services

To: Environment and Transport Cabinet Committee – 21 September 2017

Subject: Work Programme 2017/18

Classification: Unrestricted

Pathway: Standard Item

**Summary:** This report gives details of the proposed Work Programme for the Environment & Transport Cabinet Committee.

**Recommendation:** The Environment & Transport Cabinet Committee is asked to consider and agree its Work Programme for 201/18 as set out in Appendix 1 of this report.

## 1. Introduction

(1) The proposed Work Programme has been compiled from items on the Forthcoming Executive Decision List; from actions arising from previous meetings, and from topics identified at agenda setting meetings, held 6 weeks before each Cabinet Committee meeting in accordance with the Constitution.

(2) Whilst the Chairman, in consultation with the Cabinet Members, is responsible for the final selection of items for the agenda, this item gives all Members of the Cabinet Committee the opportunity to suggest amendments and additional agenda items where appropriate.

## 2. Work Programme 2017/18

(1) An agenda setting meeting was held on 25 July 2017 and items for this meeting's agenda were agreed. The Cabinet Committee is requested to consider and note the items within the proposed Work Programme, set out in Appendix 1 to this report, and to suggest any additional topics that they wish to be considered for inclusion to the agenda of future meetings.

(2) When selecting future items the Cabinet Committee should give consideration to the contents of performance monitoring reports. Any 'for information' or briefing items will be sent to Members of the Cabinet Committee separately to the agenda or separate member briefings will be arranged where appropriate.

(3) The schedule of commissioning activity 2015-16 to 2017-18 that falls within the remit of this Cabinet Committee will be included in the Work Programme and considered at future agenda setting meetings to support more effective forward agenda planning and allows Members to have oversight of significant services delivery decisions in advance.

### **3. Conclusion**

It is vital for the Cabinet Committee process that the Committee takes ownership of its Work Programme to help the Cabinet Member to deliver informed and considered decisions. A regular report will be submitted to each meeting of the Cabinet Committee to give updates of requested topics and to seek suggestions for future items to be considered. This does not preclude Members making requests to the Chairman or the Democratic Services Officer between meetings for consideration.

### **5. Recommendation**

The Environment and Transport Cabinet Committee is asked to consider and agree its Work Programme for 2017/18 as set out in Appendix A to this report.

### **6. Background Documents**

None

### **7. Appendix**

Work Programme – Appendix A

### **8. Contact details**

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**Environment and Transport Cabinet Committee  
WORK PROGRAMME 2017/18**

**Thursday 30 November 2017**

- Declarations of interest
- Minutes
- Verbal Updates
- Performance Dashboard
- Minerals and Waste Local Plan – Sites Assessment
- Growth and Infrastructure Framework Update
- A20 Harrietsham Traffic Management Scheme (Key Decision)
- Country Parks (added at agenda setting meeting on 25 July 2017)
- Kent Environment Strategy Update (added at agenda setting meeting on 25 July 2017)
- Ash Die Back Update
- Public Rights of Way Improvement Plan
- Local Flood Risk Strategy (The consultation on the strategy commenced on 14 August for an eight-week period. Outcomes of the consultation to the November Cabinet Committee alongside a key decision report to adopt the Strategy. Deferred from Sept to Nov as per email from TW on 09 08 17)
- EPE Pre-Application Charges – (Deferred from September to November as a result of timetabling changes. Mr Homewood agreed in email of 11 08 17)
- Maidstone Integrated Transport – Sutton Road/Willington Street (deferred from September (email from TW 24 08 17)
- Thanet Way (tentative) (email from TW 24 08 17)
- Waste Strategy Implementation Plan (email from TW 24 08 17)
- Work Programme 2018

**Wednesday 31 January 2018**

- Declarations of interest
- Minutes
- Verbal Updates
- Performance Dashboard
- 2018/19 and Medium Term Financial Plan
- Low Emissions Strategy
- Work Programme 2018

**Tuesday 20 March 2018**

- Declarations of interest
- Minutes
- Verbal Updates
- Performance Dashboard
- Work Programme 2018

**Items for Consideration that have not yet been allocated to a meeting**

- Community Safety Framework
- Highways Term Maintenance Contract
- Low Emissions Strategy (added at agenda setting meeting on 25 July 2017)
- Winter Service Policy 2017/18 to the ETCC meeting on 21 September 2017. The policy is renewed annually (September 2018)
- Thanet Parkway (Deferred from September 2017 to enable development of further funding options)

**From:** Mike Hill, Cabinet Member for Community and Regulatory Services  
Barbara Cooper, Corporate Director, Growth, Environment & Transport

**To:** Environment and Transport Cabinet Committee – 21 September 2017

**Decision No:** 17/00079

**Subject:** Renewal of contracts for post mortems

**Classification:** Unclassified

**Electoral Divisions:** All divisions except Maidstone Central, Maidstone North East, Maidstone Rural East, Maidstone Rural North, Maidstone Rural South, Maidstone Rural West, Maidstone South, Maidstone South East, Malling Central, Malling North East, Malling Rural East, Sheppey, Sittingbourne North, Sittingbourne South, Swale West.

**Summary:** This is a follow up report to one submitted to this Cabinet Committee on the 15 June 2017 which sought views on the proposed renewal of the contract for body storage and post mortems for the Mid Kent & Medway area. It specifically recommends that KCC renews its contracts (a) with Dartford & Gravesham NHS Trust to carry out PM's at Darent Valley Hospital for the North West Kent coroner area, and (b) with East Kent NHS Trust to carry out PMs at QEQM Hospital Margate and William Harvey Hospital Ashford for the North East Kent and Central & South East Kent coroner areas.

Although generally procurement does not support single sourcing, instead preferring a competitive approach, it is recognised that in some circumstances that there is very little in the viable alternative. This is one of those circumstances and for all of the reasons outlined, single sourcing through a negotiated procedure provides the lowest risk option and the solution most likely to deliver the best commercial and sustainable outcome for KCC. Therefore the recommendation is to follow the negotiated route without call for competition as outlined in the report.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Community & Regulatory Services on the proposed decision to award four year contracts for PMs for the North East Kent, North West Kent and Central and South East Kent coroner areas for the period 1 October 2017 to 30 September 2021 as shown at Appendix A

## 1. Introduction

- 1.1. The Coroners and Justice Act 2009 places a duty on Coroners to investigate deaths that are referred to them if they have reason to think that:

- The death was violent or unnatural;
- The cause of death is unknown; or
- The deceased died while in prison, police custody or another form of state detention, for example, where a Deprivation of Liberty Safeguard Order (DoLS) is in place

1.2 In some cases the Coroner will order a post mortem (PM) to establish the cause of death, and in such cases, the deceased is taken to a pre-designated mortuary for this purpose. On behalf of the Kent Senior Coroners, KCC ensures access to body storage and PM facilities across the four Kent coroner areas. Two of the contracts for body storage and PM facilities for the four Kent coroner areas expire on 30 September 2017 and need to be renewed.

1.3 This report sets out the needs of the North West Kent, North East Kent and Central & South East Kent coroner areas and the options and context for re-providing these services, before recommending an option for KCC to procure these necessary services.

## **2. North West Kent, North East Kent and Central & South East Kent coroner areas**

2.1. HM Senior Coroner for North West Kent is responsible for providing the coronial service for part of the KCC administrative area (the district council areas Dartford, Gravesham, Sevenoaks, Tunbridge Wells and Tonbridge & Malling (part)). HM Senior Coroner for North East Kent and Central & South East Kent is responsible for providing the coronial service for part of the KCC administrative area (the district council areas of Thanet, Canterbury, Dover, Shepway, Ashford and Swale (part)). By virtue of The Coroners and Justice Act 2009 KCC is responsible for meeting all the costs of the coroner service although Medway Council meets a share of the costs for the Mid Kent and Medway coroner area.

2.2. In particular, KCC supports the Senior Coroners by putting in place contracts for the major areas of activity which includes the provision of body storage and PM facilities. In 2016, of 1,973 deaths referred to the Senior Coroner, North West Kent, 750 required a PM (38% of deaths referred). Also for 2016, of 3,695 deaths referred to the Senior Coroner, North East Kent and Central & South East Kent, 1,516 required a PM (41% of deaths referred).

2.3. To date, Dartford and Gravesham NHS Trust has always provided body storage and PM facilities to the North West Kent coroner at Darent Valley Hospital and East Kent NHS Trust has always provided body storage and PM facilities to the North East Kent and Central & South East Kent coroner at QEQM Hospital Margate and William Harvey Hospital Ashford..

2.4. With the impending expiry of these two contracts with the NHS Trust, the service has explored alternative providers to inform the procurement process. However, there are no viable alternative service providers.

- 2.5. There are no private sector PM providers anywhere in England and Wales to take on the North West Kent, North East Kent and Central & South East Kent PM workload. Likewise, there is no capacity at the other Kent NHS providers with the exception of Medway NHS Trust which had capacity to take on the PM caseload currently provided by Dartford & Gravesham NHS Trust at Darent Valley Hospital. However, whilst discussions were held with Medway NHS Trust about the possibility of taking on this work it was not able to offer a more competitive price.
- 2.6. Commissioning the work outside of Kent at another NHS provider is not an option for two reasons. Firstly, there is no capacity within the outlying NHS mortuaries in Sussex, Surrey, Bromley and Bexley. This has been confirmed in engagement with the Surrey Coroner Service which is also renewing its contracts for PM provision and who are also restricted to using their existing NHS providers because there is no spare capacity at mortuaries in the adjoining London boroughs or counties.
- 2.7. Second, whilst it is technically possible to use other mortuaries outside of the Kent area (assuming they have capacity), this does not meet the needs of the customers of the service who would have to travel long distances to view bodies of the deceased. The service has some previous experience of using a Trust outside of the Kent area when it used Greenwich Public Mortuary in 2013 when Maidstone and Tunbridge Wells NHS Trust did not renew a contract with KCC for PMs at Pembury Hospital, Tunbridge Wells. At the time, there was a public outcry by families and funeral directors about the costs of transporting the deceased from Greenwich once the PM had been done, and the travelling time to view the deceased. The local MP intervened and brokered a solution with the Trust to take the work back which it did so in 2014. However, the lesson learned is that from a customer perspective, procuring services at such a distance from the coroner area places an unacceptable stress on bereaved families and therefore is not a viable option.

### **3. Procurement route**

- 3.1. The current level of expenditure on PMs at Dartford and Gravesham and East Kent NHS Trusts is in the region of £820,000 a year depending on activity levels. Normally this level of expenditure would require a full tender process compliant with the European Procurement Regulations and KCC's Procurement Standing Orders.
- 3.2. However, in the absence of a private sector provider and with no capacity available at nearby Trusts at a more competitive price to take on this work, KCC is left with no alternative but to seek to renew the contracts with Dartford and Gravesham NHS Trust and East Kent NHS Trust. This will ensure continuity as there has been a long standing and successful partnership between the two Trusts, KCC and the Senior Coroner.

### **4. Options**

- 4.1. **Do nothing** – this is not an option. Unless contracts are put in place the system of coronial death investigation and certification in the North West

Kent, North East Kent and Central & South East Kent coroner areas will collapse.

- 4.2 **Go out to tender** – this is not an option. Two of the three Kent area NHS Trusts do not have capacity to take on this work and so would not apply; whilst the third one does have capacity to take on part of the work it is unable to compete on price. Whilst it is possible that NHS providers further afield, for example in the greater London area may have some capacity, research has shown that they have insufficient capacity to take on this work. Furthermore, this would mean bodies being transported for PM out of the county which will incur additional transportation costs for KCC. We also know from experience such an arrangement could damage KCC and the Senior Coroner's reputation and would be very distressing for families as it would add to funeral costs because the deceased will need to be collected from the mortuary by the families funeral director, and the necessity to travel longer distances for viewings of the deceased.
- 4.3 **Use a framework or other viable contract mechanism** – there are no known frameworks or other viable mechanisms in existence elsewhere in England and Wales.
- 4.4 **Renew contract through single source procurement** – this is the only viable option given the very specialist nature of the work and the absence of any alternative providers with sufficient capacity in Kent or nearby adjoining areas.

## 5. Financial Implications

- 5.1. The financial implications of the North West Kent, North East Kent and Central & South East Kent contracts are set out in Part 2 (exempt) of this report

## 6. Policy Framework

- 6.1. This tendering opportunity has not been subject to competition. This is supported by Regulation 32(2)(b)(ii) of the Public Contract Regulations which states that a Negotiated Procedure without Prior Publication may be used where services can be supplied only by a particular economic operator where competition is absent for technical reasons.

## 7. Conclusions

- 7.1. KCC supports the Kent Senior Coroners by ensuring contracts are in place for body storage and PM's to ensure they are able to discharge their statutory duties in accordance with the Coroners and Justice Act 2009. There are no private sector PM providers anywhere in England and Wales to take on the Kent and Medway PM workload. Likewise, there is no capacity at a more competitive price at the other Kent NHS providers. KCC is therefore left with little alternative but to renew its contract for PM's for the North West Kent, North East Kent and Central & South East Kent areas with the current providers.

## **8. Recommendation(s)**

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Community & Regulatory Services on the proposed decision to award four year contract for PMs for the North East Kent, North West Kent and Central and South East Kent coroner areas for the period 1 October 2017 to 30 September 2021 as shown at Appendix A

## **9. Contact details**

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## KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

### DECISION TAKEN BY

**Mike Hill**  
**Cabinet Member for Community and Regulatory Services**

### DECISION NO:

17/00079

### For publication

### Key decision\*

Yes – Expenditure over £1m

**Subject:** Contract for Post Mortem Facilities for the North West Kent and North East Kent and Central and South East Kent coroner areas.

### Decision details

As Cabinet Member for Community and Regulatory Services, I agree to award a four year contract for the provision of post mortem (PM) facilities for the period 1 October 2017 to 30 September 2021 for the

- North West Kent and
- North East Kent Central and South East Kent coroner areas

### Reason(s) for decision:

The Coroners and Justice Act 2009 places a duty on Coroners to investigate deaths that are referred to them if they have reason to think that:

- The death was violent or unnatural;
- The cause of death is unknown; or
- The deceased died while in prison, police custody or another form of state detention eg where a Deprivation of Liberty Safeguard Order (DoLS) is in place

In some cases the Coroner will order a PM to establish the cause of death. In these cases, bodies are taken to a pre-designated mortuary.

- In 2016, of the 1,973 deaths referred to the Senior Coroner for North West Kent, 750 required a PM (38% of deaths referred).
- In 2016, of the 3,695 deaths referred to the Senior Coroner for the North East Kent and Central & South East Kent, 1,516 required a PM (41% of deaths referred).

On behalf of the Senior Coroner, KCC ensures there is adequate storage capacity for Coroner's bodies and that the Coroner has access to Post Mortem facilities. KCC does not have its own public mortuary facility and so like many other coroner areas across England and Wales it has always used local NHS hospitals which have the necessary facilities for this purpose as there are no private sector providers of PM facilities anywhere in England and Wales.

### Cabinet Committee recommendations and other consultation:

### Any alternatives considered:

The service has explored alternative providers to inform the procurement process but there are no viable alternative service providers. Other Kent-based NHS providers were considered but there is no capacity to deliver this service.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

Name:

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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