

ENVIRONMENT & TRANSPORT CABINET COMMITTEE

MINUTES of a meeting of the Environment & Transport Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 11 January 2024.

PRESENT: Mr S Holden (Chairman), Mr N J Collor (Vice-Chairman), Mr T Bond, Mr C Broadley, Mr D Crow-Brown, Ms M Dawkins, Mr M Dendor, Mr A R Hills, Mr M A J Hood, Mr H Rayner, Mr D Robey, Mr A Sandhu, MBE, Mr M Whiting, Mr C Passmore (Substitute), Mr P Stepto (Substitute) and Ms J Meade (Substitute)

UNRESTRICTED ITEMS

1. Apologies

(Item 2)

Apologies were received from Mr Lewis, Mr Baldock and Mr Chittenden for whom Ms Meade, Mr Stepto and Mr Passmore were present.

2. Declarations of Interest

(Item 3)

There were no declarations of interest.

3. Minutes of the meeting held on 15 November 2023

(Item 4)

RESOLVED that the minutes of the meeting held on 15 November 2023 were an accurate record and that they be signed by the Chairman.

4. Revised Draft Revenue Budget 2024-25 and 2024-27 MTFP, Draft Capital Programme 2024-34 and Treasury Management Strategy

(Item 5)

1) Mr Oakford introduced the report.

2) Members raised the following in response to the report:

- It was suggested that more 'invest to save' measures should be considered, bringing services in-house and earlier involvement of opposition groups in budget process.

3) RESOLVED to note updated Revenue Budget and Medium Term Financial Plan, Draft Capital Strategy and Programme, and Treasury Management Strategy.

5. Southern Water Presentation

(Item 6)

1) Mr Jon Yates from Southern Water presented to the cabinet committee. Please see the linked presentation:

[Web link to presentation](#)

6. Verbal Updates by Cabinet Members and Corporate Director

(Item 7)

1) Mr Baker said that Storm Henk had followed Storm Ciaran and had caused highway drainage issues and fallen trees. Highways teams had barely recovered from the first storm as enquiry demand numbers were very high again for Storm Henk. On Tuesday, 2 January, over 200 fallen trees were reported with a total of over 330 emergency enquiries. The wet weather impacted on road conditions with reported defects remaining extremely high throughout December 2023 and the first week of January 2024.

There were 2718 pothole enquiries in December 2023, which was higher than in December 2022, when there were 2480 enquiries. There were 947 drainage enquiries in comparison to 706 enquiries in the same period in 2022. There were 339 insurance enquiries for December 2023, which was double the previous December's 170 and the highest enquiry numbers for the month of December for 5 years.

Chestfield tunnel lighting system upgrade was successfully installed in 2023 and the project was submitted to the New Civil Engineer Tunnelling Awards 2023 in two categories. Unfortunately, KCC did not win but credit was given to the teams involved in the delivery of the successful project.

During 2023, KCC continued to participate in Association for Public Service Excellence network performance for highways, winter maintenance and street lighting. Street lighting was nominated as a finalist in the best performer category but unfortunately again did not win.

The report on the consultation on the emerging draft new Local Transport Plan 5 that took place between June and September 2023 had been published on KCC's website. The Member Task and Finish Group steering the development of the new plan was reconvened in December 2023. Work was underway on a full plan which was to go to public consultation in the summer of 2024.

Three parish seminars were held last year in November and December 2023 with around 200 attendees. These were very successful and following the discussions, an All-Member briefing on the role of Highways in planning applications is being arranged for 30 January. This was to be held online.

Procurement for the services of back-office functionality and camera equipment to permit enforcement of moving traffic offences continued and a supplier was to be confirmed in January 2024. KCC was to then mobilise with the appointed supplier to

get cameras installed at the first locations such as Beaver Road in Ashford. The service aimed to commence enforcement at these locations in March/April 2024.

Responses were being reviewed from further consultations for bus gates for part of the Fasttrack Route in Dartford and adjacent to the train station on Clive Road in Gravesend.

A new consultation had been launched on KCC's Lets Talk Kent website. These included proposed enforcement of a bus gate between Chapelfield Way and Howard Drive in Maidstone and 2 further locations on the Kent Fasttrack route in Dartford. The consultation commenced on the 9 January 2024 and was to run for a period of 6 weeks. KCC officers were also engaged with Tunbridge Wells Borough Council in respect of taking control of enforcement of the public realm in the town centre, under KCC's new moving traffic enforcement service.

Mr Baker travelled to attend a meeting in Herne Bay on Active Travel. However, the meeting was very busy and there were a large number of people outside trying to get in. A larger venue was being arranged for a further meeting. The public had not been engaged at the design stage but were showing a great strength of feeling after a project had been implemented. The Member Walking & Cycling Group were encouraged to review what had been done with Active Travel.

2) Members asked questions of Mr Baker and the following points were noted:

- Concerns were raised regarding a road in Folkestone where a fatal accident had taken place.
- Options were being considered for how transport and travel discussions should be facilitated at district level. Schemes were discussed at Joint Transportation Boards at district level but other options were being considered.
- Concerns were raised about developers applying for outline planning consent using active travel mitigations rather than mitigations around increased vehicle numbers.
- KCC had some authority over moving traffic which was a big step forward and powers were being used carefully and responsibly. It was hoped that the powers would be extended in the future with further liaison with the Department for Transport (DfT).

2) Mr Hills said he would expand on the newsletter that had been sent to Members. Government funding for KCC to spend on trees was being used appropriately and KCC was on target with the planting of trees with 60,000 trees being planted a year.

Members were reminded of the areas of responsibility relating to the environment: country parks, flood and water management, heritage conservation, natural environment, and, climate and energy.

Mr Hills was particularly concerned about the effects of extreme weather conditions and was setting up two pilot schemes working with members of the Flood Committee, the Environment Agency, Southern Water and one of the three Internal Drainage Boards (IDB) in Kent. The pilot schemes would be in Romney Marsh to look at better water management and the results of scheme were to be reported back to the

committee. If successful, the pilot would be rolled out countywide subject to funding from the Department for Environment, Food and Rural Affairs (DEFRA).

3) In response to questions from Members, it was noted that:

- The ambitions of KCC were constrained by conditions of government funding and there were challenges but from an operational perspective, progress was being made with the delivery of tree planting.
- Officers were going out on a tree planting day in February 2024 and were aiming to plant 1000 trees. 169,000 trees had already been planted towards the target of 1.5 million for 2045.

4) Mr Jones said the commissioning of the new Highways Term Maintenance contract had commenced. The Project Management team had been set up and an outline programme of critical events had been prepared and included within the Project Initiation Document. The first round of Market Engagement sessions with service providers had been arranged for the end of January 2024. There was more on this commissioning in the agenda item report.

My Baker had addressed the situation regarding highway enquiries and specifically those activities related to drainage and potholes. It was National Pothole Day on Monday, 15 January and Mr Jones shared a theory about how the word, pothole, came into being. Legend suggested that it came about in 1400/1500's when local potters dug up the road to access clay for their works and we are told that the name 'stuck'.

KCC had undertaken 1060 individual salting runs since the start of the winter season, with 445 being done in January, up to the date of the meeting. Around 4000 tonnes of salt had been used and 4000 tonnes was on order to replenish stocks back to 22,0000 tonnes.

On 7 January, the county had seen a little snow in some areas but fortunately, it did not settle on the network for too long. In preparation of the snow forecast KCC had completed some salting runs in preparation.

KCC had been undertaking afternoon and early morning salting runs since the night of 7 January, however, after the morning run on 12 January, KCC was to have some respite for a couple of days as temperatures were to recover. The outlook was not great for the following week below seasonal average temperatures were expected in the coming week.

The road surface temperatures had been down to -4.5C in the last week, which would compound the pothole numbers, as KCC was already starting to see rise in reported numbers, as a direct result of the cold weather.

Kent and Medway Safer Roads Partnership had been running road safety campaigns to ensure users of Kent's roads were suitably warned and informed and were given the best information on how to reach their destinations safely.

It had been a continued difficult period for the bus market with high inflation and this had affected the commercial viability of a number of operators. The cost of operating

buses had increased significantly and more volatility in the market was expected. The scope for intervention was limited.

Prior to the Christmas break, the Kent Resilience Forum (KRF) made the decision not to implement Operation Brock, based on data provided by the portals. However, on Thursday, 21 December, French staff operating the Channel Tunnel went on strike.

Unlike in the UK, French unions did not have to give prior notice as to when they intended to strike, so the event came with no advance warning. With a high number of bookings, queues grew rapidly and therefore, Kent Police took the decision to implement 'Brock Zero' as an emergency measure to hold freight bound for the portals.

Brock Zero differs from Brock, in that there was no contraflow on the London bound carriageway.

The KRF rapidly arranged resource to manage the incident and Brock Zero was able to be removed early on the evening of Friday, 22 December once the strike was over.

Then, between Christmas and New Year, following flooding of a tunnel on HS1, Eurostar trains were unable to run for a couple of days, causing some concerns of the impact on the Port of Dover. Fortunately, the road network was not impacted.

Planning for the implementation of the EU Entry Exit System (EES) was ramping up for 2024. The expectation was that EES will come into force on 6 October 2024. Working with DfT, a number of Task & Finish Groups (under the heading of D24) covering issues such as Traffic Management, Enforcement & Legislation & Welfare were to meet regularly throughout 2024. A steering group was to meet initially later in January 2024 and to have an overview throughout the year.

With no option for advance registration, all tourist traffic heading through the Port of Dover & Eurotunnel would have to register for EES the first time they cross the Short Straits. Eurotunnel were creating space on site, however, there was no space at the port for registration, meaning queues in and around Dover were highly likely with regular occurrences of congestion expected. It was this concern that was to be much of the focus of the Task & Finish Groups.

KCC had a contractor ready to arrange stabilisation works for the cliff at Galley Hill. Once the works were completed, KCC would be able to carry out tests on the road surface and, also, to fully investigate the pipework and potential cause.

Options were being considered for restoring the highway, but the situation was complex so there remained much to resolve in establishing a viable engineering solution, and the road closure would need to remain in place for some time.

The Lower Thames Crossing Development Consent Order Examination, which started in June 2023, had concluded. The examination ran for a total of six months up until 20 December 2023.

Throughout the examination, KCC officers made both oral and written submissions at various deadlines and Issue Specific Hearings. KCC's submissions were aligned with

the overall position set out in KCC's statutory Local Transport Plan and expressed the Council's overall support for the scheme whilst also raising concerns regarding outstanding issues that still needed to be resolved.

KCC did not sign up to the Section 106 Agreement and instead National Highways submitted a Unilateral Undertaking which provided the offer to KCC for various financial contributions relating to the impacts of the scheme, including a contribution for the Kent Downs AONB, but put no obligations on KCC's to deliver any of the works prescribed by National Highways.

KCC officers remained in negotiations with National Highways regarding a side agreement to secure compensation for the loss of revenue at Shorne Woods Country Park as a result of the Lower Thames Crossing's six-year construction period.

An urgent key decision was taken to allow KCC to sign up to relevant side agreements, but negotiations were ongoing due to a delay by National Highways. It was hoped a final signed and sealed agreement could be achieved by February 2024.

Following the close of the Examination, the Examining Authority had three months to produce a recommendation report to the Secretary of State on whether development consent should be granted. The Secretary of State for Transport then had a further three months to consider the recommendation and make a decision. Based on these timescales, an announcement on the outcome of National Highways' Development Consent Order application was expected to be made by June 2024.

If consent for the scheme were granted within the statutory timescales, construction was expected to start in 2026/27 and last a total of six years. It was anticipated the Lower Thames Crossing was to open in the year of 2032/2033.

Whilst the newsletter was available for Members, it was felt it was important to flag that over December 2023 January 2024 and despite preparing well for the busiest 6-week period of the year, the waste team were very busy and had to respond to some exceptional operational challenges.

In anticipation of the festive waste surge, the team had emptied eight transfer stations but due to a serious incident at an energy from waste plant, not related to KCC, increased additional volumes were going through the Allington site. As a result, long queues and operational delays were encountered and in order to mitigate KCC diverted in excess of 1,600tns to a quickly commissioned alternative operator.

To put this into context, the delays in processing put two of eight transfer stations at risk of breaching their permitted levels (Ashford and Pepperhill) but this was managed safely back down by the team who responded quickly and effectively.

Whilst other incidents occurred during the period, such as a vehicle breakdown putting pressure upon Swale Borough Council food waste collections on New Year's Day, these were all also quickly resolved through flexible operational modifications with extended hours to allowing them to catch up.

It was important to note the routine challenges faced by the service and to highlight the professional, proactive, and practical approach undertaken quietly and diligently by the team.

Thanks were given to the waste team and all staff in the GET directorate for their significant contribution over the festive period.

In response to the update, Members asked questions and it was noted that:

- There had not been notice for the French strike before Christmas, so KCC was unable to undertake preparatory works and the system can be affected by short term events and have a longer impact. Work was being undertaken to look at alternatives to Operation Brock.
- Thanks were given to the team who came to deal with an issue with exposed cables on a road in Margate, over the Christmas period.

7. Performance Dashboard

(Item 8)

Matt Wagner (Interim Chief Analyst) and Simon Jones (Corporate Director, GET) were in attendance for this item

1) Mr Wagner introduced the report. There were 19 key performance indicators (KPIs); 13 were rated green, 5 amber and 1 red.

The indicator rated red was under Highways and Transport: Customer satisfaction with service delivery.

2) Further to Members' questions, it was noted:

- There had been a 9 year high in the number of reported potholes. Enquiries were logged on the work management and allocation system. Fault reports were then inspected, and a work order was generated on the basis of the inspection. The performance against the work order was measured.
- Some of the issues with performance have come from the sheer volume of calls and work generated.
- Emergency repairs were being made where a pothole was hazardous to road users and then a permanent repair was made at a later stage.

3) RESOLVED to note the Performance Dashboard.

8. 23/00118 - Procurement and award of contract/s for Highway Arboriculture Programmed Works

(Item 9)

1) Mr Baker introduced the report.

2) RESOLVED to approve the recommendations as outlined in the report.

9. 23/00116 - Local Electric Vehicle Infrastructure (LEVI) Project

(Item 10)

Simon Jones, Corporate Director (GET) and Tim Middleton, Network Innovations Manager were in attendance for this item

1) Mr Baker introduced the report.

2) Mr Jones outlined the report.

3) Members asked questions and it was noted that:

- The distribution of the funding would be countywide to support the existing infrastructure but also to expand the technology.
- It was queried about the retention of control of the infrastructure. SENEX had set the fund to be set up in a certain, geared towards a concession model. The ownership was to revert back to KCC after 15 years. There was a certain level of risk which officers were keen to mitigate.

4) RESOLVED to agree the recommendations as outlined in the report.

10. 23/00117 - North Thanet Link Road Scheme

(Item 11)

James Wraight, Project Manager, Major Capital Programme Team and Lee Burchill, Local Growth Fund Programme Manager were in attendance for this item

1) Mr Baker introduced the report.

2) Member asked questions and it was noted:

- The project looked to be well supported in the local community from the responses to the consultation.
- Access to Manston Airport was considered when the plan scheme was being planned.

3) RESOLVED to agree the recommendations as outlined in the report.

Mr Rayner and Mrs Meade asked for it to be noted that they had abstained from the vote.

11. Highways Term Maintenance Contract - Update and Next Steps

(Item 12)

Simon Jones, Corporate Director (GET) was in attendance for this item

1) Mr Baker introduced the report.

2) Members asked questions and it was noted that:

- Lessons had been learnt and conversations had taken place about how the problems had arisen leading to the need for an urgent decision. A systemised approach would be taken in future and embedded in practice.

3) RESOLVED to agree the recommendations as outlined in the report.

12. 23/00123 - Extension of Waste Recycling Payments to Collection

Authorities

(Item 13)

David Beaver, Head of Resource Management & Circular Economy was in attendance for this item

1) Mr Hills introduced the report

2) Mr Beaver outlined the report.

3) In response to questions from Members:

- Second-tier authorities do not have to use KCC to dispose of waste collected. If a second-tier authority dispose of the waste themselves, KCC as the authority responsible for disposal would need to pay the difference. Mr Beaver said that costs were around £1.8 million for just one category of material. The amount proposed to be paid in the decision report was £1.3 million. It was considered an 'invest to save' measure and it was argued that not working in partnership undermined other strategies.
- Members said they did not accept the officer's suggestion that collecting authorities would change their work schedules and send more waste for incineration if KCC were to withhold the payment.
- Members said that regulatory changes in the next year would mean collecting authorities would be required to carry out their recycling programmes by law without KCC's subsidies.

4) It was proposed by Mr Rayner, seconded by Mr Dendor that the following recommendation be made to the Leader of the Council:

*This committee recommends that the funds shown in 5.1 of the agenda report **not** be paid to the authorities.*

Upon being put to the vote, the motion was declared CARRIED.

13. Work Programme

(Item 14)

The work programme was noted.