

**ENVIRONMENT & TRANSPORT CABINET COMMITTEE**

**Thursday, 7th March, 2024**

**10.00 am**

**Council Chamber**







## AGENDA

### ENVIRONMENT & TRANSPORT CABINET COMMITTEE

Thursday, 7 March 2024 at 10.00 am  
Council Chamber, Sessions House, County Hall,  
Maidstone.

Ask for: **Emily Kennedy**  
Telephone: **03000 419625**

#### Membership

|                        |   |
|------------------------|---|
| Conservative:          | Mr S Holden (Chairman), Mr N J Collor (Vice-Chairman), Mr T Bond, Mr C Broadley, Mr D Crow-Brown, Mr M Dendor, Mr A R Hills, Mr H Rayner, Mr D Robey, Mr A Sandhu, MBE and Mr M Whiting |
| Labour:                | Ms M Dawkins and Mr B H Lewis   |
| Liberal Democrat:      | Mr I S Chittenden   |
| Green and Independent: | Mr M Baldock, Mr Hood   |

#### **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
- 4 Minutes of the meeting held on 11 January 2024 (Pages 1 - 10)
- 5 Verbal Updates from Cabinet Members and Corporate Director
- 6 Performance Dashboard (Pages 11 - 22)
- 7 Corporate Risk Register (Pages 23 - 38)
- 8 Entry/Exit system (Pages 39 - 42)
- 9 24/00018 - Mobility as a Service (MaaS): Pilot (Pages 43 - 70)
- 10 24/00015 - Moving Traffic Enforcement Policy (Pages 71 - 112)

- 11 24/00017 - Professional Services Framework Contract Award (Pages 113 - 132)
- 12 Update on the Future of the Gravesend to Tilbury Ferry Service (Pages 133 - 186)
- 13 Work Programme (Pages 187 - 188)

**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.

**EXEMPT ITEMS**

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

Benjamin Watts  
General Counsel  
03000 416814

**Wednesday, 28 February 2024**

*rt.*

**KENT COUNTY COUNCIL**

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**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.

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From: Neil Baker, Cabinet Member for Highways and Transportation  
 Roger Gough, Leader of the Council  
 Simon Jones, Corporate Director for Growth, Environment and Transport

To: Environment & Transport Cabinet Committee – 21 March 2024

Subject: Performance Dashboard

Classification: Unrestricted

**Summary:**

The Environment and Transport Cabinet Committee Performance Dashboard shows performance against targets set for Key Performance Indicators (KPIs). The latest Dashboard includes data up to December 2023.

Thirteen of the nineteen KPIs achieved target for latest performance and are RAG rated Green. Six KPIs are below target but did achieve the floor standard and are RAG rated Amber. No KPIs are below floor standard for latest performance.

**Recommendation(s):**

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

**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. To support this role, Performance Dashboards are regularly reported to each Cabinet Committee throughout the year, and this is the fifth report for the 2023/24 financial year.

**2. Performance Dashboard**

2.1. The Dashboard provides a progress report on performance against target for the Key Performance Indicators (KPIs) for 2023/24. The current Environment and Transport Cabinet Committee Performance Dashboard is attached as Appendix 1.

2.2. The current Dashboard provides results up to the end of December 2023.

2.3. KPIs are presented with RAG (Red/Amber/Green) ratings to show progress against targets. Details of how the ratings are generated are outlined in the Guidance Notes, included with the Dashboard in Appendix 1.

- 2.4. Three of the six KPIs in Highways & Transportation achieved target for latest month performance and are RAG rated Green. The other three are below target but above floor standard and are RAG rated Amber, these are: Customer satisfaction with service delivery (100 Call Back), Emergency incidents attended to within 2 hours, and Member enquiries completed within 20 working days.
- 2.5. All three digital take-up indicators in Highways and Transportation were RAG rated Green.
- 2.6. Seven of the ten indicators for Environment and Waste were above target and are RAG rated Green. The remaining three indicators, which all relate to municipal and HWRC waste recycled and composted, remain below target and are rated Amber.

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

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

### **4. Contact details**

Report Author: Matthew Wagner  
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Relevant Director: Simon Jones  
Corporate Director, Growth, Environment and Transport  
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# **Environment and Transport Performance Dashboard**

## **Financial Year 2023/24**

### **Results up to December 2023**

Page 13

Produced by Kent Analytics



## Guidance Notes

Data is provided with monthly frequency except for Waste Management and Greenhouse Gases where indicators are reported with quarterly frequency and as rolling 12-month figures to remove seasonality.

### RAG RATINGS

|       |  |
|-------|--|
| GREEN | Target has been achieved                             |
| AMBER | Floor Standard* achieved but Target has not been met |
| RED   | Floor Standard* has not been achieved                |

\*Floor Standards are the minimum performance expected and if not achieved must result in management action

### Activity Indicators

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

## Key Performance Indicators Summary

| Highways & Transportation  | Monthly RAG | YTD RAG |
|--|-------------|---------|
| HT01 : Reported potholes repaired in 28 calendar days (routine works not programmed) | GREEN       | AMBER   |
| HT02 : Faults reported by the public completed in 28 calendar days                   | GREEN       | AMBER   |
| HT04 : Customer satisfaction with service delivery (100 Call Back)                   | AMBER       | AMBER   |
| HT08 : Emergency incidents attended to within 2 hours                                | AMBER       | RED     |
| HT12 : Streetlights, illuminated signs and bollards repaired in 28 calendar days     | GREEN       | GREEN   |
| HT14 : Member enquiries completed within 20 working days                             | AMBER       | RED     |

| Digital Take up   | RAG   |
|---|-------|
| DT01 : Percentage of public enquiries for Highways Maintenance completed online | GREEN |
| DT03 : Percentage of concessionary bus pass applications completed online       | GREEN |
| DT04 : Percentage of speed awareness courses booking completed online           | GREEN |

| Environment & Waste   | RAG   |
|---|-------|
| WM01 : Municipal waste recycled and composted   | AMBER |
| WM02 : Municipal waste converted to energy  | GREEN |
| WM01 + WM02 : Municipal waste diverted from landfill                                      | GREEN |
| WM03 : Waste recycled and composted at HWRCs  | AMBER |
| WM04 : Percentage of HWRC waste recycled and wood converted to energy at biomass facility | AMBER |
| WM08 : Overall score for mystery shopper assessment of HWRCs                              | GREEN |
| WM10 : Customer satisfaction with HWRCs   | GREEN |
| EW2 : Greenhouse Gas emissions from KCC estate (excluding schools)                        | GREEN |
| EW1 : Percentage of statutory planning consultee responses submitted within 21 days       | GREEN |
| DT05 : Percentage of HWRC voucher applications completed online                           | GREEN |

|                                      |                           |                       |
|--------------------------------------|---------------------------|-----------------------|
| <b>Division</b>                      | <b>Corporate Director</b> | <b>Cabinet Member</b> |
| <b>Highways &amp; Transportation</b> | <b>Simon Jones</b>        | <b>Neil Baker</b>     |

### Key Performance Indicators

| Ref  | Indicator description   | Sep-23 | Oct-23 | Nov-23 | Dec-23 | Month RAG | Year to Date | YTD RAG | Target | Floor | Prev. Yr |
|------|---|--------|--------|--------|--------|-----------|--------------|---------|--------|-------|----------|
| HT01 | Reported potholes repaired in 28 calendar days                            | 75%    | 90%    | 90%    | 96%    | GREEN     | 84%          | AMBER   | 90%    | 80%   | 76%      |
| HT02 | Faults reported by the public completed in 28 calendar days               | 89%    | 88%    | 92%    | 92%    | GREEN     | 84%          | AMBER   | 90%    | 80%   | 84%      |
| HT04 | Customer satisfaction with service delivery (100 Call Back)               | 83%    | N/a    | 93%    | N/a    | AMBER     | 89%          | AMBER   | 95%    | 85%   | 94%      |
| HT08 | Emergency incidents attended to within 2 hours                            | 96%    | 99%    | 92%    | 96%    | AMBER     | 94%          | RED     | 98%    | 95%   | 94%      |
| HT12 | Streetlights, illuminated signs and bollards repaired in 28 calendar days | 92%    | 88%    | 97%    | 91%    | GREEN     | 93%          | GREEN   | 90%    | 80%   | 95%      |
| HT14 | Priority Enquiries completed within 20 working days                       | 85%    | 75%    | 71%    | 77%    | AMBER     | 51%          | RED     | 85%    | 75%   | 74%      |

HT01 – This area is now on target with a Green RAG rating for the last three months. To improve customer service and highway safety during the winter period, when we have a peak demand on pothole repairs, we have empowered KCC Highway's staff (in addition to our contractors) to complete minor and urgent repairs themselves where it is safe to do so. Staff have suitable material and tools in their vans to make repairs and this enables a faster response as our highway staff repair them as they come across them during regular inspections or when Stewards visit sites following a fault reported by a customer. This data is now included in the KPI and gives a more accurate reflection of the repairs we have completed on time.

HT02 – This KPI has been on target with a Green RAG rating for the last two months. From September 2023 to December 2023, the service received 18,859 enquiries, an increase of 2,984 enquires when compared to the same period last year. Of these 18,859 enquiries that were raised in 2023, 17,035 enquiries were attended to on time.

HT04 – It has been agreed to move our 100-call back survey to bi-monthly and this started in September 2023. The number of customers satisfied with the H&T service fell sharply in September (83%) but improved to just under target in November (93%). Customers were mainly unhappy with the length of delays to fixing potholes and with the quality of repairs. All feedback is passed to service managers and our contractors for them to investigate and remedy.

HT08 – The service dealt with a total of 867 emergency incident calls between September and December 2023, of which 825 (95%) were responded to within 2 hours, but with all incidents made safe. Amey (our term maintenance contractor) have put in place a roadmap to improve this service as well as the delivery of other routine repairs. The Highways Management team are working with them to ensure results get back on track as quickly as possible.

HT14 – This area of work is now under a centralised team within the Deputy Chief Executive’s Department who work closely with the Highways & Transportation Division. Performance has improved since the majority of backlog of cases have been dealt with. However, there are still a number of historic cases which the team are following up on that have exceeded the 20-day target. Higher numbers of enquiries were received in November and December relating to changes to commercial bus services, and seasonal issues caused by the weather, however performance remained above the floor standard.

## Activity Indicators

| Ref   | Indicator description   | Aug-23 | Sep-23 | Oct-23 | Nov-23 | Dec-23       | Year to Date   | In expected range? | <u>Expected Range</u><br>Upper   Lower |         |
|-------|---|--------|--------|--------|--------|--------------|----------------|--------------------|--|---------|
| HT01b | Potholes due to be repaired (arising from routine faults reported)  | 1,019  | 918    | 1,526  | 2,086  | 2,171        | <b>13,873</b>  | <b>Above</b>       | 10,000                                 | 6,400   |
| HT02b | Routine faults reported by the public due for completion            | 5,132  | 4,349  | 4,622  | 4,050  | 5,882        | <b>53,866</b>  | <b>Above</b>       | 42,700                                 | 33,700  |
| HT06  | Number of new enquiries requiring further action (total new faults) | 6,998  | 6,597  | 6,673  | 9,921  | 7,491        | <b>71,390</b>  | Yes                | 73,200                                 | 58,800  |
| HT07  | Work in Progress (active enquiries/jobs) - end of month snapshot    | 8,247  | 7,681  | 8,845  | 8,392  | <b>9,374</b> | N/a            | <b>Above</b>       | 7,600                                  | 6,600   |
| HT13  | Streetwork permits issued   | 12,485 | 11,822 | 12,888 | 13,921 | 9,337        | <b>110,269</b> | Yes                | 123,400                                | 101,100 |

HT01b & HT02b – The number of potholes requiring repair and faults due for completion is above the expected range owing to the continued unsettled weather, but teams continue to work hard to decrease the backlog.

HT07 – Work in progress is above the expected range mainly due to the increased enquiries following unsettled weather.

|                                    |                           |                       |
|------------------------------------|---------------------------|-----------------------|
| <b>Division</b>                    | <b>Corporate Director</b> | <b>Cabinet Member</b> |
| <b>Highways and Transportation</b> | <b>Simon Jones</b>        | <b>Neil Baker</b>     |

### Digital Take-up indicators

| Ref  | Indicator description  | Sep-23 | Oct-23 | Nov-23 | Dec-23 | Year to Date | YTD RAG | Target | Floor | Prev. Year |
|------|--|--------|--------|--------|--------|--------------|---------|--------|-------|------------|
| DT01 | Percentage of public enquiries for Highways Maintenance completed online | 62%    | 62%    | 64%    | 70%    | 66%          | GREEN   | 60%    | 50%   | 65%        |
| DT03 | Percentage of concessionary bus pass applications completed online       | 77%    | 78%    | 75%    | 81%    | 77%          | GREEN   | 75%    | 65%   | 75%        |
| DT04 | Percentage of speed awareness courses bookings completed online          | 87%    | 84%    | 87%    | 91%    | 88%          | GREEN   | 85%    | 75%   | 86%        |

|   |                           |                        |
|---|---------------------------|------------------------|
| <b>Division</b>                           | <b>Corporate Director</b> | <b>Cabinet Members</b> |
| <b>Environment &amp; Circular Economy</b> | <b>Simon Jones</b>        | <b>Roger Gough</b>     |

**Key Performance Indicators - Rolling 12 months except WM08 (Quarterly) and WM10 (Half-yearly)**

| Ref   | Indicator description   | Dec-22        | Mar-23 | Jun-23 | Sep-23    | Dec-23       | RAG   | Target | Floor |
|-------|---|---------------|--------|--------|-----------|--------------|-------|--------|-------|
| WM01  | Municipal waste* recycled and composted   | 43%           | 42%    | 42%    | 42%       | <b>42%</b>   | AMBER | 50%    | 42%   |
| WM02  | Municipal waste* converted to energy  | 57%           | 58%    | 58%    | 58%       | <b>58%</b>   | GREEN | 49%    | 44%   |
| 01+02 | Municipal waste diverted from landfill  | 99.2%         | 99.8%  | 99.9%  | 99.9%     | <b>99.9%</b> | GREEN | 99%    | 95%   |
| WM03  | Waste recycled and composted at Household Waste Recycling Centres (HWRCs)               | 43%           | 42%    | 42%    | 43%       | <b>43%</b>   | AMBER | 50%    | 42%   |
| WM04  | Percentage HWRC waste recycled/composted & wood converted to energy at biomass facility | 66%           | 65%    | 66%    | 66%       | <b>66%</b>   | AMBER | 70%    | 65%   |
| WM08  | Overall score for mystery shopper assessment of Household Waste Recycling Centres       | 95%           | 96%    | 96%    | 97%       | <b>98%</b>   | GREEN | 97%    | 90%   |
| WM10  | Customer satisfaction with HWRCs  | New indicator |        | 96%    | No Survey | <b>97%</b>   | GREEN | 95%    | 90%   |

\* Municipal waste is collected by Districts, and by KCC via HWRCs.

WM01 – This KPI is steady at 42%. The 50% target for this KPI is within the Kent Joint Municipal Waste Strategy agreed by the Kent Resource Partnership.

WM03 – This KPI is stable around 42% to 43%, with small fluctuations dependent on how much organic waste is produced which itself is weather dependent. Volumes of waste taken to HWRCs have been steadily increasing with a 9% rise in the 12 months to December 2023 compared to the 12 months to December 2022. This was partly due to increases at Canterbury City Council sites during the industrial action taken by staff who provide the kerbside collection.

WM04 – This KPI appears stable at 66%, with similar volumes of wood being taken to HWRC's each month which is now converted to energy.



| Division                       | Corporate Director | Cabinet Members |
|--------------------------------|--------------------|-----------------|
| Environment & Circular Economy | Simon Jones        | Roger Gough     |

### Activity Indicators (Rolling 12 months)

| Ref   | Indicator description  | Dec-22  | Mar-23  | Jun-23  | Sep-23  | Dec-23         | In expected range? | Expected Range<br>Upper   Lower |         |
|-------|--|---------|---------|---------|---------|----------------|--------------------|---------------------------------|---------|
| WM05  | Waste tonnage collected by District Councils                         | 557,810 | 555,365 | 559,642 | 560,037 | <b>558,633</b> | Yes                | 570,000                         | 550,000 |
| WM06  | Waste tonnage collected at HWRCs                                     | 93,898  | 94,238  | 96,894  | 100,505 | <b>101,955</b> | Yes                | 120,000                         | 100,000 |
| 05+06 | Total waste tonnage collected  | 651,708 | 649,603 | 656,536 | 660,542 | <b>660,588</b> | Yes                | 690,000                         | 650,000 |
| WM07  | Waste tonnage converted to energy at Allington Waste to Energy Plant | 318,761 | 323,934 | 323,801 | 324,700 | <b>324,791</b> | Yes                | 340,000                         | 320,000 |
| WM09  | Wood Tonnage converted to energy at Biomass Facility                 | 16,589  | 21,648  | 22,384  | 22,604  | <b>23,106</b>  | <b>Above</b>       | 23,000                          | 20,000  |

|   |                           |                       |
|---|---------------------------|-----------------------|
| <b>Division</b>                           | <b>Corporate Director</b> | <b>Cabinet Member</b> |
| <b>Environment &amp; Circular Economy</b> | <b>Simon Jones</b>        | <b>Roger Gough</b>    |

**Key Performance Indicator** (rolling 12-month total, reported one Quarter in arrears)

| Ref | Indicator description  | Jun-22 | Sep-22 | Dec-22 | Mar-23 | Jun-23 | Sep-23 | RAG   | Target | Floor  |
|-----|--|--------|--------|--------|--------|--------|--------|-------|--------|--------|
| EW2 | Greenhouse Gas emissions from KCC estate (excluding schools) in tonnes | 15,611 | 15,224 | 14,726 | 13,550 | 12,637 | 11,773 | GREEN | 13,454 | 14,800 |

EW2 – The greenhouse gas emission target for Quarter 2 2023/24 has been met with a total of 11,773 tCO<sub>2</sub>e of greenhouse gas emissions compared with the target of 13,454 tCO<sub>2</sub>. Electricity generated by KCC's Bowerhouse II solar farm is having a very positive impact on offsetting KCC's emissions. Emissions remain ahead of the target, placing us in a good position to deliver our Net Zero target by 2030, however, KCC and our traded companies still need to continue to reduce estate and vehicle emissions to ensure we meet our target.

**Key Performance Indicators** (monthly)

| Ref  | Indicator description   | Aug-23 | Sep-23 | Oct-23 | Nov-23 | Dec-23 | Year to Date | YTD RAG | Target | Floor |
|------|---|--------|--------|--------|--------|--------|--------------|---------|--------|-------|
| EW1  | Percentage of statutory planning consultee responses submitted within 21 days | 86%    | 95%    | 96%    | 96%    | 96%    | 94%          | GREEN   | 90%    | 80%   |
| DT05 | Percentage of HWRC voucher applications completed online                      | 100%   | 100%   | 99%    | 100%   | 99%    | 100%         | GREEN   | 98%    | 90%   |

From: Neil Baker, Cabinet Member for Highways & Transport  
Robert Thomas, Cabinet Member for Environment  
Simon Jones, Corporate Director for Growth, Environment & Transport

To: Environment and Transport Cabinet Committee – 7<sup>th</sup> March 2024

Subject: **Risk Management: Growth, Environment and Transport Directorate**

Classification: **Unrestricted**

**Past Pathway of Paper:** None

**Future Pathway of Paper:** None

**Electoral Division:** All

**Summary:**

This paper presents the strategic risks relating to the Environment and Transport Cabinet Committee, comprising of 2 risks on the Corporate Risk Register that fall within the relevant Cabinet portfolios: plus, a summary of key risks from within the Growth, Environment and Transport directorate.

**Recommendation(s):**

The Cabinet Committee is asked to **consider** and **comment** on the risks presented.

**1. Introduction**

1.1 Risk management is a key element of the Council's internal control framework and the requirement to maintain risk registers ensures that potential risks that may prevent the Authority from achieving its objectives are identified and controlled.

1.2 Corporate and Directorate risks are reported to Cabinet Committees annually and contain strategic or cross-cutting risks that potentially affect several functions across the Growth, Environment & Transport directorate, and often have wider potential interdependencies with other services across the Council and external parties.

- 1.3 Corporate Directors also lead or coordinate mitigating actions in conjunction with other Directors across the organisation to manage risks featuring on the Corporate Risk Register.
- 1.4 The majority of these risks, or at least aspects of them, will have been discussed in depth at the relevant Cabinet Committee(s) throughout the year, demonstrating that risk considerations are embedded within core business.
- 1.5 A standard reporting format is used to facilitate the gathering of consistent risk information and a 5x5 matrix is used to rank the scale of risk in terms of likelihood of occurrence and impact. Firstly, the current level of risk is assessed, taking into account any controls already in place to mitigate the risk. If the current level of risk is deemed unacceptable, a 'target' risk level is set and further mitigating actions introduced, with the aim of reducing the risk to a tolerable and realistic level. If the current level of risk is acceptable, the target risk level will match the current rating.
- 1.6 The numeric score in itself is less significant than its importance in enabling categorisation of risks and prioritisation of any management action. Further information on KCC risk management methodologies can be found in the risk management guide on the 'KNet' intranet site.

**2. Growth, Environment and Transport led Corporate Risks**

2.1 The Corporate Director for the Growth, Environment and Transport directorate is the lead, on behalf of the Corporate Management Team, for several of the council's corporate risks that fall within the Economic Development or Community and Regulatory Services Cabinet portfolios. A brief summary of changes over the past year are outlined below, with full details contained in the risk register extract attached at Appendix 1. The risks are regularly reviewed by directorate and divisional management teams.

|  |  |           |           |
|--|--|-----------|-----------|
| CRR0042  | Border fluidity, infrastructure and regulatory arrangements<br><i>(Target Risk Rating increased)</i> | High (25) | High (20) |
| <p>The UK now operates a full, external border as a sovereign nation and controls are now placed on the movement of goods between the UK and the EU.</p> <p>The Government has published its Border Target Operating Model to control imports of animals, plants, food, feed and consumer goods. New import rules are being rolled out throughout 2024 in three phases from the end of January to end of October. Potential impacts on KCC Trading Standards activities in particular, have been considered and will be closely monitored.</p> |  |           |           |

New border controls for people, including the Entry/Exit System (EES) which sees non-EU citizens fingerprinted and photographed at borders, are due to be introduced in October 2024. The Council is working with partners at local and national level to plan for and prepare responses to potential impacts arising.

|   |   |           |           |
|---|---|-----------|-----------|
| CRR0052   | Adaptation of KCC services to climate change impacts. | High (25) | High (20) |
| <p>This risk relates to the short, medium and long-term impacts of climate change on the services the Council provides and the need to embed environmental considerations in our operating model and meet our environmental commitments. There are a number of actions being put in place to mitigate this risk, including an Adaptation Strategy that is being developed. Due to the broad nature of the risk, a review of its scope will be conducted in the coming months.</p> |   |           |           |

2.2 There was previously a corporate risk relating to Home To School Transport on the Corporate Risk Register that focused on operational concerns in the wake of a major re-tendering exercise, for which the Internal Audit function has conducted a lessons-learned review that has been followed by a management action plan. This has been removed as a standalone corporate risk, as the predominant risk now relates to increases in costs for Home To School Transport (SEND and Mainstream). Therefore, the cost pressures and plans being progressed to mitigate them are to be included as part of the corporate budgetary and SEND delivery improvement and high needs funding shortfall risks. Any more operational risks on this topic are captured at directorate / divisional level.

### 3. Growth, Environment and Transport Directorate risk profile

3.1 The current risks in the GET Directorate risk register are shown below.

| Risk Reference  | Risk Description  | Current Score | Target    |
|---|---|---------------|-----------|
| GT0031  | Recruitment and Retention challenges for key roles.<br><i>(Target Risk Rating increased).</i> | High (20)     | High (16) |
| <p>This relates to the directorate’s perspective on a key corporate risk for the Council and has superseded a previous directorate workforce risk that was more narrowly focused on shortages in project management skills to bid for external funding (which remains a valid risk).</p> <p>There are a number of key or specialist roles across the directorate for which the role holders often have skill sets transferrable to other sectors, which presents risks to the recruitment and retention of suitably trained and experienced staff. It is particularly</p> |   |               |           |

challenging to compete with salary demands for some specialist roles.  
 The risk carries potential consequences for workforce capacity, capability and morale.  
 An updated approach to recruitment and retention is being developed, led via the directorate's Organisational Development group, aiming to address key skills gaps.  
 Succession planning is another mitigation.

| Risk Reference | Risk Description   | Current Score | Target    |
|----------------|--|---------------|-----------|
| GT0020         | Identification, planning and delivery of Medium-Term Financial Plan targets.<br><i>(Target Risk Rating increased).</i> | High (20)     | High (16) |

The current and target risk ratings have increased further during the past year as the financial environment has become increasingly challenging, particularly with ongoing uncertainty over the medium-term funding envelope for the council and the fact that there are significant levels of savings still to be identified over the medium term.

The directorate is required to make its contribution to the challenging savings targets required by the council over the medium term. There is a reduced ability for the directorate to mitigate year-on-year, but the Directorate participates fully in financial monitoring processes and has developed savings and income proposals that have been fed into the MTFP that require timely decision-making to ensure successful delivery. Key projects are monitored and managed by the GET Directorate Management Team.

| Risk Reference | Risk Description   | Current Score | Target    |
|----------------|--|---------------|-----------|
| GT0025         | Capital Investment and Asset Management<br><i>(Current and Target Risk Ratings increased).</i> | High (20)     | High (16) |

There are challenges to the sufficiency of capital funding for Highway Asset Management and Infrastructure growth, as well as achieving Net Zero for the KCC estate by 2030 (cross-reference to GT0026 above). Therefore, more external funding will need to be secured, which presents risks related to resources required to develop feasibility / bids for these, alongside any "abortive costs" if bids are not successful), plus the sometimes onerous and challenging grant conditions that come with the funding that could expose KCC to financial risk. Shortfalls in capital funding that impact on the KCC estate can also present implications for services in the directorate that operate from KCC buildings. An increasing risk also the annual shortfall in funding to achieve "steady state" in terms of asset management and the impact of significant inflationary pressures in recent years. Actions are taking place to source additional capital funding with ongoing oversight within the directorate.

| Risk Reference  | Risk Description                                       | Current Score | Target     |
|---|--|---------------|------------|
| GT0026  | Funding sufficiency for Net Zero 2030 carbon ambitions | High (16)     | Medium (9) |
| <p>This risk relates to the capital investment needed to meet the 2030 Net Zero objective for KCC's corporate estate and traded companies, which is not yet fully identified. Some funding has been secured for estate decarbonisation and funding opportunities continue to be sought and applied for, although the changing nature of Government funding presents challenges, with some schemes now requiring match funding from KCC at a time when revenue and capital resources under significant pressure.</p> <p>The risk will be reviewed again once a revised Net Zero plan has been developed for discussion in the coming months.</p> |  |               |            |

| Risk Reference   | Risk Description                 | Current Score | Target      |
|--|----------------------------------|---------------|-------------|
| GT0027   | Provision of Suitable IT systems | Medium (12)   | Medium (12) |
| <p>The directorate is increasingly reliant on information held electronically and would be impacted by staff being unable to continue working remotely due to equipment or network failure. Business Continuity Plans have been updated to include plans to mitigate against this risk and equipment is upgraded when available and necessary.</p> |                                  |               |             |

| Risk Reference   | Risk Description  | Current Score | Target      |
|--|---|---------------|-------------|
| GT0019   | Delivery of in-year budget targets. <i>(Target Rating increased).</i> | Medium (12)   | Medium (12) |
| <p>As well as the medium-term financial challenges raised in GT0020 above, more immediate budget challenges exist in-year. Like other parts of the council, services in the directorate are being impacted by increased costs, and income volatility can be problematic for some services such as Waste Management, which is demand-led. However, there are robust monitoring procedures in place and the directorate reacts swiftly and anticipates in-year pressures well.</p> <p>At the time of reporting to Cabinet on January 25<sup>th</sup> 2024, the GET directorate was forecasting a breakeven position for the current year 2023/24, with this position improved further since, due to specific management action. It should be noted though, that this extensive management action, including the implementation of additional spending controls, is not sustainable beyond the short-term and any non-delivery of savings or decisions not taken in a timely manner are difficult to manage in the context of the demand, inflationary pressures and funding / capacity concerns outlined above. This is why the risk remains at a Medium rating.</p> |   |               |             |

| Risk Reference  | Risk Description   | Current Score | Target     |
|---|--|---------------|------------|
| GT0021  | Resources provided to the Directorate - (availability and quality) | Medium (12)   | Medium (9) |
| <p>The directorate liaises regularly with corporate services to ensure they can provide expert advice to services at the right time. However, it is acknowledged that there are capacity challenges elsewhere across the organisation that can impact on the level and timeliness of support available.</p> <p>The Directorate Management Team is also continually liaising with KCC commissioners on any issues regarding performance of service providers (e.g., KCC Local Authority trading companies or outsourced services), and the directorate's services are increasingly being involved as key stakeholders in matters of strategy and service design.</p> |  |               |            |

| Risk Reference  | Risk Description                  | Current Score | Target Score |
|---|-----------------------------------|---------------|--------------|
| GT0001  | Health and Safety considerations. | Medium (10)   | Medium (10)  |
| <p>Services across the directorate need to pay due regard to potential Health and Safety issues due to the nature of the work they undertake.</p> <p>Recommendations from health &amp; safety reviews are monitored, with any improvements made as required. Sound health &amp; safety systems are maintained at Waste sites, including reviews of any accidents or near misses, while services work with Facilities Management regarding regular risk assessments of directorate sites and testing for hazards.</p> <p>A Health, Safety and Wellbeing Board for the directorate has been established and is reviewing the priority areas for action, including reporting mechanisms.</p> |                                   |               |              |

3.2 The GET Directorate Leadership Team (DLT) agreed at its last risk review that market capacity and competition factors were relevant across all divisions and therefore it warrants a directorate risk that DLT can review collectively at regular intervals. A themed analysis is being conducted to outline which areas of the directorate are most impacted.

#### 4. Recommendation

The Cabinet Committee is asked to **consider** and **comment** on the risks presented in this report.



**Contact details:**

*Report Author:*

*Mark Scrivener, Head of Risk and Delivery Assurance*

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**Relevant Corporate Director:**

Simon Jones, Corporate Director, Growth, Environment and Transport

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## **KCC Corporate Risk Register**

GET-led Corporate Risks for presentation to Environment and  
Transport Committee  
7<sup>th</sup> March 2024

## Corporate Risk Register - Summary Risk Profile

Low = 1-6
Medium = 8-15
High =16-25

| Risk No.* | Risk Title   | Current Risk Rating | Target Risk Rating | Direction of Travel since Sep 2023 | Timescale to Target (baseline summer 2022 unless otherwise stated). |
|-----------|--|---------------------|--------------------|------------------------------------|---|
| CRR0042   | Border fluidity, infrastructure, and regulatory arrangements | High<br>(25)        | High<br>(20)       | ↔                                  | 1-2 Years   |
| CRR0052   | Adaptation of KCC Services to Climate Change impacts         | High<br>(25)        | High<br>(16)       | ↔                                  | 3+ Years  |

NB: Current & Target risk ratings: The 'current' risk rating refers to the current level of risk taking into account any mitigating controls already in place. The 'target residual' rating represents what is deemed to be a realistic level of risk to be achieved once any additional actions have been put in place. On some occasions the aim will be to contain risk at current level.

| Likelihood & Impact Scales |                   |              |                 |             |                 |
|----------------------------|-------------------|--------------|-----------------|-------------|-----------------|
| Likelihood                 | Very Unlikely (1) | Unlikely (2) | Possible (3)    | Likely (4)  | Very Likely (5) |
| Impact                     | Minor (1)         | Moderate (2) | Significant (3) | Serious (4) | Major (5)       |

| <b>Risk ID</b>   | <b>CRR0042</b>  | <b>Risk Title</b>  | <b>Border fluidity, infrastructure and regulatory arrangements</b>   |  |  |   |
|--|---|--|--|--|--|---|
| <b>Source / Cause of risk</b>  | <b>Risk Event</b>   | <b>Consequence</b>   | <b>Risk Owner</b>  | <b>Current Likelihood</b>                                | <b>Current Impact</b>                            |   |
| Changes at the UK border with Europe means additional controls now exist on the movement of goods and people between the UK and the EU.  | That changes in border customs, checking and processing routinely disrupt local communities and both the strategic and local road networks.   | Significant slowdown in the existing flow of goods and people through the Kent Ports leads to long delays in accessing Dover Ports and Eurotunnel.   | Simon Jones, Corporate Director GET  | Very Likely (5)  | Major (5)  |   |
| The UK Government and the EU have introduced new border controls and further changes are being introduced including the new Entry/Exit System (EES). KCC has been working with partners at a local and national level to assess potential implications for the county and prepare for various scenarios. | That the Government does not provide sufficient capital and revenue financial support to departments, agencies, local authorities and other infrastructure stakeholders necessary to address the necessary infrastructure, legislation and controls to ensure a long-term plan for frictionless border movements. | Impacts on major traffic routes as a result of Operation Brock and other mitigations for port delays and the consequential increase in local and pan-Kent road journey times, impacting on local residents and businesses. | <b>Responsible Cabinet Member(s):</b><br><br>Neil Baker, Highways & Transport<br><br>Clair Bell, Community & Regulatory Services | <b>Target Residual Likelihood</b><br><br>Very Likely (5) | <b>Target Residual Impact</b><br><br>Serious (4) | <b>Timescale to Target</b><br><br>1-2 years |
| KCC is reliant on coherent, coordinated governance and information across Government to aid the Local Authority and partners locally in planning their contingency arrangements and responding appropriately.  |   | Significant detrimental impact on county's economic competitiveness, attractiveness for inward investment and quality of life for Kent residents.  |  |  |  |   |

|  | <p>Significant increase in imported goods subject to statutory checks by Trading Standards including consumer goods and animal feeds.</p> <p>Imported animals now subject to welfare checks at Border controls posts, breaches of welfare subject to investigation by Trading Standards. Shortages and delay may impact supply chains.</p> |
|--|--|
| <b>Control Title</b>   | <b>Control Owner</b>   |
| KCC engagement with and support for the Kent and Medway Resilience Forum   | Andy Jeffery, Head of KCC Resilience and Emergency Planning Service  |
| Regular engagement with senior colleagues in relevant Government Departments.  | Simon Jones, Corporate Director GET  |
| Several training courses and exercises have taken place to prepare for various scenarios.  | Toby Howe, Highways & Transport Strategic Resilience Manager / Andy Jeffery, Head of KCC Resilience and Emergency Planning Service   |
| KCC involvement in Operation Fennel Strategic and Tactical Groups (multi-agency planning groups for potential disruption at Port of Dover and Eurotunnel). | Simon Jones, Corporate Director GET  |
| Operation Fennel strategic plan in place.  | Simon Jones, Corporate Director GET  |

|  |   |   |
|--|---|---|
| KCC Cross Directorate Resilience Forum reviews latest situation regarding transition impacts.  | Andy Jeffery, Head of KCC Resilience and Emergency Planning Service |   |
| KCC contribution to multi-agency communications in the 'response' phase, and leadership of communications in the 'planning' and 'recovery' phases.   | Christina Starte, Head of Communications                            |   |
| KCC services are continually reviewing business continuity arrangements, taking potential scenarios into consideration (cross-reference to CRR0004), with co-ordination via Directorate Resilience Groups                                      | Service Managers  |   |
| KCC membership of the Delivery Models Operational Group and associated working groups such as Emergency Planning, Infrastructure etc.  | Steve Rock, Head of Trading Standards                               |   |
| Government funding to support improving access to the borders.   | Simon Jones, Corporate Director GET                                 |   |
| Recruited additional staff for Port Team and animal health officers to provide capacity.   | Steve Rock, Head of Trading Standards                               |   |
| <b>Action Title</b>  | <b>Action Owner</b>   | <b>Planned Completion / Review Date</b> |
| Working with Government to develop short, medium and long-term plans for border resilience looking at infrastructure and technological solutions.  | Simon Jones, Corporate Director GET                                 | April 2024 (review)                     |
| Preparation for impacts - two separate but interconnected schemes that will affect non-EU citizens travelling to most EU countries; of the EU Entry/Exit System (EES) and the EU European Travel Information and Authorisation System (ETIAS). | Simon Jones, Corporate Director GET                                 | April 2024 (review)                     |

| <b>Risk ID</b>   | <b>CRR0052</b>   | <b>Risk Title</b>   | <b>Adaptation of KCC Services to Climate Change impacts</b>                                     |                                   |                               |                            |
|--|--|---|---|-----------------------------------|-------------------------------|----------------------------|
| <b>Source / Cause of risk</b>  | <b>Risk Event</b>  | <b>Consequence</b>  | <b>Risk Owner</b>   | <b>Current Likelihood</b>         | <b>Current Impact</b>         |                            |
| Impacts of Climate Change, particularly in relation to extreme weather events on KCC and the services KCC provides or commissions. | Adverse impacts on KCC services – buildings (loss of stranded assets), staff (sickness and lower productivity), service users, and the public. | Sustained deterioration of public health and increasing health inequalities across the county.<br><br>Economic impacts from asset destruction / deterioration, service disruption and recovery costs of extreme weather events.<br><br>Degradation and loss of Kent's key ecosystems, impacting the health and viability of our natural environment/protected areas and Kent's ability to effectively mitigate and adapt to climate change.<br><br>Negative impact on Kent economy and wellbeing of Kent residents. Inability to keep public safe and | On behalf of CMT:<br><br>Simon Jones<br>Corporate Director,<br>Growth Environment and Transport | Very Likely (5)                   | Major (5)                     |                            |
|  |  |   |   | <b>Target Residual Likelihood</b> | <b>Target Residual Impact</b> | <b>Timescale to Target</b> |
|  |  |   |   | Likely (4)                        | Serious (4)                   | 3+ years                   |
|  |  |   | <b>Responsible Cabinet Member</b>   |                                   |                               |                            |
|  |  |   | Robert Thomas,<br>Environment   |                                   |                               |                            |



moving around the network.  
Reputational damage due to customer dissatisfaction.

| <b>Control Title</b>   | <b>Control Owner</b>  |                                |
|--|---|--------------------------------|
| Environmental risk to be built into project work.  | Tom Marchant, Head of Strategic Development and Place       |                                |
| Kent Environment Strategy – actions re emissions reduction, travel, air quality – outputs – link to Net Zero 2050    | Matthew Smyth, Director of Environment and Circular Economy |                                |
| <i>Framing Kent's Future</i> Priority regarding Environment Step Change  | Matt Smyth, Director of Environment and Circular Economy    |                                |
| ISO 14001 accreditation (the international standard for Environmental Management Systems) implemented and maintained | Matthew Williams, Sustainable Estates Programme Manager     |                                |
| Estate rationalisation and building in additional measures to reduce emissions.                                      | Rebecca Spore, Director of Infrastructure                   |                                |
| <b>Action Title</b>  | <b>Action Owner</b>   | <b>Planned Completion Date</b> |
| Revised KCC Adaptation Strategy being developed  | Matt Smyth, Director of Environment and Circular Economy    | April 2024                     |

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From: Simon Jones, Corporate Director Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 7 March 2024

Decision No: N/A

Subject: **Planning for the EU Entry Exit System (EES) – Transport Impacts**

Classification: **Unrestricted**

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

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

**Electoral Division:** Countywide

**Summary:** This year will see the introduction of a new European Union Entry Exit System which will bring in new border controls for travellers and freight. Currently when there is congestion at the Short Straits, the Kent Resilience Forum can deploy the Traffic Access Protocol (TAP) and/or Brock. Preparing for the new border controls is essential as any increased pressure will have significant impact on Kent's road users.

**Recommendation(s):**

The Cabinet Committee is asked to make comment and note this report.

**1. Introduction**

1.1 The Entry Exit System (EES) is a new electronic system that will collect and process data on entry, exit and refusal of third-country nationals crossing the external borders of the Schengen Area. It is due to be implemented in Autumn 2024. EES can potentially significantly impact residents, tourists and businesses. The scope of this report is the impact on the local highway network.

**2. Financial Implications**

2.1 Operation Brock has a number of negative impacts on Kent businesses. A business survey on the impacts of Operation Brock undertaken in 2022 received 333 responses from Kent companies. 76% of firms reported that Operation Brock had a negative effect on their business, one in six indicated plans to relocate away from Kent and Medway as a result of operation Brock and 70% of businesses reported that their revenue and income had been impacted negatively.

2.2 Additionally businesses in the visitor economy sector report that potential customers avoid travelling during times when Operation Brock is in force leading reduced visitor numbers and lost revenue.

2.3 Congestion on the local network negatively impacts traffic flows across the county.

### **3. The Report**

3.1 The number of vehicles crossing the Short Straits is increasing and returning to pre-pandemic levels. Currently when there is disruption at either Eurotunnel or the Port of Dover, The Kent Resilience Forum (KRF) will deploy, initially the Traffic Access Protocol (TAP) and if necessary, Brock. The purpose of both is to hold freight away from the portals but they do cause significant impact on Kent as a whole.

3.2 TAP has been in place on the A20 since April 2015 and has the primary objective of holding freight, that is queuing to the Port of Dover, outside of the town. TAP has been used frequently, especially since additional border controls were implemented following the UK leaving the EU. The increasingly frequent usage of TAP, whilst ensuring the town is not severely impacted, has meant the residents of Aycliffe suffer when HGVs are stationary overnight, with noise from vehicle horns and refrigeration units. National Highways have installed signage for 'No horns between 23:00 hours and 07:00 hours.' In addition, options to move the front of the queue further back from the Aycliffe Roundabout, are being considered.

3.3 Operation Brock is an alternative to Operation Stack that was used on the M20 coast bound carriageway between junctions 8 and 9 from the late 1980s up to 2015. Following the significant impact on Kent with the prolonged use of Operation Stack during the summer of 2015, National Highways developed a plan for a large off-road lorry holding area. When that did not happen, National Highways developed an on-road alternative, named Brock.

3.4 Brock differs from stack in that there is a moveable concrete barrier that can be used to create a contraflow on the London bound M20 between junctions 9 and 8. Brock implementation is both expensive and resource heavy and requires up to two weeks' notice to secure resource availability. In emergency situations, Kent Police can implement Brock Zero which is similar to an element of Operation Stack and does not provide a contraflow layout.

3.5 Brock has the benefit of holding freight safely away from the portals where there are delays crossing the Short Straits, however its use means the capacity of the M20 is severely restricted and this in turn impacts the local road network and local communities. KCC is therefore working with the Department for Transport to look at long term options to remove Brock. This includes, but is not limited to, the use of on road technology and further off-road facilities.

3.6 The Port of Dover and Eurotunnel have juxtaposed borders, meaning that at these two portals all checks are carried out this side of the English Channel. Upon EES implementation, prior to a first crossing, all third-country nationals must register on the system, and this includes providing biometric data such as a facial photograph and fingerprint identification. Under current plans, this registration must happen at the portal and must be supervised by officers from Police aux Frontières (PaF). Whilst Eurotunnel is developing a location within their site to be able to carry out registration, the Port of Dover has very limited space in the buffer zone between the Eastern Docks roundabout and the

French customs booths. Increased times to process tourist traffic entering the port is anticipated to impact both general port fluidity and also queuing outbound freight, 85% of which is from the Schengen areas. Such delays present a risk of congestion across both the national and local highway networks.

- 3.7 Whilst remote registration is technologically possible it is not currently available. While the EU is developing a universal 'back-end' digital platform for managing this data, the customer 'front-end' has been left to the various local countries and commercial organisations. Intelligence suggests that this will not be available by the introduction of EES in October and it is considered that remote registration will not be available for some time.

## **4. Next Steps**

- 4.1 Planning for the implementation of the EES is ramping up during 2024. Working with Department for Transport, several task and finish groups have been set up to:

- *Understand border demand,*
- *Maximise traffic fluidity,*
- *Keep visitors safe,*
- *Protect communities and support businesses, and*
- *Educate and inform.*

These groups will be meeting regularly throughout 2024 and will be overseen by a Steering Group.

- 4.2 To ensure all government officials in direct contact with the European Commission and different branches of the French administration have a full understanding of Kent's issues, KCC officers have regular contact with the British embassy in Paris and UK mission to the European Union. The KCC Leader has also engaged the UK ambassador to France on the issue. The Cabinet Member for Economic Development has also arranged briefings for the Straits Committee from the Port of Dover and Getlink.

- 4.3 Sir William Cash MP is chairing a parliamentary European Scrutiny Committee to discuss EES and to understand the UK readiness. The Leader attended the Committee on 31<sup>st</sup> January, as a witness to outline the impacts on Kent and government interventions needed to mitigate negative impacts.

- 4.4 From a transport perspective, there is need for increased facilities for holding UK bound trade, so that the Strategic Road network in Kent does not become a permanent lorry park. The UK government must recognise that the Short Straits is the most important entry to Europe for the whole of the UK economy, and it is imperative that KCC is supported with managing the expected impact on the county.

## **5. Conclusions**

- 5.1 The new EES system is remains likely to be introduced in October 2024. The impacts on KCC highways could be significant without government support and investment to manage the new border controls and keep traffic moving across the network or risk frequent and severe queuing with wider

implications on Kent's residents, businesses and road users and the wider UK economy.

5.2 Against this backdrop it is important all stakeholders do all they can to:

- Improve border fluidity with strengthened infrastructure, resources, legislation, and intelligence.
- Ensure all residents, businesses and everyone travelling through and across the county are prepared, kept safe, and are fully informed.
- Protect all communities by strengthening trading standards and local port health authorities' ability to target and enforce legislation so only safe products cross our border
- Support local businesses and residents by enhancing the local highway network to keep Kent moving and working.
- Be clear with local and national stakeholders and work closely with EU and neighbouring countries to educate, inform, and encourage the sensible and sustainable introduction of the new controls at the right time.

## 6. Recommendation(s)

### Recommendation(s):

The Cabinet Committee is asked to make comment and note this report.

## 7. Background Documents

7.1 None.

## 8. Contact details

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Relevant Director:

- Haroona Chughtai, Director Highways and Transport
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- Haroona.chughtai@kent.gov.uk

From: Neil Baker, Cabinet Member for Highways and Transport  
Simon Jones, Corporate Director, Growth Environment and Transport

To: Environment and Transport Cabinet Committee – 7 March 2024

Subject: **Mobility as a Service Pilot**

**Decision Number 24/00018**

Classification: **Unclassified**

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

**Future Pathway of report:** For Cabinet member decision

**Electoral Division:** Dartford - Dartford East, Dartford Northeast, Dartford Rural, Dartford West, Swanscombe and Greenhithe, Wilmington  
Gravesham - Gravesham East, Northfleet and Gravesend West

**Summary:** This report provides the Environment and Transport Cabinet Committee with information to consider the acceptance of external funding from National Highways and to use existing DfT BSIP funding to commence the procurement process to progress Kent's Mobility as a Service (MaaS) Ebbsfleet pilot scheme

MaaS and associated sustainable transport package projects are four of the nine original projects forming part of the Lower Thames Crossing National Highways Designated Funds Programme.

MaaS Ebbsfleet is one of the fifteen initiatives within Kent's Bus Service Improvement Plan (BSIP) programme

The aim of MaaS is to provide a multi-operator journey planning, booking and payment platform. It is to be piloted within the geographical areas of Ebbsfleet Garden City, Dartford and Gravesend town centres.

The pilot is being fully funded using multiple sources of external funding with no further contribution required by KCC.

**Recommendations:**

The Cabinet Committee is asked to consider and endorse or give recommendations to the Cabinet Member for Highways and Transport to agree to:

- (i) ACCEPT the National Highways Designated Funds grant of £2.262 million towards the Introduction of MaaS Ebbsfleet and associated sustainable transport package.
- (ii) DELEGATE authority to the Corporate Director of Growth, Environment and Transport, after consultation with the Cabinet Member for Highways and Transport, and Corporate Director of Finance, to review and agree to the required terms and conditions to enter into the necessary grant arrangements for National Highways Designated Funds

- (iii) ACCEPT that the grant is paid monthly in arrears of spend by National Highways as part of the KCC/National Highways Lower Thames Crossing (LTC) Designated Funds Programme
- (iv) APPROVE the start of the procurement process of a MaaS partner who will be responsible for the delivery of MaaS Multimodal Transport Technology system and to operate and maintain the MaaS scheme for and on KCC's behalf
- (v) DELEGATE authority to the Corporate Director of Growth, Environment and Transport to negotiate, finalise and enter into relevant contracts to implement the required Contract Award(s) including the award of any future contract extension(s), subject to satisfactory performance
- (vi) DELEGATE authority to the Corporate Director of Growth, Environment and Transport, to take other actions, including but not limited to entering into associated MaaS contracts including MaaS marketing and behavioural change campaign elements and National Highways funded associated sustainable transport procurements and other legal agreements, as required to implement the decision

The Proposed Record of Decision is appended to this report at **Appendix A**

## 1. Introduction

- 1.1 MaaS is one of the fifteen initiatives within Kent's Bus Service Improvement Plan (BSIP) programme of work. MaaS and associated projects are four of the nine projects as part of the LTC National Highways Designated Funds Programme.
- 1.2 The aim of MaaS is to provide more journey choices by offering a consistent end-to-end journey using various but integrated modes of transport. Fasttrack Bus Rapid Transit service will be an early adopter of the system.
- 1.3 The system seeks to reduce congestion and air pollution while creating capacity within the local road network. It looks to maximise the use of sustainable, shared, and public transport modes with reliable and consistent journey times.
- 1.4 It is necessary to secure a MaaS partner who will provide the technology platform, system maintenance and to operate the MaaS scheme on KCC's behalf.
- 1.5 The scheme and pilot will also need to be promoted and embedded with the delivery of a marketing and behavioural change campaign.
- 1.6 The proposed pilot will continue until March 2028 covering Ebbsfleet Garden City, Dartford and Gravesend town centre areas. **Annex 1** highlights the geographical area covered.



## 1.6 Kent's MaaS pilot scheme compliments:

- Framing Kent's Future
- Kent Environment Strategy (Kent & Medway ELES Action Plan),
- Kent's Bus Service Improvement Plan (Kent's Bus Strategy)
- H&T Divisional Operating Plan 23/24 and 24/25
- Emerging Kent's LTP5

## 2 Mobility as a Service

- 2.1 While mobility as a Service is a reasonably new concept to UK there are many established MaaS schemes in Finland, Norway and Sweden, France, Germany, Spain, Australia and America.
- 2.2 In the Nordic countries, where MaaS originated over 15 years ago, there are now plans seeking to connect the various schemes to create a wide area multiple country network to create more journey efficiencies.
- 2.3 The first MaaS scheme in the UK went live in July 21 in the Scottish Highlands called GoHi and the second MaaS scheme was led by Transport Solent with the Breeze MaaS platform and was launch during Summer 2023.
- 2.4 Transport for West Midlands, West of England Combined Authority, Nottingham Council and Transport for Wales are progressing MaaS projects. Their learning has been incorporated into the design and funding requirements of the Kent's pilot MaaS scheme.
- 2.5 As part of the pilot project, KCC is aiming to procure commercially an off the shelf product to de-risk the system development and deployment. A supplier will be sought with experience of multimodal, multi operator MaaS implementation from around the world. Various Transport operators' real-time data will be integrated into the platform to show a seamless way for customers to plan, book and pay for multimodal journeys all in one place.

## 3. Procurement Route

- 3.1 It will be necessary to procure:
- MaaS technology provider and operator
  - MaaS Marketing and Behavioural Change Campaign provider
  - Suppliers to provide mobility services such as bike/ebike hire schemes, DRT electric minibuses, electric car club all of which can be offered as part of the MaaS system.
- 3.2 The plan is to issue the Supplier Selection Questionnaire for a MaaS partner in Mid-March 2024 with contract award planned for September 2024. It is anticipated that the contract will run until March 2028 with options to extend if appropriate.

- 3.3 Mobilisation will commence October 2024 with the scheme due to launch in Ebbsfleet Garden City, Dartford and Gravesham urban areas during November 2025.
- 3.4 Ahead of this, Fastrack Bus Rapid Transit electric bus network will be integrated on to the system in March 2025.
- 3.4 MaaS mobilisation and delivery timeline is provided in **Annex 2**
- 3.5 MaaS Risk register summary is provided within **Annex 3**

**4. Options analysis**

- 4.1 Five options were considered:
  - (i) **Do nothing** (discarded) as it perpetuates the current state of transport CO2 emissions, air pollution and travel congestion pollution in Ebbsfleet and therefore does not contribute to KCC’s Environment Strategy.
  - (ii) **In house service** (discarded). KCC does not have in-house expertise to operate a MaaS platform.
  - (iii) **KCC full funding of MaaS** (discarded). KCC has insufficient funding. Various external funding grants have been secured to support 100% external funding for the MaaS Ebbsfleet pilot.
  - (iv) **Do Maximum – external provider with roll out of MaaS Kent-wide** (discarded) This is not feasible at this time as it imports too much operational and financial risk to the authority. The preference is to test concept within controlled environment.
  - (v) **External provider- MaaS Ebbsfleet pilot** (preferred) procure a commercially off the shelf proven system and MaaS provider with focus on MaaS Ebbsfleet pilot initially where journey behaviours and travel choices have not yet become embedded and established.

**5. Financial Implications**

5.1 The table below sets out the capital and revenue external funding sources for the roll out of the MaaS pilot.

| <b>Capital / capitalised</b>                 | <b>Status</b>  |
|--|--|
| Kent’s Bus Service Improvement Plan          | Secured £1.5m grant March 2023 as part of £18 Million BSIP Tranche 1 funding                   |
| National Highways LTC Designated Funds       | £2.262m subject to KCC acceptance of grant<br>£0.683m of this is towards MaaS Ebbsfleet scheme |
| <b>Revenue</b>                               | <b>Status</b>  |
| MaaS service charge from transport operators | When start operation from April 2025   |
| Kent Lane Rental Highways Innovation Fund    | Secured – £500k grant letter in March 23   |

|                                   |         |
|-----------------------------------|---------|
| Fastrack Thameside Service Income | Secured |
|-----------------------------------|---------|

5.2 National Highways designated funding for MaaS and associated sustainable transport package accounts for £2.262m capital of which £0.683m towards MaaS Ebbsfleet scheme.

5.2 DfT BSIP grant letter and BSIP grant monies was received during March 2023 for a funding award of £18.98m which is split at £12.45m capital and £6.53m revenue. The MaaS element of BSIP funding of £1.5m capital.

*Funding restrictions*

5.3 National Highways grant agreement has a funding restriction to ‘Claim in arrears of expenditure being incurred’ by end March 2025 due to the funding period for RIS2 being to the **end of March 2025**.

5.4 BSIP funding for MaaS and associated procurement must be ‘allocated/spent’ **by end of September 2024** which has already been extended from end March 2024 using the DfT’s change control process.

*Financial modelling analysis*

5.5 As part of due diligence and aligned to the Best Value commitment in Securing Kent’s Future financial sensitivity modelling has been carried out on high, medium, low and low-low usage scenarios:

- In all scenarios external funding from various sources will cover the MaaS Ebbsfleet pilot until at least end March 2028.
- MaaS income from MaaS service charges to participating transport operators increases as more people use the MaaS scheme and with increased frequency of use.
- Fastrack Thameside service will be using the MaaS platform as its Fastrack app and will contribute towards the operation of MaaS.
- In the low-low scenario if there is not enough budget to cover the costs of running the scheme the scheme can be scaled back to fit the budget allowing further time to secure additional income. Additionally, termination/exit clauses will be included to allow and an early cessation of the pilot as necessary.

**6 Equalities implications**

6.1 A MaaS scheme EqIA has been undertaken and is in **Annex 4**

6.2 The pilot is expected to provide a medium to high positive impact on Kent residents and visitors. The EqIA identified minor negative impacts for age and disability which are being mitigated through education, information, focus groups, specification, and will be addressed during the design of the service.

**7 Other corporate implications**

- 7.1 A MaaS working Group has been established since August 2023 with representation from Corporate Services, Commissioning, Finance, and Communication teams.

## **8 Governance**

- 8.1 Corporate Director for Growth, Environment and Transport will inherit the main delegations via the Officer Scheme of Delegation

## **9 Conclusions**

- 9.1 KCC is looking to procure an external MaaS provider to provide a system that enables users to plan, book and pay seamlessly for a range of integrated transport, shared transport, and active travel modes with single- and multi-modal tickets for travel in or out of a defined geographical area.
- 8.2 MaaS will provide more travel choices and will seek to support a modal shift by providing sustainable end to end journeys. It will assist in reducing congestion, creating road space, and supporting Kent's aim to reduce transport CO2 emissions.
- 8.3 MaaS will be piloted in Ebbsfleet Garden City, Dartford and Gravesend town centres and will be operational from end March 2025 and initial run until March 2028.
- 8.4 The pilot is 100% externally funded and requires no financial contribution from KCC.

## **9. Recommendations**

The Cabinet Committee is asked to consider and endorse or give recommendations to the Cabinet Member for Highways and Transport to agree to:

- (i) ACCEPT the National Highways Designated Funds grant of £2.262 million towards the Introduction of MaaS Ebbsfleet and associated sustainable transport package.
- (ii) DELEGATE authority to the Corporate Director of Growth, Environment and Transport, after consultation with the Cabinet Member for Highways and Transport, and Corporate Director of Finance, to review and agree to the required terms and conditions to enter into the necessary grant arrangements for National Highways Designated Funds
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- (iv) APPROVE the start of the procurement process of a MaaS partner who will be responsible for the delivery of MaaS Multimodal Transport Technology system and to operate and maintain the MaaS scheme for and on KCC's behalf

- (v) DELEGATE authority to the Corporate Director of Growth, Environment and Transport to negotiate, finalise and enter into relevant contracts to implement the required Contract Award(s) including the award of any future contract extension(s), subject to satisfactory performance
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The Proposed Record of Decision is appended to this report at Appendix A

## 10. Background documents

Appendix A – Proposed Record of Decision

*Annex 1 MaaS Ebbsfleet area map – initial phase*

*Annex 2 MaaS Ebbsfleet scheme timeline*

*Annex 3 MaaS Risk Register summary*

*Annex 4 MaaS EQUIA Dec 23*

## 11. Contact details

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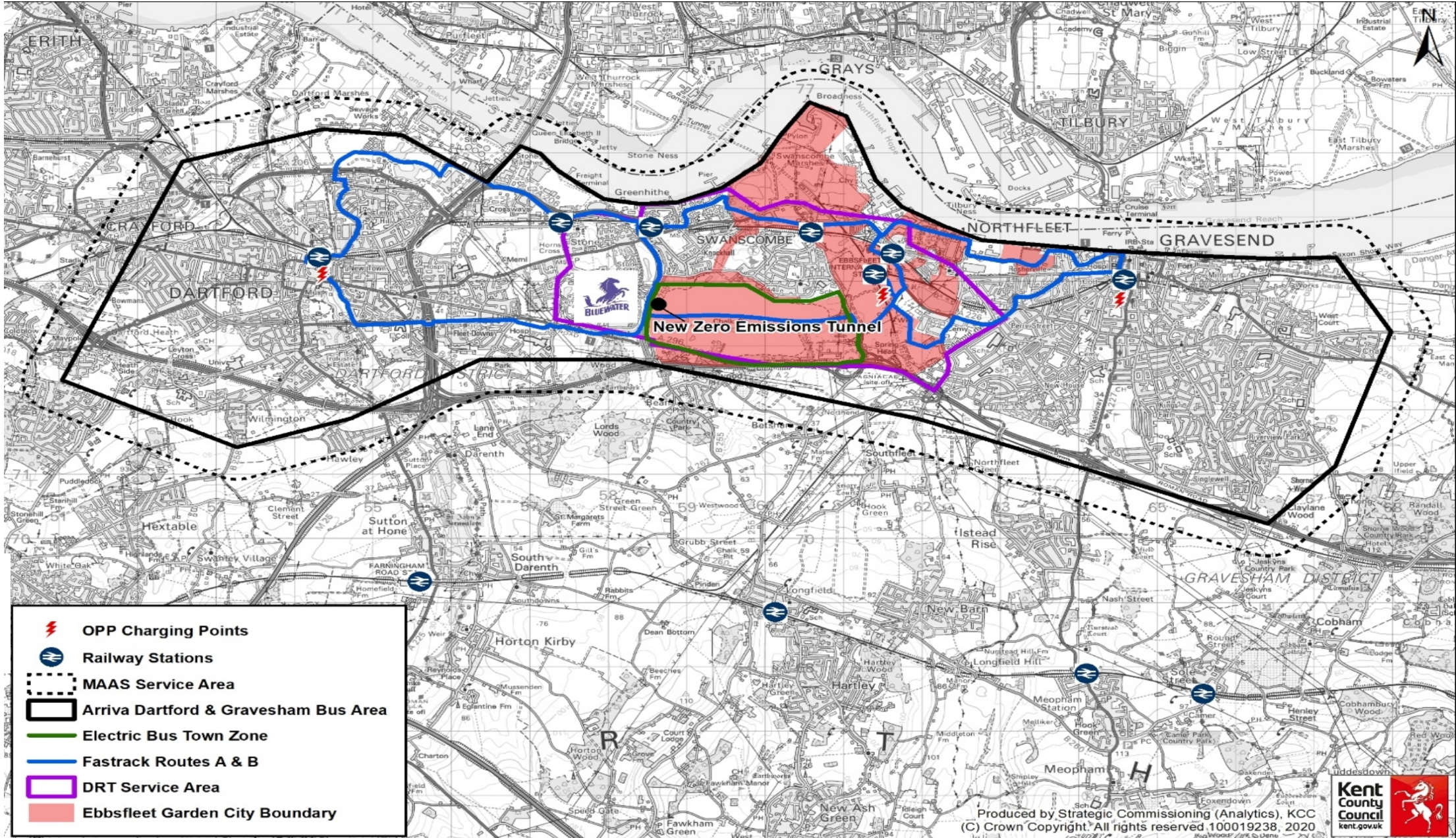
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# Annex 5 - MaaS Ebbsfleet zone map – initial phase



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## Annex 7 MaaS Ebbsfleet scheme timeline

### Proposed MaaS partner Procurement timeline

| Activity   | Date                     |
|--|--------------------------|
| Commercial Case  | April – 11 Dec 23        |
| SQ Out ( after 7 March ETCC key decision)                    | 12 March 24              |
| SQ Return  | 23 April 24              |
| Start SQ Evaluation  | 24 April 24              |
| Complete SQ Evaluation                                       | 13 May 24                |
| SQ Moderation  | 14 May 24                |
| ITT Out  | 21 May 24                |
| Tender Return  | 15 July 2024             |
| Start ITT Evaluation   | 16 July 2024             |
| Complete ITT Evaluation                                      | 9 August 2024            |
| ITT Moderation   | 12-13 August 2024        |
| Start Sessions   | 19 August 24             |
| End Sessions   | 21 August 24             |
| ISFT Out   | 22 August 2024           |
| Final Tender Return  | 4 Sep 2024               |
| Start ISFT Evaluation  | 5 Sep 2024               |
| End ITSF Evaluation  | 11 Sep 2024              |
| ISFT Moderation  | 12/13 Sep 2024           |
| Complete Contract Award Report                               | 16 Sep September 2024    |
| Financial Authority Granted                                  | 16-23 Sep 2024           |
| Authority to Contract Granted                                | 16-23 September 2024     |
| <b>Issue Contract Award Letter</b>                           | <b>24 September 2024</b> |
| Standstill Over  | 8 October 2024           |
| 2 weeks float to be used anywhere in the procurement process | 9-18 October 2024        |
| <b>MaaS partner Service Commencement Date</b>                | <b>28 October 2024</b>   |

## MaaS partner Mobilisation and delivery timeline

| Dates                        | Phase  | Activities   |
|------------------------------|--|--|
| <b>28 Oct 24 – 20 Nov 25</b> | Phase 1.1  | <b>Co-create integrated MaaS solution - KCC with newly procured MaaS partner and Consortium members includes:</b>            |
| 28 Oct – 5 Dec 24            |  | White label MaaS design created and agreed for MaaS app, website and portals including MaaS brand                            |
| 6 Jan – 21 Feb 25            |  | Integrate Fastrack BRT into MaaS back-office platform  |
|                              |  | Integrate digital loyalty scheme into MaaS back-office platform  |
| 24 Feb - 21 March 25         |  | Testing and training for 1.1   |
| 29 – 31 Mar 25               |  | <i>MaaS lite soft launch for Fastrack users only</i><br>- Fastrack BRT and loyalty scheme integrations only                  |
| 1 April -30 May 25           | Phase 1.2  | Integrate Southeastern trains into MaaS technology platform and RDG TIS accreditation  |
| 2-27 June 25                 |  | Integrate local bus services into MaaS technology platform (Arriva and Go Coach)   |
|                              |  | KCC real-time traffic data   |
|                              |  | KCC walking and cycling route data   |
| 8 July 25                    |  | Integration of kentjourneyshare carsharing   |
|                              | Testing of MaaS phases 1.1 - 1.2 and Training incl. TIS Accreditation complete |  |
| 9 July 25                    |  | <i>Soft launch of all PT modes to Fastrack users only</i>  |
| 9 July – 9 Sept 25           | Phase 2 <sup>1</sup>   | Integration of new bike/ebike hire scheme into MaaS platform   |
| 10 Sept – 17 Nov 25          |  | Integrate DRT Ebbsfleet or revised service area for DRT Dartford into MaaS platform (or DRT Countywide Platform if procured) |
|                              |  | Integration of new electric car club into MaaS platform  |
| 17-19 Nov 25                 |  | <b>MaaS Ebbsfleet full public launch and large marketing and behavioural change campaign</b>                                 |

<sup>1</sup> Dependent on additional external funding to establish new physical travel modes in the zone before data integrations.

**MaaS Surveys and Marketing and behavioural change campaign implementation timeline (MaaS Ebbsfleet zone)**

| <b>Dates</b>   | <b>Activities</b>   |
|--|---|
| <b><i>Marketing and behavioural change campaign procurements</i></b> |   |
| 7 Feb – 17 March 24  | MaaS branding consultant procurement (RfQ)  |
| 19 Feb – April 24  | Phase 1 Marketing research company for Focus group / prelaunch residents survey procurement (RfQ)   |
| 29 Feb – 3 May 24  | Behavioural change consultant procurement (RfQ)   |
| 8 July 2024 - 28 Oct 2024  | Phase 2 – procurement for Marketing company for marketing materials for prelaunch, launch and ongoing marketing and behavioural change campaign |
| <b><i>Mobilisation of MaaS Ebbsfleet marketing campaign</i></b>      |   |
| 18 March – 28 May 24   | MaaS branding – shortlisting brand report from branding consultant & decision on MaaS brand name and logo                                       |
| May - June 2024  | Develop and Conduct MaaS Focus groups to inform marketing campaign and create focus group results report in June                                |
| 6 May – 30 July 24   | Behavioural change consultant report to inform marketing creative agency brief/ types and messages of marketing mix / survey questions          |
| July – Aug 24  | Prelaunch residents survey on MaaS / Fastrack users and survey report creation  |
| 11 Nov 24 – 28 Feb 25  | Marketing agency to design and create MaaS marketing materials for marketing and behavioural change campaign                                    |
| 4 Aug 2025 -14 Nov 25  | Implement Prelaunch marketing campaign  |
| 17 Nov 25  | Launch event and MaaS marketing and behavioural change campaign starts  |
| Dec 2025 – end March 2028  | Continued marketing and behavioural change campaign<br>Continued residents and MaaS user surveys –biannually                                    |

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## Annex 8 MaaS scheme Risk Register Summary

| Risk Event   | Impact 1-5 (a) | Likelihood 1-5 (b) | Risk Rating with mitigation (a) x (b) | Mitigating Action   |
|--|----------------|--------------------|---------------------------------------|---|
| Exposure to Non compliant or illegal procurement activity  | 2              | 1                  | 2                                     | The procurement process(es) will comply with the Public Contracts Regulations (PCR) 2015, by using compliant frameworks, and by publishing Contract Award Notice(s) on Contract Finder.<br>KCC will be clear, open, and transparent with all tenderers about the adaptations to the standard Further Competition Procedure in this case   |
| Supplier financial failure leading to failure by the successful supplier to provide services   | 2              | 1                  | 2                                     | Tenderers for the supply of Electric System services will be assessed against robust selection criteria as part of the procurement process, including a financial assessment undertaken by an accountant in KCC's Finance department.   |
| Supply Chain risks, including any subcontracting arrangements.   | 2              | 1                  | 2                                     | It is likely that when bidding there will be a lead organisation with various smaller organisations crucial to the delivery of the MaaS solution such as the core MaaS partner subcontracting to a Contact centre or subcontracting to a PSP provider. KCC Commercial and Procurement team will need to check the status of subcontractors as part of the tender evaluation process   |
| Inclusivity of the service and the effects in the local markets  | 2              | 1                  | 2                                     | As this is an emerging market in the UK and established market internationally, this will be an Open tender procedure with negotiation to allow MaaS partners to bid from around the world  |
| Technology or service failures during the contract   | 2              | 1                  | 2                                     | Robust KPI's and service credits will be written into the contract to ensure that a high-quality service is delivered with financial penalties for service failure  |
| <b>Cost:</b><br>Project costs are significantly higher than estimated due to inflation.  | 2              | 1                  | 2                                     | Project Managers has added a 15% contingency risk allowance for capital for first two years and 10% contingency risk allowance for revenue elements for the duration of the contract which can include for increases in inflation within the project cost estimates. If costs increase beyond this, it may be necessary to reduce project scope and/or seek funding from elsewhere.   |
| Insufficient budget due to inflationary costs since market engagement costs received in 2020/21<br>Lack of uptake and a reduction income leading to a funding gap. | 2              | 1                  | 2                                     | Project Manager has conducted updated benchmarking with other MaaS local authorities which indicates that costs have reduced from the 2020/21. A 15% contingency risk allowance for first two year of capital and 10% contingency risk for revenue elements which can include for increases in inflation within the project cost estimates. If costs increase beyond this, it may be necessary to reduce project scope and/or seek funding from elsewhere. Bids from MaaS tenderers will be asked how they can reduce the cost of integrations and some technology providers may already have some of the integrations required by Kent saving KCC money. |

|   |   |   |   |   |
|---|---|---|---|---|
| <p>Insufficient Resource to commission, mobilise and contract manage all required services to enable MaaS to operate across Kent</p>  | 2 | 1 | 2 | <p>Numerous external funding sources have been secured to ensure that there is sufficient budget to kickstart the MaaS scheme until the MaaS service charge income is sufficient to cover the cost of operation of MaaS.</p> <p>Mitigations also include termination/ exit clauses written into the MaaS partner contract and requesting additional funding from other /same sources.</p>   |
| <p>Restrictions of funding to enable the money to be spent as planned (i.e. Capital funding we would like to use as Revenue)<br/>Conditions that could open KCC up to financial risk – National Highways funding states that we fund any overspend and if the project is aborted, KCC will have to cover any costs incurred</p> | 2 | 1 | 2 | <p>Ongoing discussions with National Highways over the treatment of Capital and Revenue funding. Finance have provided wording to accept there will be differences in the definition and accounting treatment of certain costs between national and local government accounting rules. National Highways have accepted the wording provided by KCC finance into the NH grant agreement (29 Nov 23)</p> <p>National Highways have also confirmed in their agreement that National Highways define the marketing and survey items as capital and KCC can treat these items as revenue.</p> <p>KCC finance team are satisfied that this risk re treatment of capital/revenue has been mitigated.</p> |
| <p>Commercial agreements with transport operators taking longer than expected leading to a delay to programme roll out and potential increase in legal fees</p>   | 2 | 1 | 2 | <p><b>Reduce</b> - There has been ongoing engagement with transport providers in the MaaS zone and are part of a voluntary MaaS Consortium<br/>EP obligations for MaaS to be added to EP Thameside agreement. EP Bus operators have already been engaged about MaaS.<br/>Legal support is ready to draft the MaaS Consortium Partnership Agreement and restart discussions with Consortium members with a legal doc during Feb 24</p>   |
| <p><b>Schedule</b> Length of time it takes to become RDG TIS accredited to allow MaaS Ebbsfleet scheme to sell train tickets. This may delay when train integration can be complete – without rail it will not be a full multimodal offering.</p>   | 2 | 1 | 2 | <p><b>Reduce</b> - KCC already engaged with RDG whom are aware of our ambitions for MaaS in Kent.<br/>The MaaS specifications have been written to ensure the procured MaaS partner has a RDG TIS license or be willing to act immediately to go through the TIS Accreditation process to become a third-party retailer of train tickets with KCC having to do the RDG Accreditation process during mobilisation to become the third-party retailer of train tickets across the UK</p>  |
| <p>Level of readiness of transport operators for API integrations (complexity of integrations)</p>  | 2 | 1 | 2 | <p>Stakeholder engagement with Consortium members to ensure that KCC have access to compatible APIs and good quality standard format data from all transport and information providers in the Consortium, which matches the required level of detail. Access to good quality data is a critical component of the project. KCC has provided detail in the MaaS specification of the data format and data standards expected of the APIs to be shared with the MaaS provider for integration, the more clarity bidders will have when assembling their response and the more</p>  |

|  |          |          |          |  |
|--|----------|----------|----------|--|
| <p>Data - the use and purpose and sharing</p>  | <p>2</p> | <p>1</p> | <p>2</p> | <p>A set of DPIA's has already been done by the Project Manager and Steve Howes, MaaS Consultant in liaison with Iain Norman and DPO team.<br/> KCC will be the Data Controller and the MaaS partner will be the Data Processor on behalf of KCC.<br/> There will be a Data Processing Agreement for the MaaS partner within the Contract.<br/> Transport providers integrating their real-time data into MaaS will be sub data processors with access to anonymised data in a transport provider portal<br/><br/> KCC will have access to anonymised data in the form of a MaaS data portal.</p>  |
| <p>Service Failure - Lack of User uptake, this is a new service to Kent and no data is available yet from any scheme launched in the UK, will need time to establish and grow.</p> | <p>2</p> | <p>1</p> | <p>2</p> | <p>Plan and implement large marketing and behavioural change campaign to gain MaaS users and gain Modal shift to public transport and active travel.<br/> The sooner the scheme is rolled out to Kent the better to ensure long term income to become financially self-sustaining and income generating.<br/> This is based on best practice and feedback from MaaS technology providers internationally where the wider the geographical area covered by MaaS the more potential users<br/> The MaaS partner contract will be designed with Commercial and Procurement with legal support to ensure that there are break /termination clauses to allow exiting from the</p> |

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## EQIA Submission – ID Number

### Section A

**EQIA Title**

Introducing MaaS service to Kent

**Responsible Officer**

Jacqui Elliott - GT TRA

**Type of Activity****Service Change**

No

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

**Accountability and Responsibility****Directorate**

Growth Environment and Transport

**Responsible Service**

Growth Environment and Transport (GET)

**Responsible Head of Service**

Philip Lightowler - GT TRA

**Responsible Director**

Haroona Chughtai - GT TRA

**Aims and Objectives**

Current state:

1. Transport not coordinated and not easy for customers to plan, book, pay and take multi-modal journeys.
2. Lack of visibility of journey options for residents and visitors to an area
3. Private car is default mode for most people and perceived as easier in terms of time cost and convenience.
4. Petrol and diesel cars are the norm and use of diesel buses.
5. Transport providers not sharing data so customers cannot know all transport options available to them.
6. Fares per journey and separate for train, bus, car hire etc.
7. Some Public perception negative for buses 'for the poor' 'not for me' 'costly'
8. Cost / Convenience / time decisions by residents – currently assuming private car is best.
9. High Air pollution in Dartford and Gravesham areas and Dartford & Gravesham Councils have Air Quality Management areas - NOx in Dartford & Gravesend town centres over legal limit.
10. Congestion issues with development works (motorway junction, heavy traffic flow by Ebbsfleet train station car park area)
11. Pre covid- Train capacity from Ebbsfleet to London an issue (lack of carriages, length of stations in Kent, investment needed, stability of contract for train franchise). During Covid, not enough people using trains and need enticing back.

## 12. little behaviour change incentives to encourage sustainable travel behaviour

### Aims and Objectives:

KCC public transport team plan to introduce a new type of service in the form of an integrated transport platform to support the development of Ebbsfleet Garden City and surrounding Dartford and Gravesham areas before rolling the new service to residents of Kent & Medway. It will make travel by different shared modes of transport and active travel easy, seamless and cost effective. It will do this through a Mobility as a Service (MaaS) app, website & back office platform, offering door to door travel using highly sustainable modes of transport with a single point of entry for all user requirements

By integrating all modes of transport together in this area, the competitiveness of the car-free option is much stronger than each individual mode competing with cars in a more disparate way. The approach we have proposed builds on existing enablers for ticketing, journey planning and payments and integrates these together in a new way.

This is more than an app, it is about truly integrating transport operationally with open transport data sharing to create a connected, shared, zero emissions transport system aligned with KCC strategic objectives.

This is about creating a new business model to offer residents a new seamlessly integrated way of travelling without having to own their own car.

### MaaS Strategic Objectives:

1. Step change increase in modal shift away from car ownership and SOV to shared zero emission public transport and active travel
2. Improve travel options for residents whilst reducing CO2 emissions & improving air quality
3. Improve public health and wellbeing by reducing air pollution and encouraging active travel
4. Help prevent gridlock in Ebbsfleet and surrounding urban area with the continued residential & commercial expansion of development in the area until 2035.
5. Improved social outcomes by improved accessibility
6. Create a truly integrated transport system
7. Bringing MaaS as a positive disruptive force to Kent in a controlled manner

### Main Project Objectives:

1. To introduce MaaS to Kent firstly in an urban environment in Ebbsfleet Garden City with surrounding Dartford and Gravesham town centre areas, putting public transport at its heart with a potential public launch in October 2025.
2. KCC to Procure specialist MaaS technology (app, website and back office platform) so that KCC will own the technology and the data and procure a MaaS operator to run the new MaaS scheme on KCC's behalf
3. Assuming successful implementation of the new service in Ebbsfleet, roll out MaaS across Kent during 2026.

4. Creation of a sustainable multi-modal MaaS network that ensures transport is truly integrated at an operational level, to provide seamless travel options for customers.
5. Create a new MaaS business model that works for all MaaS Framework participants which could be best practice for other MaaS schemes in Kent, nationally and internationally
6. To allow residents to live in Ebbsfleet Garden City without the need for a private car for local journeys and rail commuting, by ensuring integrated multimodal public transport & active travel.
7. The MaaS network must aim to meet objectives that are environmentally responsible, people-centered & socially inclusive.
8. Ebbsfleet Garden City must be seen as highly sustainable and reduce greenhouse gas emissions. If successful, the new MaaS service will be internationally recognised as example of leading innovation, much like Fastrack.
9. The app will seek to deliver integrated journey planning, ticketing, payments & support door to door travel for a wide range of transport offering monthly multimodal travel subscription products as well as PAYG to an integrated transport system. All travel needs for residents and visitors in Ebbsfleet will be supported through the MaaS app & website.
10. The MaaS back office platform and customer facing Mobile app will be seamlessly integrated for the customer including Information and planning of multimodal journey planner and real time information, booking, payment, ticketing and customisable user accounts with incentives.
11. Multimodal transport integration is planned to include train travel to and from London and Kent; Fastrack BRT electric bus services, local bus services; bike & ebike hire; electric car club hire. Future integration is expected to include autonomous shuttles on Fastrack and DRT.
12. The app & website will support healthy active travel choices and zero emission vehicles to help reduce the public health burden on the NHS and supporting their 'Ebbsfleet Garden City, Healthy New Town Programme'
13. The app will also encourage behavioural change through rewarding residents for active travel.
14. Linked with another autonomous electric bus trial on Fastrack in a controlled environment.
15. Linked with another project to provide DRT as a first mile/last mile solution to connect Ebbsfleet residents with the train, Fastrack and bus network to allow residents to not need a private car.
16. MaaS Provide the right conditions of an integrated transport system before trialing a 1st Clean Air Zone and Zero Emissions Zone in Kent.(out of scope of this project)

## Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

Yes

**Is there national evidence/data that you can use?**

Yes

**Have you consulted with stakeholders?**

Yes

**Who have you involved, consulted and engaged with?**

KCC internal:

- Shane Hymers and Phil Lightowler – public transport team
- GET Portfolio Board
- Liz Beadle – GET Portfolio Delivery Manager
- Strategic technology Board & GET Technology Board
- COG
- Commercial & Procurement team & CPOB
- Louise Merchant (LM) - Procurement & Commercial Manager
- Carolyne Harrington
- Alex Whelan
- Kelly Roberts
- Clare Maynard
- Ann Wynde – Engagement and Consultation Development Officer
- Tracey Gleeson – GET Communications Partner
- Rachel Tinsley / Sam Birkin - Strategic Commissioning Analytics team
- Kelly Roberts – Strategic Commissioning team
- Phil Murphy / Greg Bunnage – IT infrastructure Partner / ICT Commissioning
- Karen Risdon – PMO / GET Digital Champion
- Ben Bolton/ Tim Middleton – Transport Innovations team
- Kevin Tilson / Ann Marie Jarvis/ John Holden / Mel Goldsmith / Darren Honey, Joanna Lee– Finance team
- Laura Taylor - Env. Engagement & Behaviour Change Manager
- Katie Traylen - Climate Change Team Leader
- Christopher Bennett - Climate Action Support Officer
- Andrew Bose - Marketing & Digital Manager – Kent Communications
- Julian Scott - Creative Services Manager
- Matthew Wagner (MW) - Interim Chief Analyst
- Hannah Parathian (HP) - Analyst Manager
- Jason Hickson (JH) - Analyst Manager

External:

1. MaaS Ebbsfleet Consortium including Southeastern, Arriva, Fastrack, Ebbsfleet Development Corporation, Betterpoints, University of Kent  
Fastrack Advisory Board
2. Market engagement during 2020 & 2021 with over 40 MaaS technology providers who have experience internationally of introducing and operating MaaS solutions including software demonstrations & 16 indicative costs.
3. Ongoing market engagement with MaaS partner providers during 2022 & 2023
4. TfSE Future Transport steering group
5. DfT LAMP technical guidance
6. Open Transport Initiative
7. Electric car club providers market engagement (Feb/March 21)
8. bike/ebike hire providers market engagement March 21
9. UK MaaS local authorities (Transport Solent, Transport West Midlands, West of England combined authority, HiTrans, Transport for Wales)

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

|  |
|--|
| No   |
| <b>Do you have evidence that can help you understand the potential impact of your activity?</b>  |
| Yes  |
| <b>Section C – Impact</b>  |
| <b>Who may be impacted by the activity?</b>  |
| <b>Service Users/clients</b>   |
| No   |
| <b>Staff</b>   |
| No   |
| <b>Residents/Communities/Citizens</b>  |
| Residents/communities/citizens   |
| <b>Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?</b>   |
| Yes  |
| <b>Details of Positive Impacts</b>   |
| <p>1. Age - It is expected that there will be a medium to high positive impact on all age groups of residents and visitors to the area. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.</p> <p>2. Disability - It is expected that there will be a medium to high positive impact for all residents and visitors to the area with and without disabilities. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.</p> <p>3. Sex - It is expected that there will be a medium to high positive impact on both male and female. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.</p> <p>4. Gender identity/ Transgender - It is expected that there will be a medium to high positive impact for residents and visitors to the area regardless of gender identity. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.</p> <p>5. Race - It is expected that there will be a medium to high positive impact for residents and visitors to the area regardless of race. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.</p> <p>6. Religion and Belief - It is expected that there will be a medium to high positive impact for all residents and visitors to the area regardless of religion or belief. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.</p> <p>7. Sexual Orientation - It is expected that there will be a medium to high positive impact for all residents and visitors to the area regardless of sexual orientation. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to</p> |

create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.

8. Pregnancy and Maternity - It is expected that there will be a medium to high positive impact for all residents and visitors to the area regardless of pregnancy & maternity. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.

9. Marriage and Civil Partnerships - It is expected that there will be a medium to high positive impact for all residents and visitors to the area regardless of marriage and civil partnership status. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.

10. Carer's Responsibilities - It is expected that there will be a medium to high positive impact for all residents and visitors to the area regardless of if a person has carer responsibilities or not. The project aims to provide resident with seamless multimodal travel options that they currently do not have and do not have visibility of. MaaS aims to create a truly integrated transport system with increased accessibility for all. No services or rights will be removed only enhanced.

### **Negative impacts and Mitigating Actions**

#### **19. Negative Impacts and Mitigating actions for Age**

##### **Are there negative impacts for age?**

Yes

##### **Details of negative impacts for Age**

The MaaS App and Website will require knowledge of technology and also a computer, smartphone or tablet to be able to access the App or website.

##### **Mitigating Actions for Age**

As the technology we are proposing is app based, we do not want to miss out travel opportunity for older people without a smartphone. We will therefore offer a website booking and phone booking options so people can book travel from their landline at home or home computer

##### **Responsible Officer for Mitigating Actions – Age**

Jacqui Elliott

#### **20. Negative impacts and Mitigating actions for Disability**

##### **Are there negative impacts for Disability?**

Yes

##### **Details of Negative Impacts for Disability**

People with disability may have issues using the MaaS App and Website.

##### **Mitigating actions for Disability**

It is recommended that we contact Voluntary Charities to input into the design to ensure that the MaaS solution is inclusive as possible of all types of disabilities – app, website and phone booking service e.g. Kent Association of the Blind and HiKent.

The Passenger Assist service allows you to book assistance up to 2 hours before travelling. All train companies offer Passenger Assist services.

##### **Responsible Officer for Disability**

Jacqui Elliott

#### **21. Negative Impacts and Mitigating actions for Sex**

##### **Are there negative impacts for Sex**

No. Note: If Question 21a is "No", Questions 21b,c,d will state "Not Applicable" when submission goes for approval

|  |
|--|
| <b>Details of negative impacts for Sex</b>   |
| Not Completed  |
| <b>Mitigating actions for Sex</b>  |
| Not Completed  |
| <b>Responsible Officer for Sex</b>   |
| Not Completed  |
| <b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>                                 |
| <b>Are there negative impacts for Gender identity/transgender</b>  |
| No. Note: If Question 22a is "No", Questions 22b,c,d will state "Not Applicable" when submission goes for approval |
| <b>Negative impacts for Gender identity/transgender</b>  |
| Not Completed  |
| <b>Mitigating actions for Gender identity/transgender</b>  |
| Not Completed  |
| <b>Responsible Officer for mitigating actions for Gender identity/transgender</b>                                  |
| Not Completed  |
| <b>23. Negative impacts and Mitigating actions for Race</b>  |
| <b>Are there negative impacts for Race</b>   |
| No. Note: If Question 23a is "No", Questions 23b,c,d will state "Not Applicable" when submission goes for approval |
| <b>Negative impacts for Race</b>   |
| Not Completed  |
| <b>Mitigating actions for Race</b>   |
| Not Completed  |
| <b>Responsible Officer for mitigating actions for Race</b>   |
| Not Completed  |
| <b>24. Negative impacts and Mitigating actions for Religion and belief</b>   |
| <b>Are there negative impacts for Religion and belief</b>  |
| No. Note: If Question 24a is "No", Questions 24b,c,d will state "Not Applicable" when submission goes for approval |
| <b>Negative impacts for Religion and belief</b>  |
| Not Completed  |
| <b>Mitigating actions for Religion and belief</b>  |
| Not Completed  |
| <b>Responsible Officer for mitigating actions for Religion and Belief</b>  |
| Not Completed  |
| <b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>  |
| <b>Are there negative impacts for Sexual Orientation</b>   |
| No. Note: If Question 25a is "No", Questions 25b,c,d will state "Not Applicable" when submission goes for approval |
| <b>Negative impacts for Sexual Orientation</b>   |
| Not Completed  |
| <b>Mitigating actions for Sexual Orientation</b>   |
| Not Completed  |
| <b>Responsible Officer for mitigating actions for Sexual Orientation</b>   |
| Not Completed  |
| <b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>                                     |
| <b>Are there negative impacts for Pregnancy and Maternity</b>  |
| No. Note: If Question 26a is "No", Questions 26b,c,d will state "Not Applicable" when submission goes for approval |

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| <b>Negative impacts for Pregnancy and Maternity</b>  |
| Not Completed  |
| <b>Mitigating actions for Pregnancy and Maternity</b>  |
| Not Completed  |
| <b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>                                      |
| Not Completed  |
| <b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>                             |
| <b>Are there negative impacts for Marriage and Civil Partnerships</b>  |
| No. Note: If Question 27a is "No", Questions 27b,c,d will state "Not Applicable" when submission goes for approval |
| <b>Negative impacts for Marriage and Civil Partnerships</b>  |
| Not Completed  |
| <b>Mitigating actions for Marriage and Civil Partnerships</b>  |
| Not Completed  |
| <b>Responsible Officer for Marriage and Civil Partnerships</b>   |
| Not Completed  |
| <b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>                                    |
| <b>Are there negative impacts for Carer's responsibilities</b>   |
| No. Note: If Question 28a is "No", Questions 28b,c,d will state "Not Applicable" when submission goes for approval |
| <b>Negative impacts for Carer's responsibilities</b>   |
| Not Completed  |
| <b>Mitigating actions for Carer's responsibilities</b>   |
| Not Completed  |
| <b>Responsible Officer for Carer's responsibilities</b>  |
| Not Completed  |



# KENT COUNTY COUNCIL –PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Neil Baker, Cabinet Member for Highways and Transport

**DECISION NO:**

24/00018

**For publication****Key decision: YES / NO****Subject Matter / Title of Decision: Mobility as a Service (MaaS): Pilot****Decision:**

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

- (i) ACCEPT the National Highways Designated Funds grant of £2.262 million towards the Introduction of MaaS Ebbsfleet and associated sustainable transport package.
- (ii) DELEGATE authority to the Corporate Director of Growth, Environment and Transport, after consultation with the Cabinet Member for Highways and Transport, and Corporate Director of Finance, to review and agree to the required terms and conditions to enter into the necessary grant arrangements for National Highways Designated Funds
- (iii) ACCEPT that the grant is paid monthly in arrears of spend by National Highways as part of the KCC/National Highways Lower Thames Crossing (LTC) Designated Funds Programme
- (iv) APPROVE the start of the procurement process of a MaaS partner who will be responsible for the delivery of MaaS Multimodal Transport Technology system and to operate and maintain the MaaS scheme for and on KCC's behalf
- (v) DELEGATE authority to the Corporate Director of Growth, Environment and Transport to negotiate, finalise and enter into relevant contracts to implement the required Contract Award(s) including the award of any future contract extension(s), subject to satisfactory performance
- (vi) DELEGATE authority to the Corporate Director of Growth, Environment and Transport, to take other actions, including but not limited to entering into associated MaaS contracts including MaaS marketing and behavioural change campaign elements and National Highways funded associated sustainable transport procurements and other legal agreements, as required to implement the decision

**Reason(s) for decision:**

To accept external funding from National Highways and to use existing DfT BSIP funding to commence the procurement process to progress Kent's Mobility as a Service (MaaS) Ebbsfleet pilot scheme. The aim of MaaS is to provide a multi-operator journey planning, booking and payment platform. It is to be piloted within the geographical areas of Ebbsfleet Garden City, Dartford and Gravesend town centres. The pilot is being fully funded using multiple sources of external funding with no further contribution required by KCC.

**Cabinet Committee recommendations and other consultation:**

Members of the Environment and Transport Cabinet Committee will consider the proposal at their meeting on 7 March 2024.

**Any alternatives considered and rejected:**

- (i) Do nothing (discarded) as it perpetuates the current state of transport CO2 emissions, air pollution and travel congestion pollution in Ebbsfleet and therefore does not contribute to KCC's Environment Strategy.
- (ii) In house service (discarded). KCC does not have in-house expertise to operate a MaaS platform.
- (iii) KCC full funding of MaaS (discarded). KCC has insufficient funding. Various external funding grants have been secured to support 100% external funding for the MaaS Ebbsfleet pilot.
- (iv) Do Maximum – external provider with roll out of MaaS Kent-wide (discarded) This is not feasible at this time as it imports too much operational and financial risk to the authority. The preference is to test concept within controlled environment.

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

.....  
signed

.....  
date

**From:** Neil Baker, Cabinet Member for Highways & Transport  
 Simon Jones, Corporate Director Growth, Environment & Transport

**To:** Environment & Transport Cabinet Committee, 7 March 2024

**Subject:** Moving Traffic Enforcement Policy

Key Decision 24/00015

Classification: **Unrestricted**

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

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

**Electoral Division:** Kent wide

**Summary:** This report provides information on the proposed policy document supporting KCC's intention to undertake moving traffic enforcement.

**Recommendations:**

The Cabinet Committee is asked to consider and endorse or give recommendations to the Cabinet Member for Highways and Transport to:

- (i) Agree to the adoption and implementation of the policy on moving traffic enforcement and
- (ii) Delegate authority to the Corporate Director of Growth, Environment and Transport in consultation with the Cabinet Member for Highways & Transport ,to make revisions as appropriate to the policy and take relevant actions to implement the decision as shown at Appendix A.

**1. Introduction**

- 1.1 As the Local Transport & Highway Authority, Kent County Council has a statutory duty to ensure the effective discharge of the 2004 Traffic Management Act (TMA), which entails a duty of care to help ensure safe passage for all road users and secure the provision of public passenger transport services within the county which would not be met without financial input from KCC.
- 1.2 Part 6 of the Traffic Management Act allows the highway network to be more effectively managed by the Highway Authority, allowing the civil enforcement of a variety of moving traffic contraventions in line with national standards. Enforcing these regulations aims to improve road safety, pollution levels, journey time reliability and public realms in locations with low compliance.
- 1.3 KCC was granted the Designation Order by parliament on 15th July 2022, to enforce a limited number of moving traffic offences. KCC are now legally able to enforce contraventions such as:

- Driving through a 'No Entry' sign
- Turning left or right when instructed not to do so
- Entering yellow box junctions when your exit is not clear
- Driving where motor vehicles are prohibited
- Driving on routes for buses only

1.4 All other motoring offences are still the responsibility of the County Police Constabulary to enforce.

1.5 Enforcement will be achieved using the latest Automatic Number Plate Recognition (ANPR) camera technology, approved by the Vehicle Certification Agency. KCC now have a contract with a supplier (Marston Holdings Limited) to assist in the mobilisation of this service, following a thorough procurement process endorsed by this Cabinet Committee (RoD **22/00085**). Marston Holdings Limited will supply the cameras and associated hardware on site, the back-office computer system, and debt recovery.

## **2. Background**

2.1 Now that Marston Holdings Limited have been selected as the supplier to assist KCC in fulfilling responsibilities to enforce moving traffic on Kent's roads, a policy is needed to provide guidance on how KCC intend to apply the Traffic Management Act Part 6 legislation to the Kent highway network.

2.2 The policy also sets out the approach to be followed by authorised officers when making decisions in respect of KCC's compliance and enforcement activities:

- a) Provide clarity and transparency on how KCC operate the Moving Traffic Enforcement (MTE) powers.
- b) Ensure enforcement is consistent and proportionate to the contraventions involved.
- c) Encourage an element of flexibility through technology and human input to ensure Penalty Charge Notices (PCNs) are not unfairly issued or pursued.
- d) Set out clearly what is expected from the public in terms of compliance.
- e) Provide clarity on the process of how new Enforcement sites can be suggested to KCC and their financial responsibilities.

2.3 The policy is attached (appendix 1).

## **3. Financial Implications**

3.1 Warning Notices (a letter outlining the offence that has occurred, but no charge) shall be issued for a driver's first offence within a 6-month period of a site going live. Penalty Charge Notices will be issued for a driver's second offence onwards within a 6-month period of a site going live, and for a driver's first offence onwards after the initial 6-month period is over.

- 3.2 The Penalty Charge will be limited by legislation to £70, or £35 if paid within 21 days of the Penalty Charge Notice being received by the registered owner of the vehicle.
- 3.3 In line with Regulations (Section 31 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022), any surplus (income from PCN, less direct cost of TMA enforcement, less overheads) arising from bus lane or moving traffic enforcement must be applied for all or any of the following purposes:
- the making good to the local authority's general fund of any amount charged to that fund in respect of any deficit arising from its bus lane or moving traffic enforcement, in the 4 years preceding the financial year in question.
  - for environmental improvement in the enforcement authority's area in accordance with Section 1(2) and 1(3) Pollution Prevention and Control Act 1999
  - meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services
  - for highway improvement projects in the local authority's area in accordance with Section 55, Paragraph (4A) Road Traffic Regulation Act 1984

#### **4. Legal implications**

- 4.1 The Traffic Management Act 2004 is the Act of Parliament which makes provision for and in connection with the designation of traffic officers and their duties; to make provision in relation to the management of road networks; to make provision for regulating the carrying out of works and other activities in the street.
- 4.2 Part 6 of the Act ("Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022") is intended to tackle congestion and disruption on the road network by placing a duty on local highway authorities to make sure traffic moves freely and quickly on their roads and the roads of nearby authorities.
- 4.3 Parliament has implemented the Part 6 powers for a specific list of traffic signs (included in appendix 1) for civil enforcement by Local Highways Authorities.
- 4.4 When compiling this policy, careful regard has been paid to the Statutory Guidance, "The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions" (as stipulated by section 87 of the Traffic Management Act 2004).
- 4.5 Future alterations or amendments to the policy are only likely if legislation is altered.

## **5. Equalities implications**

- 5.1 An EqIA has been undertaken and approved. No change is required. The evidence suggests that there is no potential for discrimination and all appropriate measures have been taken to advance equality and foster good relations between the protected groups. The assessment is appended to this report. A DPIA screening has been undertaken, and no DPIA is required. No personal data will be collected, used or stored as a result of this policy document being published. Separate DPIA considerations are being undertaken for the actual implementation of the moving traffic enforcement project.

## **6. Other corporate implications**

- 6.1 There are no implications from this project on other areas of the Council's work.

## **7. Governance**

- 7.1 On 30<sup>th</sup> September 2022, the Environment & Transport Cabinet Committee endorsed the Cabinet Member for Highways & Transport on the proposed decision to provide the Corporate Director of Growth, Environment and Transport with the delegated authority to enter into appropriate contractual arrangements for the provision of the Traffic Management Act 2004 Part 6 - Moving Traffic Enforcement contract, including any possible future extension. This policy document sets out the approach to be followed by trained KCC officers dealing with the moving traffic enforcement process.

## **8. Conclusions**

- 8.1 KCC has been designated the powers to enforce moving traffic contraventions under civil law. A contract is now in place with Marston Holdings Limited to deliver this service. A policy is needed to provide guidance on how KCC intend to apply the Traffic Management Act Part 6 legislation to the Kent highway network and set out the approach to be followed by authorised officers when making decisions. The Cabinet Committee is asked to endorse, adopt and implement the policy on Moving Traffic Enforcement, and delegate authority for any alterations and amendments to be in consultation with the Cabinet Member for Highways & Transport.

## **9. Recommendation:**

The Cabinet Committee is asked to consider and endorse or give recommendations to the Cabinet Member for Highways and Transport to:

- (i) Agree to the adoption and implementation of the policy on moving traffic enforcement and
- (ii) Delegate authority to the Corporate Director of Growth, Environment and Transport in consultation with the Cabinet Member for Highways & Transport, to make revisions as appropriate to the policy and take relevant actions to implement the decision as shown at Appendix A

## **10. Background documents and Appendices**

- 10.1 Appendix A – Proposed Record of Decision
- 10.2 Appendix 1 – Moving Traffic Enforcement Policy
- 10.3 Appendix 2 - Equality Impact Assessment
- 10.4 Traffic Management Act 2004: [Traffic Management Act 2004: statutory guidance for local authorities outside London on civil enforcement of bus lane and moving traffic contraventions - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/222222/TMA2004-Guidance-for-local-authorities-outside-London-on-civil-enforcement-of-bus-lane-and-moving-traffic-contraventions.pdf)

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**Moving Traffic Enforcement  
Traffic Management Act 2004 Part 6  
Civil enforcement of traffic contraventions**

**Implementation and Enforcement Policy**

**Contents**

|   |    |
|---|----|
| 1. Introduction .....   | 2  |
| 2. Key objectives .....   | 3  |
| 3. Purpose.....   | 3  |
| 4. Policy aims .....  | 4  |
| 5. Legislation .....  | 4  |
| 6. Kent Police .....  | 5  |
| 7. Strategic approach .....   | 6  |
| 8. Benefits to Kent.....  | 6  |
| 9. Measuring success.....   | 7  |
| 10. Site selection .....  | 7  |
| 11. Prioritisation of sites .....                                       | 10 |
| 12. Implementation & operation .....                                    | 10 |
| 13. Costs & Feasibility .....   | 11 |
| 14. Surpluses .....   | 11 |
| 15. How action is taken .....   | 13 |
| 16. Guidance on camera enforcement .....                                | 13 |
| 17. Contraventions .....  | 14 |
| 17.5 Traffic Regulation Orders (TROs).....                              | 14 |
| 18. The Penalty Charge Notice process.....                              | 15 |
| 19. Requirements for ANPR cameras .....                                 | 23 |
| 20. UK General Data Protection (UK GDPR) .....                          | 23 |
| 21. Communication with Kent residents .....                             | 24 |
| 22. Review of this policy.....  | 25 |
| 23. Comments and complaints.....  | 25 |
| 24. Glossary .....  | 26 |
| Appendix 1- Signs KCC can enforce under Part 6 of the TMA powers .....  | 28 |
| Appendix 2- Flowchart illustrating path from proposal to delivery ..... | 31 |
| Appendix 3- Key Addresses.....  | 32 |
| Appendix 4- PCN Journey Flowchart .....                                 | 33 |

# 1. Introduction

**1.1** Kent County Council (KCC) are responsible for highways and transportation services that are used by most, if not all, residents in Kent and those who travel through the county<sup>1</sup>. Responsibilities include:

- a) The management, maintenance, emergency response and improvement of the County's 5,400 miles of highway network and associated assets in a way that meets the needs of residents, communities, and businesses, enabling all journeys to be made as safely and efficiently as possible both now and in the future, whilst supporting viable alternatives to the car and supporting growth by delivering major projects and managing development.
- b) Enabling access to education, health, and community services for diverse users across Kent, through the planning, procurement, and management of public transport services.

**1.2** As the Local Transport & Highway Authority, KCC has a statutory duty to ensure the effective discharge of the Traffic Management Act (2004)<sup>2</sup> - its duty of care to help ensure safe passage for all road users and secure the provision of public passenger transport services within the county which would not be met without financial input from KCC.

**1.3** The introduction of the Traffic Management Act (2004) Part 6 (TMA P6) by the national Government allows Highway Authorities to enforce a variety of moving traffic offences (MTOs) to improve road safety, pollution levels and journey time reliability in locations with low compliance. These were powers not previously available to Highway Authorities outside of London after the TMA came into force in 2008.

**1.4** The TMA allows more effective management of the highway network at a local level whilst maintaining national standards and enables the police to direct their limited resources elsewhere.

**1.5** The Secretary of State granted Kent County Council powers to enforce moving traffic restrictions on 15 July 2022<sup>3</sup>. These powers will assist the County Council to meet its network management duty by enabling improved enforcement with consequential benefits to road safety, congestion, quality of place and air quality.

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<sup>1</sup> [www.kent.gov.uk/roads-and-travel](http://www.kent.gov.uk/roads-and-travel)

<sup>2</sup> Section 16. Traffic Management Act 2004

<sup>3</sup> The Civil Enforcement of Moving Traffic Contraventions Designations and Miscellaneous Amendments Order 2022

**1.6** It is the will of national Government that parking controls be, “clear, well-designed, legal and enforced”<sup>4</sup>. Prior to the extension of the powers in relation to MTOs, enforcement of some restrictions relied on police powers alone.

## **2. Key objectives**

**2.1** Through the enforcement of moving traffic contraventions KCC will:

- a) Improve road safety.
- b) Reduce network congestion.
- c) Increase public transport reliability.
- d) Improve Air Quality
- e) Increase the lifespan of highway assets.

**2.2** Moving traffic enforcement will only be applied where action is needed to meet one of these objectives.

## **3. Purpose**

**3.1** This policy provides guidance on how KCC intend to apply the Traffic Management Act Part 6 legislation to the Kent highway network.

**3.2** Management of the highway network is an integral part of the County Council’s Network Management Duty. Kent County Council, as highway authority, should secure the expeditious movement of traffic on the authority’s road network, using enforcement where necessary to reduce disruption to the movement of traffic on the road network.

**3.3** In line with the general principles of good regulation, enforcement under these powers shall be carried out in a way which is transparent, accountable, proportionate, and consistent; and will only target locations where action is needed.

**3.4** Kent County Council will plan enforcement in accordance with Department for Transport guidance. Automatic Number Plate Recognition (ANPR) cameras are to be used for enforcement of moving traffic offences only at sites where other methods of deterrence have been tried but have failed to produce compliance, when all reasonable engineering steps have been taken to design out driver non-compliance.

**3.5** One of KCC’s functions is to act as a regulator and an enforcement agent for the TMA P6. This document sets out standards that will be applied across

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<sup>4</sup> From ‘Policy Objectives’. Statutory guidance for local authorities in England on civil enforcement of parking contraventions. DfT 2022

KCC, and explains what residents, businesses and all road users can expect from KCC taking on this role.

**3.6** This policy also sets out the approach to be followed by authorised officers when making decisions in respect of KCC's compliance and enforcement activities. A request for enforcement beyond the remits of this policy will require special dispensation from the Cabinet Member for Environment & Transportation.

## 4. Policy Aims

**4.1** This policy aims to:

- a) Provide clarity and transparency on how KCC operate the Moving Traffic Enforcement (MTE) powers.
- b) Ensure enforcement is consistent and proportionate to the contraventions involved.
- c) Encourage an element of flexibility through technology and human input to ensure Penalty Charge Notices (PCNs) are not unfairly issued or pursued.
- d) Set out clearly what is expected from the public in terms of compliance.

## 5. Legislation

**5.1** The Traffic Management Act 2004 is the Act of Parliament which makes provision for and in connection with the designation of traffic officers and their duties; to make provision in relation to the management of road networks; to make provision for regulating the carrying out of works and other activities in the street.

**5.2** Part 6 of the Act ("Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022") is intended to tackle congestion and disruption on the road network by placing a duty on local highway authorities to make sure traffic moves freely and quickly on their roads and the roads of nearby authorities. It gives Local Highway Authorities additional tools to manage parking policies, coordinate street works and enforce some moving traffic offences.

**5.3** Parliament has implemented the Part 6 powers for a specific list of traffic signs (**Appendix 1**) for civil enforcement by Local Highways Authorities.

**5.4** In making these powers available, the legislative opportunity has also been taken to consolidate, under the 2004 Act, existing civil enforcement regimes for bus lane contraventions (outside London, currently under 2005 regulations

made under the Transport Act 2000) alongside parking contraventions (England-wide currently under 2007 regulations made under the 2004 Act).

**5.5** Creating a cohesive civil enforcement regime removes inconsistencies which inherently arose due to the disparate enabling legislation, enabling more efficient administration.

**5.6** When forming this document, careful regard has been paid to the Statutory Guidance “The Secretary of State’s Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions” (as stipulated by section 87 of the Traffic Management Act 2004)<sup>5</sup>”

## **6. Kent Police**

**6.1** Moving traffic contraventions remain a criminal offence and are still enforceable by Kent Police, as well as civil enforcement by Local Highways Authorities.

**6.2** Kent Police acknowledges it has limited resources with regards to the challenges of tackling issues on the highway network. This has resulted in a joint approach between KCC and Kent Police in tackling Moving Traffic Offences.

**6.3** The Assistant Chief Constable of Kent Police has given full support to the Application “as part of a combined effort to achieve fewer casualties on the road network.” It will enable the reallocation of Kent Police resources, allowing focus on other policing priorities.

**6.4** KCC and Kent Police remain in close contact regarding road traffic matters and will ensure criminal enforcement will not take place where civil enforcement is occurring. If this does happen, the Fixed Penalty Notice (FPN) issued by the police would overrule the Penalty Charge Notice (PCN) issued by KCC. KCC’s PCN would therefore need to be withdrawn.

**6.5** Kent Police will continue to enforce other signs not associated with Part 6 of the TMA.

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<sup>5</sup> Statutory guidance for local authorities in England on civil enforcement of parking contraventions - GOV.UK.

## **7. Strategic approach**

- 7.1** KCC is taking on the powers delivered through the enactment of the TMA 2004 P6 across the county, covering all county roads and the Strategic Network with the agreement of National Highways.
- 7.2** KCC will undertake moving traffic enforcement in a way which is transparent, accountable, proportionate, and consistent. New sites will be introduced and enforced only when justified, after following the site due diligence process (see **Appendix 2**).
- 7.3** A countywide approach allows KCC to deliver consistent, controlled enforcement of the entire highway network, tackling local issues more effectively whilst maintaining national standards that align with Kent's neighbouring Highway Authorities.
- 7.4** A countywide approach instils greater economies of scale with the on street and back office technical equipment and systems, KCC staff resourcing and the DfT requirements of financial equilibrium of running the service.

## **8. Benefits to Kent**

- 8.1** KCC are the sole enforcement agent of the TMA 2004 P6 on the highway network within its geographical boundaries, including the National Highways strategic network.
- 8.2** The countywide approach to the undertaking of moving traffic enforcement strengthens KCC's statutory duty in meeting the requirements placed upon it under the TMA 2004; to reduce traffic congestion in towns and cities and manage the road network to ensure traffic can move freely on Kent's roads.
- 8.3** KCC gathers a vast quantity of highway data (crash statistics, journey times, bus punctuality etc) that can be used to help justify, support, and prioritise all applications for enforcement cameras, and then demonstrate what benefits enforcement has had at each site to highway users or residents of the county.
- 8.4** Analysis of the data collected from enforcement sites will create robust evidence that would support the selection of future sites.
- 8.5** Success in achieving the key objectives can therefore only be measured where baseline data is compared to a new data set collated after KCC enforcement has commenced.

## 9. Measuring success

9.1 The powers of enforcement under the TMA 2004 are an additional tool to help improve the Highway network. They will be deployed to target a specific problem after all other reasonable improvement measures have been made but the problem on non-compliance is still evident. Appropriate monitoring will be carried out to evidence this.

9.2 KCC will measure the success of enforcing moving traffic against the main objective/s for each site. The following table shows how the success of enforcement will be measured.

### 9.3 Table- measuring success.

| Key Objective                                     | General Success Measure  |
|---|--|
| Improve Road Safety                               | The determination of success will be a demonstrable reduction of personal injury crashes on the Highway Network.   |
| Reduce network congestion                         | The determination of success will be through data showing journey times are more consistent or reduced from the baseline figure.                         |
| Improve public transport journey time reliability | The determination of success will be through data showing journey times are more consistent or reduced from the baseline figure.                         |
| Improve air quality                               | The determination of success will be the reduction of vehicle emitted pollutants at the specified site.  |
| Increase the lifespan of highway assets           | The determination of success will be a demonstrable increase in the life expectancy of an asset due to the implementation of Moving Traffic Enforcement. |

## 10. Site selection

10.1 New sites will address the divisional priorities for Highways & Transportation, following the key objectives outlined in Section 2.1

10.2 Local authorities are not required to enforce every sign or marking; enforcement should only be used to target problem locations.

10.3 At any location where it is felt that compliance could be achieved through reasonable improvements to the highway or to traffic signing alone, such improvements should be made.

10.4 If compliance remains a problem, the DfT is clear that the introduction of moving traffic enforcement powers is carried out with a controlled and

measured approach, with Automatic Number Plate Recognition (ANPR) cameras only to be used to enforce moving traffic offences at sites where other methods of deterrent have been tried and have failed.

- 10.5** At this point, a site will be nominated by a KCC officer and submitted to the Moving Traffic Enforcement Team to consider whether the site is appropriate. Not all sites can be improved using moving traffic enforcement; those that do qualify will meet the site selection criteria and overall Scheme Objectives (see **Appendix 2**).
- 10.6** The location of a possible site should be prompted from existing concerns or the clear requirements of new development.
- 10.7** Suggestions for new sites can be made to [movingtrafficeenforcement@kent.gov.uk](mailto:movingtrafficeenforcement@kent.gov.uk) but they will be forwarded to relevant department(s) to ensure that, before camera enforcement is approved, the criteria for site selection is met, in light of the criteria set out in section 10.13.
- 10.8** Before enforcement can commence, all required Traffic Regulation Orders (TROs) must be in place, with relevant signs and road markings where necessary. Thereafter, enforcement will be implemented only when funding is secured.
- 10.9** Before enforcement can commence the proposed sites will undergo public consultation and feedback, as well as coordination with Kent Police.
- 10.10** Signage must convey, "...adequate information as to the effect of the order ... to persons using the road"<sup>6</sup>.
- 10.11** Meanwhile, unnecessary signage clutter is also to be avoided, and is given as one of the 'Golden Rules'<sup>7</sup> in the Traffic Signs Manual.
- 10.12** Therefore, additional signage may not be always appropriate. Increasing the number of signs may reduce the visibility of a restriction rather than enhance it. Signs (and markings) will be provided where sound engineering principles justify them and such as to make the restriction clear to reasonable inspection by a motorist.
- 10.13** Prohibition of Driving restrictions may have potential for enforcement, but site assessments including surveys to establish the level of contraventions would be required before schemes are brought forward. Access restrictions that allow access for some vehicles, such as those driven by certain residents, their visitors or for deliveries, are more difficult to enforce due to the challenges of identifying those who have a legitimate access need from those who do not.

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<sup>6</sup> Regulation 18. The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996

<sup>7</sup> Section 2.3. Traffic Signs Manual - Chapter 1 Introduction DfT 2018



## 10.14 Broad criteria for new sites

- a) Each site must already be subject to controls within Part 6 of TMA2004 with, if required, a Traffic Regulation Order.
- b) The location must be subject to regular contraventions of the Traffic Regulation Order as determined by observation or as advised by Kent Police.
  - i) Those vehicles which are defined in the articles of a TRO as likely to be exempted must be overtly identifiable using an approved device, to provide the basis for the issue of a PCN to unauthorised vehicles.
  - ii) Where the exemptions within a TRO are based on the attributes of the passengers of a vehicle, a contravention cannot reasonably be determined or supported through use of an approved device. Where enforcement by an approved device is not practical, it should be undertaken by a civil parking officer, as advised by the Secretary of State<sup>8</sup>
- c) MTE may be used for those restrictions permitted by the Secretary of State<sup>9</sup>, Only national Government can extend this category. The full list of restrictions, signs and markings which may be subject to MTE may change over time. Not all restrictions will necessarily be applied within Kent.
- d) For camera enforcement to be used, it must not otherwise be practical, and at reasonable cost, to make physical changes to make the TRO self-enforcing (avoiding the need for camera enforcement).  
and
- e) Support the overall ambitions within the Local Transport Plan<sup>10</sup> and scheme objectives; improve road safety, reduce network congestion, improve public transport reliability, improve Air Quality and increase lifespan of highway assets.  
and/or
- f) Be adjacent or close to a bus route.  
and/or
- g) Have recorded evidence of accidents, or ancillary information relating to accidents of near misses.  
and
- h) Has funding.

## 10.14 Other factors

- a) Local mobile signal capacity sufficient to transmit data required for moving traffic enforcement.

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<sup>8</sup> Statutory guidance for local authorities in England on civil enforcement of parking contraventions 2022

<sup>9</sup> Annex A: traffic signs subject to moving traffic enforcement (publishing.service.gov.uk)

<sup>10</sup> Local-transport-plan-4.'Delivering Growth without Gridlock' (kent.gov.uk)

- b) Support the success of wider initiatives being implemented such as, but not limited to Kent's Vision Zero Road Strategy, Active Travel, Mobility Action Plan, Bus Service Improvement Plan.

**10.15** A flow chart illustrating the site selection procedure can be found in **Appendix 2**.

## **11. Prioritisation of sites**

- 11.1** Once a site has passed successfully through the site selection procedure it can be delivered once funding has been secured.
- 11.2** The number of locations that may become subject to enforcement under MTE powers is not closed, not least because the number of possible restrictions may be extended by national government. However, MTE will remain a last resort, with each new site justified under the broad site criteria and selection process, before moving traffic enforcement can be considered.
- 11.3** Each site will be funded on the basis that its camera(s), associated markings, signage and infrastructure will be in situ for a period of a minimum of five years and enforced throughout that period. This duration will give consistent data across all sites.

## **12. Implementation & operation**

- 12.1** Enforcement will be based on Automatic Number Plate Recognition (ANPR) cameras, which have been approved for these purposes by the DfT's Vehicle Certification Agency.
- 12.2** Enforcement operations (back-office processes including reviewing of captured footage) will be undertaken by the County Council's own trained officers (or its representative). There is provision, if required, for the review of footage to be undertaken by a service contractor appointed by KCC whilst overseen by the County Council's own officers.
- 12.3** Responses to representations and appeals can only be undertaken by the County Council's own trained officers.
- 12.4** Details of any vehicle identified as unauthorised will be reviewed by the County Council's service partner who operate the enforcement system on behalf of the County Council and if appropriate, a Warning Notice or PCN will be issued.

- 12.5 KCC officers retain overall responsibility for the operations. Representations, appeals, and complaints related to PCNs will be dealt with by qualified KCC officers only.
- 12.6 Staff involved in PCN processing will receive training in notice processing before being permitted to make decisions on the issuing of PCNs. Staff employed in PCN processing should have completed and attained required training within 12 months of being employed.
- 12.7 Any officers responsible for dealing with viewing footage and responding to representations and appeals will be aware of all relevant exemptions.

## **13. Costs & Feasibility**

- 13.1 All costs incurred with the implementation and installation of new MTE sites will be borne by the scheme promoter. This will include but not limited to: Scheme designs costs, Consultation fees, Traffic Regulation Order processes and physical infrastructure costs (civil engineering and technical equipment).
- 13.2 Sites with low contravention levels run the risk of operating at a deficit and therefore traffic surveys to establish the levels of contravention should be undertaken in advance. DfT also expect local authorities to have taken steps to improve compliance of restrictions before camera enforcement is considered.
- 13.3 Site assessments should also consider the potential for other contraventions to occur as a direct result of camera enforcement (e.g., a driver may be more likely to perform a 'U' turn manoeuvre at another point on the route because of a banned turn adding extra time to their journey).

## **14. Surpluses**

- 14.1 Money surpluses can only be used for the purposes set out in Section 55 of the Road Traffic Regulation Act 1984. These provisions only allow any income raised to be used for the provision of highway or road improvement, environmental improvement, highway projects or the provision of public transport services.
- 14.2 In line with Regulations<sup>11</sup>, any surplus arising from bus lane or moving traffic enforcement must be applied for all or any of the following purposes:

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<sup>11</sup> Section 31 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

- a) the making good to the local authority's general fund of any amount charged to that fund in respect of any deficit arising from its bus lane or moving traffic enforcement, in the 4 years preceding the financial year in question
- b) for environmental improvement in the enforcement authority's area in accordance with Section 1(2) and 1(3) Pollution Prevention and Control Act 1999
- c) meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services
- d) for highway improvement projects in the local authority's area in accordance with Section 55, Paragraph (4A) Road Traffic Regulation Act 1984

**14.3** For clarity "a highway improvement project" means a project connected with KCC's statutory duty to ensure the effective discharge of the Traffic Management Act. KCC relate this directly back to its TMA Key Objectives to:

- a) Improve road safety.
- b) Reduce network congestion.
- c) Increase public transport reliability.
- d) Improve Air Quality.
- e) Increase the lifespan of highway assets within Kent.

**14.4** For clarity "environmental improvement" includes:

- a) the reduction of environmental pollution as defined in the Pollution Prevention and Control Act 1999.
- b) improving or maintaining the appearance or amenity of:
  - i. a road or land in the vicinity of a road, or
  - ii. open land or water to which the public has access.
- c) the provision of outdoor recreational facilities available to the public without charge.

**14.5** Any surplus arising in that account kept by KCC as the enforcement authority can therefore not be spent on the revenue of maintenance of any highway assets.

**14.6** As the enforcement authority, KCC are required to keep an account of any income and expenditure in connection with their functions under Part 6 of the TMA.

**14.7** The DfT have laid strict standards as to the use of surplus in connection with Moving Traffic Enforcement.

**14.8** Any surplus arising in that account kept by KCC as the enforcement authority can only be applied to:

- a) Meeting costs incurred, whether by KCC or by some other person, in line with the principles of good regulation, enforcement under these powers shall be carried out in a way which is transparent and accountable.
- b) It is a requirement that at the end of each financial year, any deficit in the account must be made good out of the authority's general fund.

**14.9** It is a requirement that as soon as reasonably practicable after the end of each financial year, the authority must forward to the Secretary of State a copy of the account for that year.

## **15. How action is taken**

**15.1** KCC will enforce moving traffic offences through the installation of ANPR cameras on-street at suitable locations, following the site selection process set out in **Appendix 2**.

**15.2** ANPR cameras contain Artificial Intelligence (AI) technology and are programmed to catch the designated contraventions at the sites at which they have been placed.

**15.3** Once the ANPR camera has registered a contravention, the back-office system processes the information and identifies whether the vehicle is on an allowed list. This is a list of the registration plates of authorised vehicles, in which case no further action is taken. If the plate is not on the allowed list, the system sends the captured evidence for review. At this stage, a member of the team assesses the evidence to establish if a contravention has occurred. If it has, the case progresses to issue a Warning Notice or PCN. If the evidence shows otherwise, for example, a car pulls into a bus lane to enable a police car to pass, the case is cancelled and no further action is taken.

## **16. Guidance on camera enforcement**

**16.1** PCNs may be issued for bus lane and moving traffic contraventions based only on evidence from a camera and associated recording equipment (an "approved device").

**16.2** Any device used for civil enforcement purposes will have been granted approval by the Vehicle Certification Advice (VCA) approval.

**16.3** The image of the vehicle and contravention must be reviewed by a trained

officer who should be satisfied that the image clearly established the contravention before the decision is taken to issue the PCN.

**16.4** Unviewed images cannot be admitted as evidence of a contravention.

**16.5** A record will be kept identifying who authorised the issue of the PCN after viewing the image as part of the PCN processing system.

## **17. Contraventions**

**17.1** There is a single, nationwide list of contraventions and associated codes<sup>12</sup>. Not every contravention code available under Part 6 of the TMA powers may be in use within Kent. The TMA does not provide for the list of traffic signs selectively, so all the contraventions are available to an authority taking on moving traffic enforcement.

**17.2** Under Schedule 7 to the TMA, restrictions indicated by the traffic signs in Annex A are civilly enforceable as moving traffic contraventions.

**17.3** An observation period of zero indicates that there is no specified 'grace' period for bus lane and moving traffic enforcement.

**17.4** Evidence of the contravention would be adduced from the evidence in each case and a decision made by qualified officers. Exemptions may be seen to apply, whilst discretion may also be applied in any case, based on the details of the representations received. PCNs may also be cancelled with such evidence.

### **17.5 Traffic Regulation Orders (TROs)**

**17.6** TROs will be in place before moving traffic enforcement can take place. These Orders outline the rules and define the locations where restrictions apply and give details of any exemptions. Some exemptions are widely applicable (such as to emergency vehicles) but others may be limited to certain types of restriction or even site-specific (such as for loading and unloading).

**17.7** Kent County Council will publish separate guidance for the consideration of representations against Penalty Charge Notice. This will help to both inform the public and provide guidance to council employees working in the enforcement of moving traffic regulations.

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<sup>12</sup> Annex B: contravention codes for civil bus lane and moving traffic enforcement England-wide - GOV.UK ([www.gov.uk](http://www.gov.uk))

**17.8** Such guidance is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process, compliance the Department of Transport's Parking Policy and Enforcement Operational Guidance to Local Authorities and with the aspirations of the Traffic Penalty Tribunal (TPT) and the Local Government Ombudsman (LGA). What is important about these guidelines is that they represent a foundation upon which fairness and discretion can be applied. The importance of flexibility in these matters has been recognised by the courts and, as a consequence, decisions made by councils must not be fettered by being unduly formulaic.

**17.9** Most TROs can be viewed online and are in map-based format. Those applying to Kent which have been digitised can be found via the **Traffweb**<sup>13</sup> website.

**17.10** Written TROs should generally be found within the library held by the TPT<sup>14</sup>. This has details of TROs from most authorities and are generally stored under the specific district.

**17.11** If you still have questions about TROs that are not related directly to a PCN, please contact us via email at [TRO@kent.gov.uk](mailto:TRO@kent.gov.uk) .

## **18. The Penalty Charge Notice process**

**18.1** Kent County Council is required to adhere to Regulations which have been laid down by the Government. Details on how Penalty Charge Notices are issued and progress are governed by statute.

**18.2** The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022 (the "Appeals Regulations") and the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provision) (England) Regulations 2022 ("the General Provisions Regulations") have been laid by the Secretary of State for Transport on behalf of the Lord Chancellor. Together with the General Provisions Regulations (which are subject to the negative procedure) and the Traffic Management Act 2004 (Commencement No. 10 and Savings and Transitional Provisions) (England) Order ("the Commencement Order"), these Regulations are designed to extend the civil enforcement of parking controls by civil enforcement officers acting on behalf of local authorities, rather than police officers or police traffic wardens.

**18.3** In addition to these Regulations (or as amended), Kent County Council will have regard for Statutory guidance<sup>15</sup> issued by the Department for Transport.

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<sup>13</sup> <https://kent.traffweb.app/>

<sup>14</sup> [www.trafficpenaltytribunal.gov.uk/TRO-library/](http://www.trafficpenaltytribunal.gov.uk/TRO-library/)

**18.4** To avoid repetition or conflict this policy need only detail only those aspects which require specific context for Kent, or where the rules and processes does not already derive from the Regulations and any stipulations given in the Statutory guidance.

### **18.5 Penalty amounts - Differential Charging**

**18.6** The amount of the penalties is set in legislation and there are two bands.<sup>16</sup> All bus lane and moving traffic penalties are set at the higher rate.

**18.7** The Penalty Charge bands, rates and fees charged by the Traffic Enforcement Centre are set by Government.

**18.10** Payment methods will be stated in the PCN and in the Notice of Rejection of Representations. Details will also be provided on the KCC website and the portal through which payments and representations may be made.

**18.11** If a vehicle is sold before the contravention (or bought only afterwards) proof should be provided to suspend any enforcement action. Acceptable proof could be:

- a) Receipt of sale
- b) A signed V5C showing the transfer of the vehicle.
- c) Receipt of part exchange
- d) Confirmation from the DVLA

**18.12** Cancellation of insurance will not normally be accepted as this does not confirm that the vehicle was sold.

**18.13** If known, the former keeper should always provide the name and address of the person or company to whom the vehicle was sold.

### **18.14 Requirements of the PCN**

**18.15** Moving traffic and bus lane PCNs are issued under Regulation 10 of the Traffic Management Act 2004. Each PCN needs to contain certain items, as set out in The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

### **18.16 Representations**

**18.17** Representations must be made within 28 days of service of the PCN. Despite this, discretion may be applied to accept late representations- this will

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<sup>15</sup> [Traffic Management Act 2004: statutory guidance for local authorities outside London on civil enforcement of bus lane and moving traffic contraventions - GOV.UK \(www.gov.uk\)](#)

<sup>16</sup> Schedule 3, Part 1. The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022



depend on the reason for any delay (for example, incapacity due to illness or hospital stay) but discretion will be applicable on the merits of the case.

**18.18** When a representation has been posted by first class mail, service will be deemed on the second working day thereafter.

**18.19** If a representation is received during this 28-day period, the case will go 'on hold' pending consideration and decision.

**18.20** We will consider exceptional circumstances that justify departing from usual policy to prevent injustice to applicants whose circumstances place them at a disadvantage, either under a duty to make reasonable adjustments set out in the Equality Act 2010<sup>17</sup> or for any other appropriate reason.

**18.21** Representations and decisions cannot be made over the telephone or otherwise verbally- they must be received in written form, such as through the online portal whose details will be stated on the PCN.

**18.22** Details of how to submit representations by email will be given on the Penalty Charge Notice and in the Notice of Rejection of Representations.

**18.23** The grounds on which representations may be made are set out in the Regulations<sup>18</sup> and must be stated on the PCN and will be considered.

#### **18.24 Notification of the outcome of representations**

**18.25** A decision must be given within a maximum of 56 days of the service of the representations<sup>19</sup>. In operational terms, this maximum should only apply in extreme circumstances.

**18.26** The Secretary of State for Transport advises that it is best practice to ensure that decisions are made within 21 days of the service of the representations, and we will endeavour to meet this expectation.

**18.27** If a decision is likely to be delayed for any reason, acknowledgement of the representation and an explanation will be provided, including a date by which notice of a decision will be dispatched.

**18.28** If a response is delayed beyond 56 days, we will cancel the PCN.

#### **18.29 Discretion and consideration**

**18.30** The use of discretion when considering representations and appeals is a necessary part of civil enforcement. Although each PCN may only be issued

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<sup>17</sup> See. Reasonable adjustments: a legal duty - GOV.UK ([www.gov.uk](http://www.gov.uk))

<sup>18</sup> The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

<sup>19</sup> Ibid. Chapter 2, section 6

for one of a small number of contraventions, the circumstances of each event will be different.

**18.31** To ensure impartiality the same staff will not be responsible both for the decision to issue a PCN and the consideration of appeals.

**18.32** Decisions are not fettered, so the conditions under which discretion might be considered is not closed.

**18.33** Handling representations is a quasi-judicial function. Officers dealing with representations and appeals will be trained in the relevant legislation and Kent County Council's own guidance, considering each case on its merits. Only trained staff will be permitted to make decisions on the issue of PCNs and their cancellation, allowing for an audit trail to show why a decision has been made and by whom.

#### **18.34 Consideration of mitigation and mistakes**

**18.35** Any PCN can be cancelled if mitigation is deemed strong enough to warrant it. Cases will be considered objectively, and discretion can be given where it is evident that a contravention occurred due to circumstances beyond the motorist's reasonable control or due to a medical emergency, which must be evidenced.

#### **18.36 Alleged non-receipt of documents.**

**18.37** The Council will ensure that all documents are issued correctly. The Council will keep records of the date and time when it was sent. All PCNS and replies to representations (apart from cancellations) will be sent by first class mail and sent as dated. Replies to representations may also be delivered by email with the prior consent of the registered keeper.

**18.38** Service is deemed to be served on the second working day after the date of issue unless proven otherwise. Without proof that a letter was not received, we will not normally reoffer the discount unless legally obliged to. Exceptional circumstances may amend our position in this regard, but this would depend on the nature of those circumstances and, if requested, the receipt of satisfactory evidence.

#### **18.39 Who can consider representations?**

**18.40** Only authorised staff may consider representations and appeals.

**18.41** Other Council staff cannot take part in the enforcement process or in the decision-making of representations and appeals.

**18.42** Elected members and unauthorised staff will not, under any circumstances, play a part in deciding the outcome of individual

representations. This will help to maintain fairness and is explicit in Statutory Guidance.

**18.43** The involvement of elected members should extend no further than to be able to ask for and receive information about the progress of representations and about the eventual outcome of that representation.

**18.44** We will consider the representation on several criteria. The following list is not closed.

a) **Merits of the case.**

The circumstances surrounding each PCN are unique and therefore each PCN will be considered on its own merits.

b) **Council enforcement guidance and officer judgement.**

While the circumstances surrounding all PCNs are unique, due regard will be given to this policy to ensure a fair and consistent approach to deciding representations.

c) **Statutory obligations**

We will always ensure that our processes for the consideration of representations always comply with legislation as well as any statutory guidance or operational guidance released by the Department for Transport. **Should any element of this policy conflict with statutory provisions, the statutory provision will prevail.**

d) **Driver/vehicle history**

Both driver and vehicle histories will be checked to see if either has a history of incurring similar PCNs and whether discretionary cancellations have been granted previously.

**18.45 Warning notices**

**18.46** Warning notices will be issued in line with statutory guidance for local authorities outside London on civil enforcement of bus lane and moving traffic contraventions.

**18.47 Viewing the footage**

**18.48** Those issued a PCN will be able to view the images relating to their PCN online, by following the details given on the PCN or via the KCC website.

**18.49** Upon request by the registered keeper, we can send, by post, such still images as in our opinion establish that the contravention occurred (for contact details, see **Appendix 3**)

**18.50** Alternatively, an arrangement can be made for the registered keeper, or their representative, to be able to view the relevant images or records produced by the approved device which resulted in the PCN, free of charge.

**18.51** To arrange a viewing, email [movingtrafficeenforcement@kent.gov.uk](mailto:movingtrafficeenforcement@kent.gov.uk) or write to Moving Traffic Enforcement, Kent County Council, Kroner House, Eurogate Park, Ashford Kent TN24 8XU.

**18.52** The registered keeper, on their representative, will need to specify which of the following offices they wish to visit to undertake the viewing:

- a) Kent County Council, Kroner House, Eurogate Business Park, Ashford, TN24 8XU
- b) Kent County Council, Doubleday House, St. Michaels Close, Aylesford, ME20 7BU

**18.53** The registered keeper, or their representative will need to give a reasonable date and time, during office hours (9am-4pm) when they wish to visit so arrangements for an appointment can be made. Staff and resources will need to be made available at the site, which affects our ability to respond, but we will do our best to reasonably accommodate any request.

**18.54** We will require at least a PCN reference within all correspondence to help identify the contravention and will require photo identification of the attendees to ensure only you, or your confirmed representative, views the footage.

**18.55** The list below gives some common accepted forms of photo ID. If the registered keeper or their representative do not have one of these, please mention this when you ask to view your footage, and we will try to accommodate your request.

- c) Passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state, or a Commonwealth country (including an Irish Passport Card)
- d) Driving licence issued by the UK, any of the Channel Islands, the Isle of Man, or an EEA state (this includes a provisional driving licence)
- e) A Blue Badge
- f) Older Person's Bus Pass funded by the UK Government
- g) Disabled Person's Bus Pass funded by the UK Government
- h) Oyster 60+ Card funded by the funded by the UK Government
- i) Biometric immigration document
- j) Ministry of Defence Form 90 (Defence Identity Card)

**18.56** Upon receipt of a request, we will suspend progress of the relevant case and will respond to a request in a reasonable time. Once the images have been sent to the registered keeper's address, or the recording has been viewed at our offices, as appropriate, the progression of the case will continue.

**18.57 Use of Enforcement Agents**

**18.58** When executing warrants of control relating to MTE, enforcement agents are acting on behalf of KCC. KCC is ultimately responsible for the behaviour of the enforcement agents when they are undertaking this role, so efforts will be taken to ensure that agents act accordingly.

**18.59** When operating, enforcement agents must follow the code set out in national standards<sup>20</sup>

### **18.60 Payments**

**18.61** A PCN is deemed 'paid' as soon as payment is made online or when it arrives at the payment office as specified on the PCN. We will record the day on which it receives payments so no more action is taken.

**18.62** We will remain alert to any unusual delays with the postal system, or within the TEC, and make allowance when considering whether a payment was received within the statutory period. We may keep evidence of a franked envelope in which the payment came, as evidence of the date of posting.

**18.63** It is responsibility of the vehicle registered keeper (or person liable for the PCN in the case of hire or lease) to ensure that the representations is received within the required timeframe. If challenging by post, please allow two working days for delivery of first-class mail.

**18.64** Appeal before paying - A representation should be made against a PCN before making payment. Once the representation is received, the case will be put on hold pending a decision from a PCN Appeals Officer. The penalty charge will not increase in the meantime.

**18.65** You should not pay and appeal. If payment is received for a Penalty Charge, then the case will be promptly closed.

**18.66** PCNs should be paid in full, at the applicable rate.

**18.67** The registered keeper may contact us to discuss any difficulties they are experiencing, but there is no facility for setting up formal payment plans for outstanding PCNs, in part, due to the cost of administering the system.

**18.68** Payment delays would affect the requirement to keep within the statutory PCN timescales, whilst the deterrent effect of the PCN may be compromised if long-term payment arrangements are accepted.

**18.69** Current legislation states that for a case to be closed, full payment must be made within certain timescales. This does not provide the motorist with the opportunity to settle a case other than that stated within the legislation and

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<sup>20</sup> Part 3 of, and Schedule 12 to, the Tribunals, Courts and Enforcement Act 2007 and the Taking Control of Goods Regulations 2013

those seeking instalment plans often wish to do so over a longer period than could be allowed.

### **18.70 Discount payment (also see ‘Notification of the outcome of representations’)**

**18.71** If a representation against a PCN is received within 21 days of service, a 50% reduced penalty period applies (this is known as the ‘applicable discount’)

**18.72** Under the Regulations<sup>21</sup> or Statutory guidance there is no specified requirement to reoffer a period where payment may be made at discount rate along with the Notice of Rejection, but, where the notice of rejection relates to a PCN served under regulation 10(2)(a) of the General Provisions Regulations<sup>22</sup> the discount will be reoffered for a further period of 21 days from the date of the NoR.

**18.73** If the representation is received by us after the 21-day period, we will not normally reoffer the discount amount. As each case is separate, any submission made by the vehicle registered keeper will be considered on its own merits.

**18.74** Kent County Council will generally only offer the discounted amount on one occasion once the representation has been rejected (as stated within the Notice of Rejection). Further correspondence may not lead to an extension of the discount amount.

### **18.75 Part Payment**

**18.76** For us to close a case, the full outstanding balance needs to be paid in full (the amount due will depend on the stage of the PCN). The progression of a PCN is set by Regulation, so any payment which covers part of the full amount due will not delay that progression.

**18.77** If part payment is made, we may try to contact the person deemed to be liable to advise that the balance is still due, but it is also reasonable to allow the PCN progression to proceed, as subsequent correspondence will make allowance for any payment received.

**18.78** It is the responsibility of the registered keeper to pay the balance due by the relevant date, both of which will be indicated on the PCN or other correspondence.

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<sup>21</sup> The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

<sup>22</sup> The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

**18.79** Payments made to us after a warrant has been issued may not be accepted. Payments at this stage must be made to the civil enforcement agents as directed.

## **19. Requirements for ANPR cameras**

**19.1** All ANPR cameras must be certified by central government via the Vehicle Certification Agency<sup>23</sup> before they may be used for enforcement purposes. Details of the cameras which have been certified are held on the VCA website<sup>24</sup>

### **19.2 Image requirements for PCN**

**19.3** Guidance on the requirements of camera enforcement is set out in the Civil Enforcement of Road Traffic Contraventions: Certification of Approved Devices (2022)<sup>25</sup>.

**19.4** All relevant equipment has been certified by the Vehicle Certification Agency (VCA) specifically for moving traffic contraventions

**19.5** Installation and use of an approved device will abide with the Technical Construction File which forms the basis of applications for certification submitted to the Secretary of State.

## **20. UK General Data Protection (UK GDPR)**

**20.1** ANPR CCTV will be used in accordance with the existing 'KCC Code of practice and policy for the operation of KCC CCTV and overt surveillance systems'

**20.2** A DPIA will be conducted prior to the procurement and installation of cameras or other surveillance systems.

**20.3** The County Council and its service contractor will process personal data in accordance with data protection legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

**20.4** For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under UK GDPR.

**20.5** If you would like to exercise a right, please contact the Information Resilience and Transparency Team at [data.protection@kent.gov.uk](mailto:data.protection@kent.gov.uk).

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<sup>23</sup> [www.vehicle-certification-agency.gov.uk/](http://www.vehicle-certification-agency.gov.uk/)

<sup>24</sup> [www.gov.uk/government/publications/list-of-certifications-granted-for-approved-devices](http://www.gov.uk/government/publications/list-of-certifications-granted-for-approved-devices)

<sup>25</sup> [Civil enforcement of road traffic contraventions: certification of approved devices \(publishing.service.gov.uk\)](http://Civil.enforcement.of.road.traffic.contraventions:certification.of.approved.devices(publishing.service.gov.uk))

## 21. Communication with Kent residents

- 21.1 The DfT requires KCC to consult the public on every new location where ANPR cameras are to be installed for enforcement purposes. This will be done through KCC's consultation website, "Let's Talk Kent"<sup>26</sup>, and through adverts in the local press and social media.
- 21.2 Residents will also be able to enquire about enforcement in general or at a specific location, via KCC's website such as the Highways Fault Reporting Tool.
- 21.3 Queries relating to a PCN may more accurately be considered a representation to the PCN and follow the normal process laid out in statute (see above). Instructions on how to make a representation will be given on the PCN and the KCC website.
- 21.4 All ANPR camera locations will be shown on a map on our webpage: [www.kent.gov.uk/trafficmanagementact](http://www.kent.gov.uk/trafficmanagementact)
- 21.5 Data and other information will be collected during enforcement and will be relayed to the public through an annual report.
- 21.6 **Annual report**
- 21.7 Authorities which undertake civil enforcement are expected to produce an annual report, providing statistical and financial information about parking operations and enforcement, in compliance with the Local Government Transparency Code.
- 21.8 A report will be created at end of the first year of enforcement and each year thereafter and will be available via the KCC website. A copy will also be available for inspection on request (See **Appendix 3**)
- 21.9 Amongst other items, a report will give-
- a. A breakdown of income and expenditure on the authority's revenue collected from Penalty Charge Notices.
  - b. a breakdown of how the authority has spent a surplus on its parking account.

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<sup>26</sup> <https://letstalk.kent.gov.uk/>



## **22. Review of this policy**

- 22.1** This document will be reviewed after a minimum of five years, to reflect best practice, or sooner, if legislation is amended.

## **23. Comments and complaints**

- 23.1** Comments and complaints specific to the selection of ANPR enforcement camera locations will be dealt with through the KCC Highways complaints webpage<sup>27</sup>.
- 23.2** National Legislation provides a mechanism for motorists to challenge PCNs. Those receiving a PCN have the right to follow the procedure provided in law<sup>28</sup> and make a representation against a PCN and appeal against the PCN to the independent parking adjudicators at the Traffic Penalty Tribunal (TPT). Complaints relating to the validity of a PCN should follow this legal route. The TPT is also able to consider a costs application<sup>29</sup>.
- 23.3** Complaints relating to civil enforcement undertaken by Kent County Council in general, that does not relate specifically to an individual PCN or PCNs, may follow the normal KCC Highways Complaints process (see above).
- 23.4** Comments about the conduct of enforcement agents should be made in the first instance to the agents, as instructed in correspondence, but complaints about service can also be made to KCC in the normal way as the agents are acting on our behalf.

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<sup>27</sup> [www.kent.gov.uk/about-the-council/complaints-and-compliments](http://www.kent.gov.uk/about-the-council/complaints-and-compliments)

<sup>28</sup> The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022 (legislation.gov.uk)

<sup>29</sup> <https://www.trafficpenaltytribunal.gov.uk/>










## 24. Glossary

| Item                         | Description  |
|------------------------------|--|
| AI                           | Artificial Intelligence  |
| Allowed list                 | List of authorised vehicles' registration plates   |
| ANPR                         | Automatic Number Plate Recognition   |
| Applicable date              | The last day of the period of 21 days beginning with the date on which the PCN is served   |
| Applicable discount          | The amount, set in accordance with Schedule 9 to the TMA 2004  |
| Approved device              | The combination of camera(s) and recording system which meets the specified requirements for civil traffic enforcement in applicable legislation and guidance. This will be approved by the VCA for use in the detection of parking, bus lane and/or moving traffic contraventions |
| Bus lane contravention       | TMA Part 2 of Schedule 7   |
| CC                           | Charge Certificate   |
| DfT                          | Department for Transport   |
| Discount rate                | £35 (50% of the full penalty charge)   |
| FPN                          | Fixed Penalty Notice – issued by police  |
| Full penalty                 | £70<br>(all contraventions enforceable under Part 6 of the TMA are at the higher penalty)  |
| Highway Improvement Project  | A project connected with KCC's statutory duty to ensure the effective discharge of the Traffic Management Act  |
| Increased penalty            | £105 (upon issue of Charge Certificate) increased to £114 after being registered with TEC<br>(all contraventions enforceable under Part 6 of the TMA are at the higher penalty)  |
| KCC                          | Kent County Council  |
| Mandatory cycle lane         | Means a cycle lane which is marked in accordance with diagram 1049B at item 7 in Part 6 of Schedule 9 to the TSRGD.  |
| MTO                          | Moving Traffic Offence   |
| Moving traffic contravention | TMA Part 4 of Schedule 7   |
| NoR                          | Notice of Rejection of Representations   |
| NTO                          | Notice to Owner  |
| Part 6 of the TMA            | Traffic Management Act (2004) Part 6: Moving Traffic Enforcement   |
| PCN                          | Penalty Charge Notice (issued for Traffic contraventions under a Civil Enforcement regime)   |

|   |   |
|---|---|
| Postal PCN  | A Penalty Charge Notice issued by Regulation 10 of the TMA 2004 (type 10(2)(a) for moving traffic enforcement)  |
| Item  | Description   |
| Regulation 10 PCN   | See Postal PCN  |
| Representation  | The formal challenge against a Notice to Owner/postal Penalty Charge Notice   |
| RTRA  | Road Traffic Regulation Act 1984  |
| Statutory Guidance  | Traffic Management Act 2004: statutory guidance for local authorities outside London on civil enforcement of bus lane and moving traffic contraventions (DfT Oct 2022)                |
| TE3 Order for Recovery  | Document sent by the TEC to inform the recipient that the increased penalty amount has been registered as a debt with Northampton County Court (sent with TE9)                        |
| TE7 Application to file a statement out of time/extension of time | Document available through the TEC providing the recipient the chance to appeal to the court beyond the point allowed for in the TE3  |
| TE9 Witness Statement   | Document providing the recipient the chance to appeal to the court against the issuing of the TE3   |
| TEC   | The Traffic Enforcement Centre located at Northampton County Court that authorises Order for Recoveries and Warrants. See <b>Appendix 3</b> for address                               |
| TMA 2004  | Traffic Management Act (2004)   |
| TPT   | Traffic Penalties Tribunal The independent tribunal for adjudicating parking and moving traffic contraventions outside of London.   |
| Traffic Sign  | Meaning as given by section 64 of the RTRA  |
| TRO   | Traffic Regulation Order  |
| TSRGD   | Traffic Signs Regulations and General Directions  |
| VCA   | Vehicle Certification Agency  |
| VRM   | Vehicle Registration Mark – as displayed on the front and rear ‘number plates’ of most road vehicles (but only on the rear of motorcycles) in accordance with applicable legislation. |









## Appendices








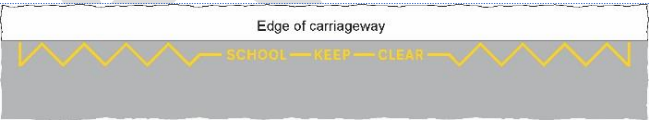

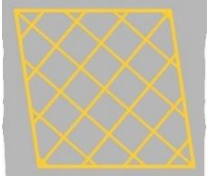
### Appendix 1- Signs KCC can enforce under Part 6 of the TMA powers<sup>30</sup>

| Description  | TSRGD diagram number & location                                       |   |
|--|---|---|
| Vehicular traffic must proceed in the direction indicated by the arrow   | 606<br>(Schedule 3, Part 2, item 1 and Schedule 14, Part 2, item 42)  |    |
| Vehicular traffic must turn ahead in the direction indicated by the arrow  | 609<br>(Schedule 3, Part 2, item 2)                                   |    |
| Vehicular traffic must keep to the left/right of the sign indicated by the arrow   | 610<br>(Schedule 3, Part 2, item 3)                                   |    |
| No right turn for vehicular traffic  | 612<br>(Schedule 3, Part 2, item 7 and Schedule 14, Part 2, item 43)  |    |
| No left turn for vehicular traffic   | 613<br>(Schedule 3, Part 2, item 8 and Schedule 14, Part 2, item 43)  |  |
| No U-turns for vehicular traffic   | 614<br>(Schedule 3, Part 2, item 6 and Schedule 14, Part 2, item 43)  |  |
| Priority must be given to vehicles from the opposite direction   | 615<br>(Schedule 3, Part 2, item 9)                                   |  |
| No entry for vehicular traffic (when the restriction or prohibition is one that may be indicated by another traffic sign subject to civil enforcement) | 616<br>(Schedule 3, Part 2, item 10 and Schedule 14, Part 2, item 44) |  |
| All vehicles prohibited except non-mechanically propelled vehicles being pushed by   | 617<br>(Schedule 3, Part 2, item 11)                                  |  |


<sup>30</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1079760/annex-a-traffic-signs-subject-to-moving-traffic\\_enforcement.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1079760/annex-a-traffic-signs-subject-to-moving-traffic_enforcement.pdf)

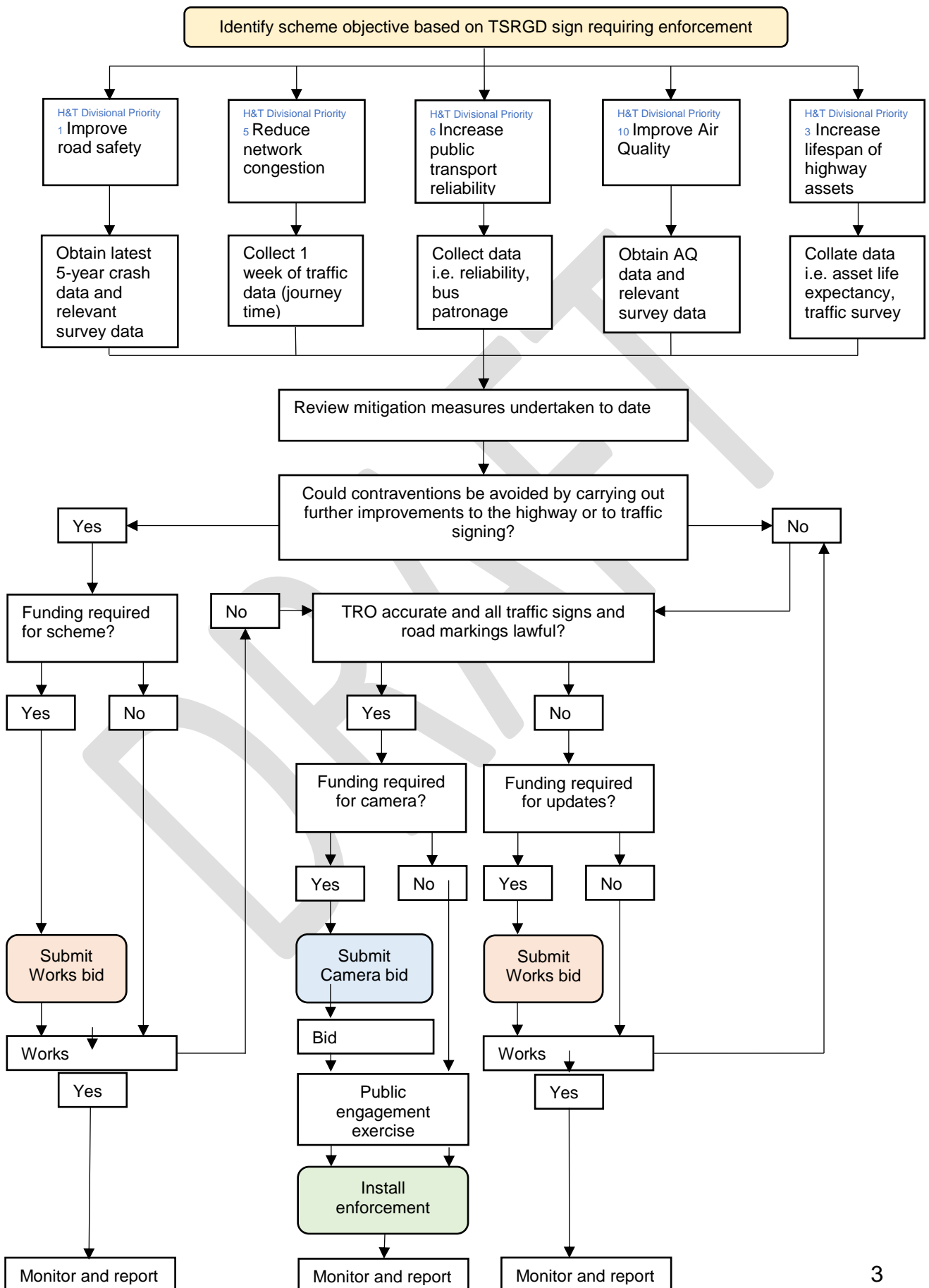
| Description  | TSRGD diagram number & location         |   |
|--|---|---|
| Entry to and waiting in a pedestrian zone restricted                             | 618.3B<br>(Schedule 8, Part 2, item 1)  |    |
| Entry to and waiting in a pedestrian and cycle zone restricted                   | 618.3C<br>(Schedule 8, Part 2, item 2)  |   |
| Motor vehicles prohibited  | 619<br>(Schedule 3, Part 2, item 12)    |  |
| Motor vehicles except solo motorcycles prohibited                                | 619.1<br>(Schedule 3, Part 2, item 18)  |  |
| Solo motorcycles prohibited  | 619.2<br>(Schedule 3, Part 2, item 20)  |  |
| Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle | 622.1A<br>(Schedule 3, Part 2, item 13) |  |
| One-way traffic  | 652<br>(Schedule 9, Part 4, item 5)     |  |
| Buses prohibited   | 952<br>(Schedule 3, Part 2, item 17)    |  |

| Description  | TSRGD diagram number & location         |  |
|--|---|--|
| Route for use by buses, pedal cycles, and taxis only   | 953<br>(Schedule 3, Part 2, item 33)    |   |
| Route for use by tramcars only   | 953.1<br>(Schedule 3, Part 2, item 36)  |   |
| Route for use by pedal cycles only   | 955<br>(Schedule 3, Part 2, item 28)    |   |
| Route for use by pedal cycles and by pedestrians only  | 956<br>(Schedule 3, Part 2, item 29)    |   |
| Route comprising two ways, for use by pedal cycles only and by pedestrians only  | 957<br>(Schedule 3, Part 2, item 32)    |   |
| With-flow cycle lane   | 959.1<br>(Schedule 9, Part 4, item 9)   |   |
| Contra-flow cycle lane   | 960.1<br>(Schedule 9, Part 4, item 6)   |   |
| Part of the carriageway outside an entrance where vehicles must not stop when the marking is placed in conjunction with the prescribed upright sign which includes the symbol at Schedule 4, Part 3, item 10 | 1027.1<br>(Schedule 7, Part 4, item 10) |   |
| Box junction markings  | 1043<br>(Schedule 9, Part 6, item 25)   |   |

Bus Lanes will be enforced under powers granted by Part 2 of Schedule 7 of the Traffic Management Act 2004

| Description | TSRGD diagram number & location       |   |
|-------------|---------------------------------------|---|
| Bus Lane    | 959B<br>(Schedule 9, Part 4, item 10) |  |

## Appendix 2- Site Due diligence Process.



## Appendix 3- Key Addresses

### **Traffic Enforcement Centre (for debts registered relating to Penalty Charge Notices)**

Traffic Enforcement Centre, Civil National Business Centre/CNBC, St. Katharine's House, 21-27 St. Katharine's Street, Northampton, NN1 2LH  
DX: 702885 Northampton 7

Contact telephone 0300 123 1056.  
Email address is: [tec@justice.gov.uk](mailto:tec@justice.gov.uk)

### **General correspondence address for Moving Traffic Enforcement matters**

Moving Traffic Enforcement, Kent County Council, Kroner House, Eurogate Business Park, Ashford, Kent TN24 8XU

Email: [movingtrafficeenforcement@kent.gov.uk](mailto:movingtrafficeenforcement@kent.gov.uk)

### **Address for Highway Authority**

Kent County Council, Invicta House, County Hall, Maidstone, Kent ME14 1XQ

### **Address at which the CCTV Code of Practice can be inspected.**

Kent County Council, Invicta House, County Hall, Maidstone, Kent ME14 1XQ  
Or via the KCC website, [www.kent.gov.uk](http://www.kent.gov.uk) .

### **Addresses at which Annual Reports may be inspected.**

Kent County Council, Invicta House, County Hall, Maidstone, Kent ME14 1XQ

### **Officers who can authorise copying and release of data.**

Kent Parking Manager, Moving Traffic Enforcement Team Leader, Appeals Officer.

### **Officers responsible for operation of the back-office system and observance of the Code of Practice:**

**Overall responsibility:** Kent Parking Manager, Moving Traffic Enforcement Team Leader & service manager.

**Responsibility for day-to-day operations:** Moving Traffic Enforcement Team Leader, Appeals Officer

**Responsibility for Training:** Moving Traffic Enforcement Team Leader, Appeals Officer



# Appendix 4- PCN Journey Flowchart

**Stages of Contravention**  
There should be a clear audit trail of decisions taken with reasons given

Case dismissed after initial review by KCC

If keeper details not known wait 14 days and re-submit VQ4

Case dismissed after DVL A information returned due to mismatched data/ anomalies

During first 6 months following implementation of a moving traffic scheme a warning notice is issued to registered owner on first contravention at any enforced area

PCN to be served by first class post within the period of 28 days, beginning with the date of contravention

PCN accepted in first instance by owner. If paid within 21 days it is 50% charge, between 22-28 days it is full charge

After initial representation by Registered Owner, case is cancelled by KCC

After representation is rejected by KCC owner accepts PCN, payment is made and case is closed. If the representation was received within 21 days of being served, full payment will be at 50% charge for a period of 21 days from the service of the Notice of Rejection. TBC and agreed with LD. If the representation is received between 22-28 days, payment is at full charge

Case is taken to TPT, where it is not contested by KCC, Case is cancelled

Case is upheld at TPT, Case is cancelled

Case is dismissed at TPT, owner accepts charges, payment is made and case is closed. If paid within 21 days it is 50% charge, between 22-28 days it is full charge

After any appeal process or neglect to pay initial PCN after 28 days, owner accepts charges, payment is made and case is closed

KCC to inform the supplier that the debt has been registered with TEC

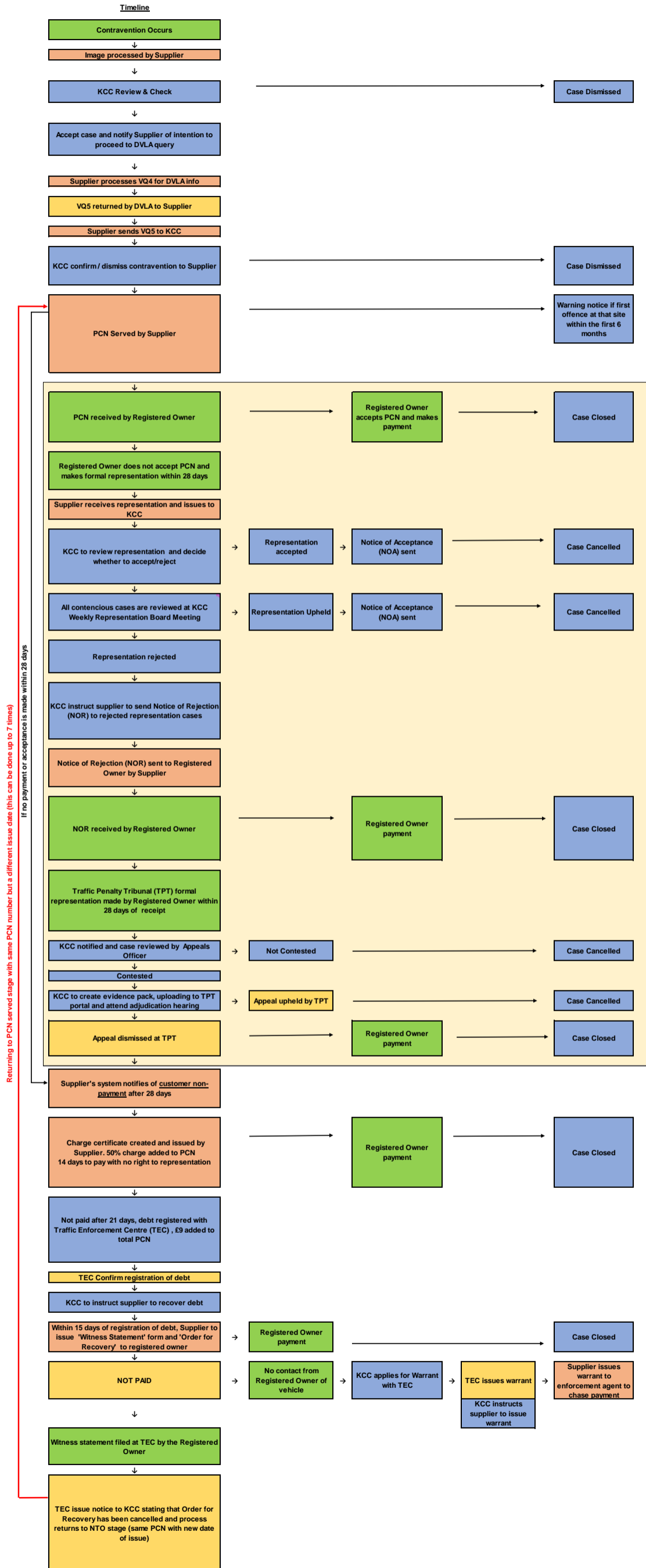
After debt is registered with TEC, owner accepts charges, payment is made within 21 days and case is closed

No payment is made within 21 days, debt is registered and a warrant to chase payment is made

Witness Statement must be filed within 21 days from the date of service of receiving the Witness Statement form and Order for Recovery.

After witness statement is filed, notice issued to KCC within 36 days of registration saying Order for Recovery is cancelled. This does not cancel the original PCN. The matter is referred back to the local authority to decide what action they wish to take next, and the process returns to NTO stage.

## PCN JOURNEY FLOWCHART



| Key                      |                                |
|--------------------------|--------------------------------|
| KCC actions              |                                |
| Supplier actions         |                                |
| Registered Owner actions |                                |
| Representation Process   |                                |
| External bodies actions  |                                |
| Cost                     |                                |
| £35                      | If paid within 21 days         |
| £70                      | If paid 22-28 days             |
| £105                     | After 28 days                  |
| £114                     | After debt registered with TEC |

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# KENT COUNTY COUNCIL –PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Neil Baker, Cabinet Member for Highways and Transport

**DECISION NO:**

24/00015

For publication

Key decision: YES

**Subject Matter / Title of Decision:** Moving Traffic Enforcement Policy

**Decision:**

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

- (i) to the adoption and implementation of the policy on moving traffic enforcement and
- (ii) Delegate authority to the Corporate Director of Growth, Environment and Transport in consultation with the Cabinet Member for Highways & Transport ,to make revisions as appropriate to the policy and take relevant actions to implement the decision.

**Reason(s) for decision:**

KCC was granted the Designation Order by parliament on 15th July 2022, to enforce a limited number of moving traffic offences. The proposed policy sets out the approach to be followed by authorised officers when making decisions in respect of KCC's compliance and enforcement activities.

**Cabinet Committee recommendations and other consultation:**

Members of the Environment and Transport Cabinet Committee are considering the proposal at their meeting on 7 March 2024.

**Any alternatives considered and rejected:**

It is not a statutory requirement of the Designation Order that Local Authorities should have a policy in place for moving traffic enforcement. However, officers have compiled the policy document in order to provide clarity and transparency on how KCC use these powers; ensure enforcement is consistent and proportionate to the contraventions involved; encourage an element of flexibility through technology and human input to ensure Penalty Charge Notices (PCNs) are not unfairly issued or pursued; set out clearly what is expected from the public in terms of compliance.

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

.....  
signed

.....  
date

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From: Neil Baker, Cabinet Member for Highways and Transportation  
Simon Jones, Corporate Director Growth, Environment and Transport

To: Environment and Transport Cabinet Committee - 7 March 2024

Subject: **Professional Services Framework Contract 2024 Award**

Decision No: 24/00017

Classification: Unclassified

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

**Electoral Division:** Countywide

**Summary:** This report provides the Environment and Transport Cabinet Committee with a summary of the work undertaken to date to commission the new Professional Services contract (PSC).

**Recommendation:**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision to:

- (i) APPROVE the procurement and contract award of a zero value Professional Services framework contract
- (ii) DELEGATE authority to the Director of Highways and Transportation, to take relevant actions to facilitate the required procurement activity.
- (iii) DELEGATE authority to the Director of Highways and Transportation, in consultation with the Cabinet Member for Highways and Transport, to take relevant actions, including but not limited to, awarding, finalising the terms of and entering into the relevant contracts or other legal agreements, as necessary, to implement the decision.
- (iv) Delegate authority to the Director of Highways and Transportation, in consultation with the Cabinet Member for Highways and Transport, to award extensions of contracts for commissioned services in accordance with the extension clauses within the contract (4 years + 2 year extension).

as shown at Appendix A.

## 1 Introduction

- 1.1 Kent County Council is the statutory authority responsible for the delivery of a Highways service for the residents of Kent (excluding Medway). A key requirement as a highway authority is to “plan and improve our highway network to help the Kent economy grow and to ensure that it is as safe and efficient as possible.”

- 1.2 This includes casualty reduction, assisting developers in minimising the impact of their proposals on the travelling public, planning transport to help the Kent economy grow, highway and transport modelling, transport strategies, minor improvements, and local growth funded schemes, ensuring projects funded by others meet Kent's highway standards and ensuring that any changes and improvements to our network take account of their future maintainability and reduce lifecycle costs overall.
- 1.3 To achieve these aims, Highways and Transportation (H&T) require access to specialist technical engineering expert advice and services. In 2019 a Professional Services Framework was established to create a flexible, resilient mechanism to seamlessly procure multi-disciplinary technical expertise to guarantee the achievement of Kent County Council strategic objectives.
- 1.4 Currently these services are fulfilled via The Professional Services Framework Contract (PSFC) which is due to expire on 31<sup>st</sup> July 2024.
- 1.5 The range of professional services required can be categorised under the following main headings:
- Highways and Engineering e.g.
    - Highways design and supervision
    - Road Safety Auditing
    - Construction Design and Management CDM
  - Planning and Environment
    - Transport feasibility studies
    - Transport Option Evaluation and Appraisal
    - Accident analysis and specialist road safety engineering
  - Surveys and Investigations
    - Traffic and Transport Data Collection
    - Ground Penetrating Radar Surveys
  - Commercial Services
    - Commercial QS
    - Contract Preparation and Measurement / Software development
- 1.6 The current Professional Services Framework has four professional consultancy companies who are:
- AECOM Limited
  - Project Centre Ltd
  - WSP UK Limited
  - Waterman Infrastructure & Environment Limited
- 1.7 At present, the framework generates competitive tension through a secondary competitive bidding process which seeks to deliver best value and has historically met the required quality performance indicators.
- 1.8 The framework is guided and driven by the Framework Manager who is in place to ensure suppliers are adhering to the contract specification, that there is compliance with spend and ongoing valuation processes and that all parties have an accurate overview of project progress and delivery performance.

- 1.9 A Prior Information Notice was published in September 2023 inviting expressions of interest from relevant suppliers to participate in the market engagement exercise. KCC received a total of 49 questionnaire responses providing information about market capacity, the framework model, the contractual mechanisms proposed, and the local market cost and resource pressures.
- 1.10 Market Engagement discussions were held with 19 organisations. These took place between October and November 2023.
- 1.11 As a result, it is proposed that a new Multi Supplier Framework with up to three multidisciplinary suppliers would represent best value and recognises the prevailing market capability, capacity and competence.

## **2 Delivery models**

2.1 Other delivery models explored for the provision of these services but discarded were:

- Option 1 Single Supplier Professional Services Contract
- Option 2 Multi Supplier Framework (Split into specialist lots)
- Option 3 Use of established external Framework Agreements from other Local Authorities, CCS, and Central Purchasing organisations such as ESPO to procure individual requirements.

### **2.2 Option 1**

- Procure a Single Supplier Professional services Contract with a single supplier. This arrangement would allow both parties to invest in a closer relationship and give consistency in delivery however it was discarded as reliance, and the resilience on one supplier may produce an unnecessary risk and it removes any competitive tension and may likely to lead to supplier complacency.

### **2.3 Option 2**

- Procure a Multi Supplier Framework (Split into specialist lots). The option would give opportunities for SMEs to participate but multiple lots would increase the contract management and administrative and give rise to more operational risk through the need to integrate multiple suppliers. Furthermore, if the volume of available work was spread more thinly across more suppliers the opportunities for economies of scale would be lost.

### **2.4 Option 3**

- Use of established external Framework Agreements from other Local Authorities, CCS, and Central Purchasing organisations such as ESPO. This option was discarded as the processes are historic, deemed to be overly bureaucratic, time consuming, inconsistent, and the ability for KCC to have a formal means to address wider and ongoing supplier poor performance is limited.

### **3 Financial Implications**

- 3.1 There are no immediate financial commitments to the Council from using a zero-value framework. KCC does not incur any financial risk by having the framework in place.
- 3.2 Historic data from the existing Professional Services Framework highlights that, as of January 2024, £25.5m professional services had been commissioned.
- 3.3 Based the forward programme, it is envisaged that expenditure over the initial four-year period would be in the region of £27m. The provision of potential two-year extension would increase this to £40.5m .
- 3.4 The forward programme is largely supporting planned major capital projects which are in the main funded via National Productivity Investment Fund, Housing Infrastructure Fund, South East Local Partnership Local Growth Fund, Growth and Housing Fund and these are then supplemented through developer Section 106 contributions.
- 3.5 It is anticipated that approximately 70% of the work commissioned through the framework will be fully funded externally (based on current spend as at 28.01.24). The remaining 30% relates to core operational activities that requires specialist and scarce expert resource in order to meet statutory and policy obligations contained within The Highways Act 1980, Well managed Highways, and the Road Tunnel Safety Regulations 2007.

### **4. Next Steps**

- 4.1 Following agreement, the formal procurement of the framework will commence and this will comply with the requirements of PCR-2015.
- 4.2 Following a successful conclusion of the tendering process, a 'Recommendation to Award' report will be presented to the Director to ratify the contractual arrangements of this Professional Services with the suppliers.
- 4.3 The target remains to commence the framework from August 2024.

### **5. Recommendations**

- 5.1 The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision to:
  - (i) APPROVE the procurement and contract award f a zero value Professional Services framework contract
  - (ii) DELEGATE authority to the Director of Highways and Transportation, to take relevant actions to facilitate the required procurement activity.
  - (iii) DELEGATE authority to the Director of Highways and Transportation, in consultation with the Cabinet Member for Highways and Transport, to take



relevant actions, including but not limited to, awarding, finalising the terms of and entering into the relevant contracts or other legal agreements, as necessary, to implement the decision.

- (iv) Delegate authority to the Director of Highways and Transportation, in consultation with the Cabinet Member for Highways and Transport, to award extensions of contracts for commissioned services in accordance with the extension clauses within the contract (4 years + 2 year extension).

as shown at Appendix A.

## **6. Appendices and Background documents**

Appendix A Proposed Record of Decision  
Equality Impact Assessment

## **7. Report Authors**

### **Terrie Coake**

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Relevant Director

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# KENT COUNTY COUNCIL –PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Neil Baker, Cabinet Member for Highways and Transport

**DECISION NO:**

24/00017

**For publication**

Key decision: YES / NO

**Subject Matter / Title of Decision: Professional Services Framework Contract 2024 Award**

**Decision:**

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

- (i) APPROVE the procurement and contract award of a zero value Professional Services framework contract
- (ii) DELEGATE authority to the Director of Highways and Transportation, to take relevant actions to facilitate the required procurement activity.
- (iii) DELEGATE authority to the Director of Highways and Transportation, in consultation with the Cabinet Member for Highways and Transport, to take relevant actions, including but not limited to, awarding, finalising the terms of and entering into the relevant contracts or other legal agreements, as necessary, to implement the decision.
- (iv) Delegate authority to the Director of Highways and Transportation, in consultation with the Cabinet Member for Highways and Transport, to award extensions of contracts for commissioned services in accordance with the extension clauses within the contract (4 years + 2 year extension).

**Reason(s) for decision:**

Highways & Transportation has a duty to ensure the effective discharge of the Council's statutory duties and powers as Local Transport and Highway Authority, including the duty of care to help ensure safe passage for all road users. To deliver its duties to the community, H&T requires a professional engineering consultancy services contract. Kent needs a flexible, resilient mechanism to seamlessly access a source of multidisciplinary technical expertise to guarantee the effective, efficient and timely delivery of projects including schemes, for the fulfilment of H&T's statutory duties as the Highway Authority.

**Cabinet Committee recommendations and other consultation:**

Members of the Environment and Transport Cabinet Committee will consider the proposal at their meeting on 7 March 2024.

**Any alternatives considered and rejected:**

- Option 1 Single Supplier Professional Services Contract
- Option 2 Multi Supplier Framework (Split into specialist lots)
- Option 3 Use of established external Framework Agreements from other Local Authorities, CCS, and Central Purchasing organisations such as ESPO to procure individual requirements

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

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.....  
signed

.....  
date

## **KCC - Growth, Environment and Transport Directorate (GET).**

### **Equality Analysis / Impact Assessment (EqIA) template**

#### **Name of decision, policy, procedure, project or service:**

**GET HTW Professional Services Framework Contract.**

#### **Brief description of policy, procedure, project or service**

The Professional Services Framework Contract provides Kent County Council with the provision of a multi-disciplinary consultancy service with a wide range of professional services within the Local Authority boundaries of Kent and Medway.

The Professional Services Framework Contract (PSFC) started on 1 April 2020 for a four-year term. A short-term extension has been taken until the 31st August 2024, to allow sufficient time to carry out Market Engagement and a compliant procurement exercise in order to procure a new framework for a 6 year term (4 years + 2 year extension option) this is due to start on the 1<sup>st</sup> August 2024.

The framework works very well and generates competitive tension to deliver best value and has proved popular with Kent County Council's officers as it has given them the flexibility needed to take different approaches to different challenges.

The Framework helps Highways & Transportation to fulfil their statutory obligations as the Highway Authority and to support HTW Strategic Outcomes, in particular:

- Fewer people killed or seriously injured on Kent's Roads (Vision Zero)
- Growth and economic prosperity through an efficient highway and transport infrastructure
- Everyone can choose to travel safely, efficiently, and pleasantly to employment, education, social and cultural opportunities.

#### **Aims and Objectives**

Kent County Council wishes to secure the services of suppliers to undertake specialist levels of technical, environmental and engineering professional services. These outputs supply the County Council with engineering expertise to plan and design new highway infrastructure, including assessment of structural assets or specialist advice.

The required core services fall within five main areas:

- Highways and Engineering

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1

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- Transportation services
- Strategy Planning and Enforcement
- Surveys and Investigations
- Commercial Services

The Framework currently delivers a multidisciplinary services, and technical competency across the areas listed above. There is a separate works order for each phase of work from feasibility to detailed design and construction support. The framework creates competitive commercial tension and deliver best value.

As of December 2023, a total of £25.3m worth of services across 288 package orders have been processed through this Framework. There has been a substantial increase in the volume commissioned work through the Framework than envisioned during the previous procurement exercise. The estimated total Framework contract value published on the Contract award notice was £16m, which has been significantly exceeded. This is to a large degree due to a number of successful funding bids for central government funding to deliver major capital projects.

The Council currently use the NEC3 Framework Contract and NEC3 Professional Services Contract. A transition to NEC4 is being considered, in line with other KCC Frameworks and Contracts.

The New Framework Contract is anticipated to commence on the 1st of August 2024 and will continue for a period of 4 years with an option to extend for a further 2 x periods of 12 months.

There are no immediate financial commitments to KCC from developing this zero-value framework, as the Council is only required to pay for consultancy services as commissioned. KCC does not incur any financial risk by having the Framework in place. However, it is envisaged that once the Framework is established, expenditure over the initial 4-year period may be in the region of £27,000,000.

The framework will deliver competitive commercial tension and deliver best value. We have a pipeline of works to ensure that our consultants have an opportunity to bid for projects and can organise their resources. works will be award via

- Direct award
- Mini competition

## JUDGEMENT

Set out below the implications you have found from your assessment for the relevant Protected Groups. If any negative impacts can be justified, please clearly explain why.

The services to be provided within this Framework contract are centred around KCC fulfilling its statutory obligations as the Highway Authority and supporting HTW Strategic Outcomes of:

- Fewer people killed or seriously injured on Kent's Roads
- Growth and economic prosperity through an efficient highway and transport infrastructure
- Everyone can choose to travel safely, efficiently, and pleasantly to employment, education, social and cultural opportunities.

The Framework does not affect any protected groups, but it will allow H&T to positively impact all residents of the county in the subsequent commissions within. It does allow H&T officers access to services that will encourage and promote further consideration and promotion of **equal opportunities for all groups**

The subsequent projects commissioned through this contract shall have individual more specific EQIAs undertaken when required. Therefore 'No Major Change' is anticipated.

**I have found the Adverse Equality Impact Rating to be Low**

There is no adverse rating of this contract.

# GET Document Control

## Revision History

| Version   | Date       | Authors      | Comment   |
|---|------------|--------------|---|
| V1  | 09/10/2019 | Chris Beck   | NA  |
| V2  | 02/09/2023 | Terrie Coake | Updated for Business case   |
| V3  | 06/01/2024 | Terrie Coake | Minor adjustments to account for findings from Market Engagement Sessions |
| V1<br>(this should be assigned to the version the Director signs off) |            |              |   |

Page 124

### Document Sign-Off (this must be both the relevant Head of Service and the relevant Director)

#### Attestation

I have read and paid due regard to the Equality Analysis/Impact Assessment. I agree with the actions to mitigate any adverse impact(s) that has /have been identified.

| Name     | Signature | Title           | Date of Issue |
|----------|-----------|-----------------|---------------|
| Tim Read |           | Head of Service |               |

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4

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|                    |  |          |  |
|--------------------|--|----------|--|
| Haroon<br>Chughtai |  | Director |  |
|--------------------|--|----------|--|

## **Part 1 - Screening**

Regarding the decision, policy, procedure, project or service under consideration,

**Q1: Could this policy, procedure, project or service, or any proposed changes to it, affect any Protected Group (listed below) less favourably (negatively) than others in Kent?**

**NO**

**Q2: Could this policy, procedure, project or service promote equal opportunities for this group?**

**This contract is a method to promote ongoing consideration of equal opportunities to all groups for every project.**

**Please note that** there is no justification for direct discrimination; and indirect discrimination will need to be justified according to the legal requirements

| Protected Group                         | You <b><i>MUST</i></b> provide a brief commentary as to your findings, or this EqlA will be returned to you unsigned |                        |                     |  |
|---|--|------------------------|---------------------|--|
|   | High Negative Impact   | Medium Negative Impact | Low Negative Impact | High/Medium/Low Favourable Impact  |
| <b>Age</b>                              | No   | No                     | No                  | Favourable impact as the contract will allow Officers the means to commission work at pace to promote the strategic objectives of ensuring everyone can choose to travel safely, |
| <b>Disability</b>                       | No   | No                     | No                  |  |
| <b>Sex</b>                              | No   | No                     | No                  |  |
| <b>Gender identity/<br/>Transgender</b> | No   | No                     | No                  |  |

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6

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|  |    |    |    |   |
|--|----|----|----|---|
| <b>Race</b>                            | No | No | No | efficiently and pleasantly to employment, education, social and cultural opportunities. By the commissioning the suppliers to undertake Highway improvement schemes that take into account all protected groups requirements. |
| <b>Religion and Belief</b>             | No | No | No |   |
| <b>Sexual Orientation</b>              | No | No | No |   |
| <b>Pregnancy and Maternity</b>         | No | No | No |   |
| <b>Marriage and Civil Partnerships</b> | No | No | No |   |
| <b>Carer's Responsibilities</b>        | No | No | No |   |

## **Part 2 - Full Equality Analysis /Impact Assessment**

**(Expand all sections as required)**

**From the screening grid, identify the Protected Groups impacted**

**(Who will be affected by the changes?)**

**Information and Data used to carry out your assessment**

**(Please list your data source and if you have it provide a link to source. Please highlight any gaps)**

**Who have you involved consulted and engaged with?**

**(Please list stakeholders)**

**Analysis**

**(What have you found out and what does it tell you about protected groups)**

**Adverse Impact,**

**(What is the effect on the protected group? Please state mitigation in the action plan provided in Part 3, if an action is intended)**

**Positive Impact:**

**(Please highlight any positive impacts in relation to protected groups)**

### **JUDGEMENT**

Set out below the implications you have found from your assessment for the relevant Protected groups. If any negative impacts can be justified please clearly explain why. Your judgement should explicitly articulate whether you intend

- **No major change** - no potential for discrimination and all opportunities to promote equality have been taken
- **Adjust and continue** - adjust to remove barriers or better promote equality
- **Continue the policy** - despite potential for adverse impact or missed opportunity. Set out the justifications: there is no justification for direct discrimination; and indirect discrimination will need to be justified according to the legal requirements.

Date Document Updated 26/02/2024

8

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- **Stop and remove the policy** – policy shows actual or potential unlawful discrimination it must be stopped and removed or changed

## **Next Steps**

1. **Having completed Part 2, if you have identified potential for adverse impact on particular groups and have found scope to improve the proposal, then move to Part 3**
2. **Having completed Part 2, if you have identified potential for adverse impact on particular groups but no scope to improve the proposal (remembering that there is no justification for direct discrimination; and indirect discrimination will need to be justified according to the legal requirements) then please complete the Judgement and the Summary RAG Rating above, and submit this form to your Head of Service and Director for sign off. Once they have both signed, please send to [GETcsp@kent.gov.uk](mailto:GETcsp@kent.gov.uk) and [diversityinfo@kent.gov.uk](mailto:diversityinfo@kent.gov.uk) with the title of the project clearly stated along with 'Final EqIA'. It will then be logged and published on the KCC Intranet as well as available to external customers upon request.**
3. **If the activity will be subject to a Cabinet decision, the EqIA must be submitted to Democratic Services [democratic.services@kent.gov.uk](mailto:democratic.services@kent.gov.uk) along with the relevant Cabinet report.**
4. **The original signed hard copy and electronic copy should be kept with your team for audit purposes**

### Part 3 - Action Plan

Document the range of options and identify the effects of each. Identify the option(s) chosen and document the reasons for this.

| Protected Characteristic | Issues identified | Action to be taken | Expected outcomes | Owner | Timescale | Resource implications |
|--------------------------|-------------------|--------------------|-------------------|-------|-----------|-----------------------|
|                          |                   |                    |                   |       |           |                       |
|                          |                   |                    |                   |       |           |                       |
|                          |                   |                    |                   |       |           |                       |
|                          |                   |                    |                   |       |           |                       |
|                          |                   |                    |                   |       |           |                       |

|  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

**Have the actions been included in your business/ service plan?** (If no please state how the actions will be monitored)  
Yes/No

**Next Steps**

1. Having completed Part 3, then then please complete the Judgement and the Summary RAG Rating above, and submit this form to your Head of Service and Director for sign off. Once they have both signed, please send to [GETcsp@kent.gov.uk](mailto:GETcsp@kent.gov.uk) and [diversityinfo@kent.gov.uk](mailto:diversityinfo@kent.gov.uk) with the title of the project clearly stated along with 'Final EqIA'. It will then be logged and published on the KCC Intranet as well as available to external customers upon request.
2. If the activity will be subject to a Cabinet decision, the EqIA must be submitted to Democratic Services [democratic.services@kent.gov.uk](mailto:democratic.services@kent.gov.uk) along with the relevant Cabinet report.
3. The original signed hard copy and electronic copy should be kept with your team for audit purposes

Date Document Updated 26/02/2024

This document is available in other formats. Please contact [diversityinfo@Kent.gov.uk](mailto:diversityinfo@Kent.gov.uk) or telephone on 03000 415 762



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From: Neil Baker, Cabinet Member for Highways and Transport  
Simon Jones, Corporate Director for Growth, Environment & Transport

To: Environment and Transport Cabinet Committee – 7 March 2024

Subject: **Update on the Future of the Gravesend to Tilbury Ferry Service**

Classification: **Unrestricted**

**Electoral Division:** Countywide

**Summary:** The Gravesend to Tilbury Passenger Ferry service operates with subsidy which has historically been provided jointly by Kent County Council and Thurrock Council. In October 2023, Thurrock Council advised KCC that it could no longer contribute towards the subsidy requirement. This demanded the suspension of a tender process aiming to secure a long-term contract. Since November the service has been subsidised by KCC alone. Owing to doubts over KCC's ability to commit to meeting the full subsidy cost alone on an ongoing basis, the Council has conducted public consultation to support the consideration of a possible key decision around KCC's subsidy to the ferry given that this alone would not maintain the service. In January 2024, Thurrock Council advised KCC that it had identified funding that would enable them to reintroduce their contribution to the subsidy based upon expected subsidy costs for twelve months from April 24. Since January KCC has been exploring options that would ensure continuity of the service in the shorter term and allow more time to identify longer term solutions.

**Recommendation:** Members are asked to note and make comment on the report.

## 1. Introduction

- 1.1 The financial support of public transport services is a discretionary activity with the obligation on Local Transport Authorities to consider funding (but not to actually fund) passenger transport.
- 1.2 There is a history of a passenger ferry service operating on the River Thames between Gravesend and Tilbury dating back hundreds of years. Following the collapse of the then operator in 2000, the Gravesend to Tilbury passenger ferry has required subsidy to support its operation as the value of the passenger fares alone are not sufficient to cover the costs of operation.
- 1.3 Since 2000, the subsidy required to support the service has been met jointly by KCC and Thurrock Council who share the subsidy cost on a 50/50 basis. KCC fund the service from the budget for the Support of Socially Necessary bus services. The Council does this as other forms of public transport and other journey solutions are more lengthily and less cost effective than the ferry which offers a reliable five-minute crossing between Gravesend and Tilbury. The service therefore fulfils a similar role to a subsidised bus service in supporting access to employment, education and other key services as well as supporting the Town Centres and the local economy.

- 1.4 The service operates every 30 minutes on Mondays to Saturdays between 0540 and 1900. Over 100,000 passenger journeys per annum are made on the service meaning that the contract has represented good value for money when assessed in terms of a subsidy per passenger journey made.
- 1.5 In October 2023, as part of negotiations around a short-term extension to the service contract, Thurrock Council advised KCC that it could not continue to meet its proportion of the subsidy requirement. To support continuity of service ensuring that passengers did not experience a sudden stopping of the service and to allow time to consider the future of the service and options for it to continue, since November 2023 KCC have been meeting the subsidy cost in full i.e. without any contribution from Thurrock. In the absence of having funding that would support a new long-term contract, a procurement process that commenced in 2023 had to be abandoned while the funding position was fully understood.
- 1.6 As part of that process and to ensure that any decisions were made with a full understanding of how the service is used and the impact of its stopping, between 8<sup>th</sup> January and 4<sup>th</sup> February KCC ran a full public consultation asking users to identify how they use the service and what the impacts would be should it cease to operate.
- 1.7 At the end of January 2023, Thurrock Council advised KCC that it had identified funding that would allow them to contribute to the subsidy cost again in 2024/25. Since then, KCC officers have been working to explore options for a short term (one year) contract that would enable the service to continue until March 2025 and allow time to plan a solution and the identification of other funding partners that would secure the service in the longer term.
- 1.8 This report identifies the current status of efforts to secure service continuity and identifies the financial and other considerations and the outcome of the consultation exercise that provide further understanding about how the service is used and of its value to users and the wider community.

## **2. The Service and how it is funded**

- 2.1 The Gravesend to Tilbury Ferry service operates six days per week on Mondays to Saturdays and runs between 0540 in the morning and 1900. The service offers a journey every 30 minutes and provides a reliable five-minute crossing between Town Pier in Gravesend and the Port of Tilbury Landing stage from where there is access to the local Towns and connections for onward travel options.
- 2.2 Alternative public and private transport options are less convenient by comparison involving the use of multiple bus and rail services or travel by private car. Alternative options are more expensive, lengthily and time consuming and would also be less reliable owing to the variable travel times relating to the QEQM crossing. As a consequence the ferry service is well used and in 2022/23 107,000 journeys were made by a combination of regular users travelling to work and school and other users traveling to visit the local Town where they can access key services or to visit friends and family.

2.3 However, despite good levels of use, since 2000, the Ferry Service has required subsidy to support its operation as the passenger revenue alone is not sufficient to cover the costs of operation. The table shown in 2.4 below is derived from the current contract and identifies the annualised costs of running the service against the passenger revenue that the service is likely to attract, the difference being the current subsidy requirement paid by the Councils.

2.4

|                                       | <b>Annualised Costs</b> |
|---------------------------------------|-------------------------|
| <b>Contract cost</b>                  | <b>£440k</b>            |
| <b>Passenger revenue contribution</b> | <b>£230k</b>            |
| <b>NET subsidy requirement</b>        | <b>£210k</b>            |

2.5 Since 2000 the service has operated under a subsidy contract which has been held and led by KCC but with the NET subsidy requirement being met on a 50/50 basis by KCC and Thurrock Council. In October 2023, Thurrock Council advised KCC that it could no longer contribute to the costs of the service and since that date, KCC have been meeting the subsidy requirement in full i.e. without a contribution from Thurrock.

2.6 In January 2024, following the commencement of the public consultation and having abandoned a procurement process designed to secure a new long-term contract, Thurrock Council advised KCC that it had identified funding that at current subsidy levels would enable them to contribute 50% of the NET requirement for 12 months from April 2024 to March 2025.

**3. Public Consultation**

3.1 To ensure that the Councils fully understood the value of the ferry service, how, by whom and for what purpose it was used and the possible impacts that would be experienced by users should it cease, between 8<sup>th</sup> January and 4<sup>th</sup> February, KCC ran a full public consultation exercise.

3.2 The consultation invited users, residents and other stakeholders to provide views on the future of the ferry service. Feedback was captured via a consultation questionnaire which was available on the KCC engagement website. To raise awareness of the consultation and encourage participation, KCC; issued media releases, sent emails to identified stakeholders and local councils, displayed and distributed posters on the vessel and through local Councils, local libraries and tourist information centres and conducted a social media campaign. As a consequence, 890 responses were received which is considered to be a good return and provides a good assurance about public awareness and provides a sound basis on which to base decisions.

- 3.3 An Equality Impact Assessment was completed and was included as part of the consultation exercise based on passenger data and an existing understanding of the service, its users and the journeys being made. This was updated in light of the consultation responses.
- 3.4 A copy of the full consultation report and the updated Equalities Impact Assessment are included as appendices to this report but an executive summary of the results and understanding follows in 3.5 to 3.11
- 3.5 58% of consultees answering were from Kent residents or Kent-based stakeholders against 25% of consultees who are Thurrock residents or Thurrock-based stakeholders with 17% indicating they are neither of these and are primarily based in other areas of Essex. However, it is believed that the comparative response rates have been in part influenced by greater promotional activity on the Kent side. Previous passenger surveys and data suggests that actually around 60% of passengers originate on the Thurrock side of the river.
- 3.6 The majority of consultees (91%) taking part in the consultation indicated they, or the person they are responding on behalf of, use the Gravesend to Tilbury Ferry Service. Just over a third (35%) indicated they would have no alternative way to travel if the Gravesend to Tilbury Ferry Service were to stop. Of the alternatives posed, consultees are most likely to drive themselves instead (35%), use alternative public transport (23%) or rely on friends/family/neighbours for lifts (12%). 5% indicated they would travel by taxi.
- 3.7 A range of potential impacts were expressed by consultees when asked how the service stopping would affect them. The most common fell into three key concerns - impact on journeys, socialising and reaching specific destinations:
- Journeys – would take longer (26% of consultees commenting), roads would be busier / already congested around Dartford Tunnel (20%), journey would cost more (17%)
  - Socialising – would impact social life / visiting family and friends (23%), would impact use for leisure / day trips / visiting attractions (18%)
  - Reaching specific destinations – wouldn't be able to visit Gravesend / restrict access – 22%, wouldn't be able to get to work / would have to change jobs / could lose job – 18%, would not be able to get to school / children attend Gravesend Grammar school (7%).
- 3.8 Consultees were asked to indicate how often they use the service for specific purposes. A table of outcomes is shown in 3.9 and identifies that the largest groups of regular users are those using the service for the purposes of getting to school and college and those travelling to and from work. There are notable levels of use for the purposes of; attending healthcare, completing essential shopping and visiting / caring for friends but a larger proportion of these journeys are less frequently made.

3.9

| SUPPORTING DATA TABLE  | Daily | Frequently | Less frequently | Now and again |
|--|-------|------------|-----------------|---------------|
| To get to and from school / college / university                       | 13%   | 12%        | 17%             | 58%           |
| To get to and from work  | 27%   | 19%        | 12%             | 43%           |
| To get to and from doctors, hospital and other healthcare appointments | 6%    | 6%         | 17%             | 70%           |
| To do essential food shopping  | 4%    | 17%        | 26%             | 53%           |
| To get to and from leisure and social activities                       | 2%    | 9%         | 27%             | 62%           |
| To care for a friend or relative                                       | 6%    | 20%        | 24%             | 50%           |

3.10 Equality Impact Assessment feedback focuses on how loss of the service adversely affects specific groups:

- Those who don't own a car / don't drive (23%)
- The elderly (17%)
- Residents with a disability, limited mobility and wheelchair users (17%)
- People on low incomes who can't afford other modes of transport (15%)
- School children getting to schools (12%)
- Workers (12%)

3.11 Outside of the consultation platform, KCC have also received representations from; Gravesham Borough Council, Adam Holloway MP, Port of London Authority, the Chartered Institute for Logistics and Transport, KCC and District Members, the Thames Crossing Action Group and the Port of Tilbury all of whom have raised concerns about the impact of the service ceasing and urging KCC to find a way to maintain it.

**4. Current status and future Options**

4.1 In light of Thurrock advising that it was removing its financial contribution and therefore the absence of the full subsidy requirement, a procurement process that commenced in early 2023 had to be abandoned. To ensure service continuity and that users did not suffer the service ceasing at short notice, a short-term extension to the subsidy contract was agreed with the current provider, Jetstream. This contract covers the period from November 2023 until end of March 2024.

4.2 Following Thurrock advising that they have identified funding that would enable them to reintroduce their subsidy from April 24, KCC has been seeking to secure an arrangement that would enable the service to continue for twelve months from April 2024 until end of March 2025.

4.3 Unfortunately, Jetstream have declined the offer of a further extension owing to concerns about the impacts of ongoing uncertainty about the long-term future of the service.

4.4 There are a limited number of prospective providers for the service and the most recent and previous tender exercises has only ever attracted two submissions; from Jetstream and one other provider. In light of Jetstream being unable to agree to an extension to the contract, KCC has held a series of discussions with the other tenderer with a view to exploring the potential for them to assume operation of the service from April 24.

- 4.5 Unfortunately, the other operator is not in a position to mobilise the operation at short notice and is therefore unable to consider providing the service from April.
- 4.6 It is clear that the financial context affecting both KCC and Thurrock Council means that for the service to have a more assured, long-term future then a different approach and / or attracting some other funding partners will be necessary.
- 4.7 In light of the concern over the immediate future of the service, KCC has held positive conversations with the Thames Estuary Growth Board, Gravesham Borough Council and the Lower Thames Crossing Group. Whilst at the moment there are no direct offers of funding support, these and other parties have all expressed a desire and a willingness to engage positively in exploring a longer-term solution for the ferry.
- 4.8 It is therefore proposed to protect the KCC subsidy identified for the service covering 2024/25 such that if a solution for a short-term contract becomes available then this could be mobilised as soon as possible.
- 4.9 Conversations with other stakeholders and interested parties remain ongoing and will continue with a view to identifying funding and other solutions that could ensure the future of the service through a longer-term subsidy contract.
- 4.10 However, in the absence of a provider / solution for a new short-term contract, the service will currently cease at the end of the current contract on 31<sup>st</sup> March 2024.

## **5. Financial Implications**

- 5.1 KCC has identified a budget that would enable the Council to maintain its 50% contribution to NET subsidy requirements which is estimated as £105k per annum. Should there not be a solution that would support the service continuing then this funding would be saved.

## **6. Legal implications**

- 6.1 The financial support of public transport services is a discretionary activity with the only obligation on Local Transport Authorities to consider funding (but not to actually fund) passenger transport.
- 6.2 There are no journeys completed on the ferry that KCC has a legal duty to provide. Notably, there is no regular use by Kent scholars and none that have a legal entitlement to free transport to school.
- 6.3 The service would cease following full Governance, a Public Consultation and having completed an Equalities Impact Assessment so full and proper process has been followed.

## 7. Equalities implications

- 7.1 An Equalities Impact Assessment was completed prior to the consultation which also asked for feedback on Equality Impacts. The EqIA was updated in light of the consultation responses and is included as an appendix to this report.
- 7.2 The cessation of any service will have negative impacts for all users and in this instance there is little by means of mitigation that can be provided. The outcomes of the consultation re-enforce an understanding of greater impacts for users / responders from the protected groups of; Age (the elderly and the young), those with a disability and those with Carer responsibilities.

## 8. Other corporate implications

- 8.1 None.

## 9. Timetable

- 9.1 The proposed timetable for this proposal is;

- w/c 11<sup>th</sup> March Public advice of outcome.
- 30<sup>th</sup> March Last day of operation
- 1<sup>st</sup> April First day of no operation.

## 10. Recommendation(s):

- 10.1 Members are asked to note and make comment on the report.

## 11. Background Documents

- Appendix A – full consultation report produced by Lake Market Research
- Appendix B – Updated Equality Impact Assessment

## 12. Contact details

|  |  |
|--|--|
| Report Author:<br>Steve Pay<br>Public Transport Planning and<br>Operations Manager | Relevant Director:<br>Haroon Chughtai,<br>Director of Highways Transportation and<br>Waste |
| Telephone number : 03000 413754<br>Email : stephen.pay@kent.gov.uk                 | Telephone number : 03000 412479<br>Email : haroon.chughtai@kent.gov.uk                     |

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# **KENT COUNTY COUNCIL**

## **FUTURE OF GRAVESEND TO TILBURY FERRY SERVICE**

### **CONSULTATION REPORT**

PREPARED BY LAKE MARKET RESEARCH



# CONTENTS

|   |    |
|---|----|
| Background and methodology              | 3  |
| Executive summary                       | 6  |
| Consultation profile and use of service | 8  |
| Impact of consultation proposals        | 18 |
| Appendix                                | 37 |

# BACKGROUND AND METHODOLOGY

## BACKGROUND

Over 100,000 passenger journeys per year are made in total by users of the ferry service i.e. a service user travelling from Kent to Thurrock and back again counts as two journeys (five service users would be ten journeys etc). Passengers travel from Kent, Thurrock and further afield and the service enables a convenient way to travel to work, school or to access Gravesend and Tilbury towns and onward destinations.

Since 2000, the service has operated with financial support from Kent County Council and Thurrock Council who became involved when the operator at the time cancelled the service. The service requires subsidy as the revenue from passenger fares alone is not sufficient to cover the costs of providing the service. In October 2023, Thurrock Council advised us that they could not afford an increase to the contract cost and may struggle to commit to funding for the service in the longer term. Kent County Council have supported the continuation of the service in the immediate term and are currently meeting the cost of the subsidy in full, without a contribution from Thurrock.

However, it is uncertain whether KCC could commit to cover all subsidy costs in the longer term and the funding that can be made available would not be enough to support the service without Thurrock's contribution. This means there is a doubt about the future of the service beyond the current contract which expires at the end of March 2024.

## CONSULTATION PROCESS

On the 8 January 2024 a four-week consultation was launched and ran until the 4 February 2024. The consultation invited residents and other stakeholders to provide views on the future of the passenger boat service operating on the River Thames between Gravesend in Kent and Tilbury in Thurrock. Feedback was captured via a consultation questionnaire which was available on the KCC engagement website ([www.kent.gov.uk/ferryconsultation](http://www.kent.gov.uk/ferryconsultation)). Hard copies of the consultation document and questionnaire were also available on request. Consultation material included details of how people could request alternative formats. A Word version of the questionnaire was available on the website (and on request) for those that did not wish to complete the online form.

A consultation stage Equality Impact Assessment (EqIA) was carried out to assess the impact the proposed service changes could have on those with protected characteristics. The EqIA was available as one of the consultation documents and the questionnaire invited consultees to comment on the assessment that had been carried out. An analysis of response to this question can be found with the overall findings sections of this report. The Equality Impact Assessment will be updated to account for the understanding of impacts identified through the consultation process.

To raise awareness of the consultation and encourage participation, the following was undertaken by Kent County Council:

- Media release: <https://news.kent.gov.uk/articles/consultation-launches-on-subsidy-for-the-gravesend-to-tilbury-ferry>
- Promotional information sent to Thurrock Council for onward promotion to their residents
- Emails to stakeholder list including local councils, and relevant schools
- Display of posters and distribution of postcards on the ferries (undertaken by the operator). Additional postcards were delivered when the initial stock became low
- Posters and postcards to local Kent Information and tourist information centres

- Social Media via KCC’s corporate channels: Facebook, X, Nextdoor
- Article in KCC’s residents’ e-newsletter
- Invite to 1,196 registered users of KCC’s online engagement platform, Let’s talk Kent, who have expressed an interest in being kept informed of consultations regarding Transport

A summary of engagement with the consultation webpage and material can be found below:

- 10,103 visits to the consultation webpage by 9,424 visitors.
- Organic posts had a reach of 20,857 on Facebook. There were 33,743 impressions generated by posts across LinkedIn, Instagram, X and Nextdoor. Reach refers to the number of people who saw a post at least once and impressions are the number of times the post is displayed on someone’s screen. The posts generated 2,202 clicks through to the consultation webpage. (Not all social media platforms report the same statistics.)

The number of document downloads are show in the table below:

| Document name   | Downloads / Views |
|---|-------------------|
| Consultation document   | 1,232             |
| Equality Impact Assessment  | 99                |
| Word version of the questionnaire (for those that didn’t want to fill in the online form) | 146               |

## CONSULTATION RESPONSE

- 890 responses received to the consultation questionnaire; 883 were submitted online and 7 were submitted on paper / hard copy.
- 847 responses received from residents; 20 of these were completed on behalf of a friend or relative.
- 14 responses from businesses.
- 5 responses from parish / town / borough / district councils or parish / town / borough / district councillors.
- 5 responses from local community groups / residents’ associations.
- 3 responses from VCS organisation representatives.
- 2 responses from education establishments.
- An additional 9 emails / letters were received by the Public Transport team and sent to Lake Market Research to review in their analysis of consultation responses.

## POINTS TO NOTE

- Consultees were given the choice of which questions to answer / provide a comment for. The number of consultees providing an answer to each question is shown on each chart / data table featured in this report.
  - Letters and emails submitted to the Public Transport team providing feedback have been analysed and considered alongside responses to the consultation questionnaire.
  - Please note that participation in consultations is self-selecting and this needs to be considered when interpreting responses.
  - Responses to consultations do not wholly represent the local resident population or current service users and is reliant on awareness and propensity to take part based on the topic and interest.
  - We do not have a full record of how Thurrock Council cascaded the promotional information they were provided.
  - Whilst this consultation was open to residents and stakeholders to participate, consultation communication asked to hear views on 'what the loss of the service could mean for you'. The majority of consultees responding to the consultation are therefore those that currently use the Gravesend to Tilbury Ferry Service or are friends / relative of individuals who use the Gravesend to Tilbury Ferry Service.
  - Kent County Council were responsible for the design, promotion and collection of the consultation responses. Lake Market Research were appointed to conduct an independent analysis of feedback.
-

## EXECUTIVE SUMMARY

890 responses received to the consultation questionnaire. An additional 9 emails / letters were received by the Public Transport team and sent to Lake Market Research to review in the analysis of consultation responses.

Both Kent residents / stakeholders and Thurrock residents / stakeholders responded to the consultation questionnaire. 58% of consultees answering are Kent residents or a Kent-based stakeholders. 25% of consultees answering are Thurrock residents or Thurrock-based stakeholders. 17% indicated they are neither of these and are primarily based in other areas of Essex (such as Basildon, Castle Point, Southend and Brentwood).

The majority (91%) taking part in the consultation indicated they, or the person they are responding on behalf of, use the Gravesend to Tilbury Ferry Service. At an overall level, the most common reason for using the service is to get to and from leisure and social activities (70% of consultees responding to consultation), followed by getting to and from school / college / university (59% of consultees responding to consultation). 35% of consultees responding to the consultation use the service to get to and from work.

When filtering usage frequency amongst consultees answering the questions each purpose category question (i.e. users for each purpose). The largest group that will see an impact daily are those that use the service to get to and from work (46% of consultees who use the service for work use it daily or frequently (2-3 times a week or more). 25% of consultees who use the service to get to and from school / college / university use it daily or frequently (2-3 times a week or more).

Just over a third (35%) indicated they would have no alternative way to travel if the Gravesend to Tilbury Ferry Service were to stop. An additional 12% are unsure. Of the alternatives posed, consultees are most likely to drive themselves instead (35%), use alternative public transport (23%) or rely on friends/family/neighbours for lifts (12%). 5% indicated they would travel by taxi.

A range of potential impacts were expressed by consultees when asked how the service stopping would affect them. The most common fell into three key concerns - impact on journeys, socialising and reaching specific destinations:

- Journeys – would take longer (26% of consultees commenting), roads would be busier / already congested around Dartford Tunnel (20%), journey would cost more (17%)
- Socialising – would impact social life / visiting family and friends (23%), would impact use for leisure / day trips / visiting attractions (18%)
- Reaching specific destinations – wouldn't be able to visit Gravesend / restrict access – 22%, would not be able to get to work / would have to change jobs / could lose job – 18%, wouldn't be able to get to school / children attend Gravesend Grammar school (7%)

Outside of the consultation platform, KCC have also received representations from; Gravesham Borough Council, Adam Holloway MP, Port of London Authority, the Chartered Institute for Logistics and Transport, KCC and District Members, the Thames Crossing Action Group and the Port of Tilbury all of whom have raised concerns about the impact of the service ceasing and urging KCC to find a way to maintain it.

Equality Impact Assessment feedback focuses on how loss of the service adversely affects specific groups:

- Those who don't own a car / don't drive (23%)
- The elderly (17%)

- Residents with a disability, limited mobility and wheelchair users (17%)
  - People on low incomes who can't afford other modes of transport (15%)
  - School children getting to schools (12%)
  - Workers (12%)
-

# CONSULTATION RESPONSE PROFILE AND USE OF SERVICE

## RESPONSE PROFILE

The tables below show the profile of individual consultees who responded to the consultation themselves / an individual responded for them. The proportion who left these questions blank or indicated they did not want to disclose this information has been included as applicable.

Amongst those providing the information, broadly equal proportions of male (32%) and female (34%) individuals took part in the consultation. Just under half of consultees (45%) are aged 50 and over.

| GENDER                    | Number of responses | Percentage |
|---------------------------|---------------------|------------|
| Male                      | 272                 | 32%        |
| Female                    | 285                 | 34%        |
| Prefer not to say / blank | 290                 | 34%        |

| AGE                       | Number of responses | Percentage |
|---------------------------|---------------------|------------|
| 0-15                      | 6                   | 1%         |
| 16-24                     | 19                  | 2%         |
| 25-34                     | 31                  | 4%         |
| 35-49                     | 123                 | 15%        |
| 50-59                     | 124                 | 15%        |
| 60-64                     | 72                  | 9%         |
| 65-74                     | 131                 | 15%        |
| 75-84                     | 46                  | 5%         |
| 85 and over               | 7                   | 1%         |
| Prefer not to say / blank | 288                 | 34%        |

| WORKING STATUS                                      | Number of responses | Percentage |
|---|---------------------|------------|
| Working full time                                   | 214                 | 25%        |
| Working part time                                   | 66                  | 8%         |
| On a zero hours or similar casual contract          | 2                   | 0.2%       |
| Temporary laid off                                  | 1                   | 0.1%       |
| Freelance/self employed                             | 29                  | 3%         |
| Unemployed  | 5                   | 1%         |
| Not working due to a disability or health condition | 21                  | 2%         |
| Carer   | 7                   | 1%         |
| Homemaker   | 8                   | 1%         |



| <b>WORKING STATUS</b>     | <b>Number of responses</b> | <b>Percentage</b> |
|---------------------------|----------------------------|-------------------|
| Retired                   | 193                        | 23%               |
| Student                   | 13                         | 2%                |
| Other                     | 7                          | 1%                |
| Prefer not to say / blank | 281                        | 33%               |

| <b>DISABILITY</b>                           | <b>Number of responses</b> | <b>Percentage</b> |
|---|----------------------------|-------------------|
| Yes   | 75                         | 9%                |
| - Physical impairment                       | 34                         | 4%                |
| - Sensory impairment                        | 14                         | 2%                |
| - Long standing illness or health condition | 27                         | 3%                |
| - Mental health condition                   | 17                         | 2%                |
| - Learning disability                       | 9                          | 1%                |
| - Other                                     | 4                          | 0.5%              |
| No  | 459                        | 54%               |
| Prefer not to say / blank                   | 313                        | 37%               |

| <b>RELIGION</b>           | <b>Number of responses</b> | <b>Percentage</b> |
|---------------------------|----------------------------|-------------------|
| Yes                       | 201                        | 24%               |
| - Christian               | 182                        | 21%               |
| - Hindu                   | 5                          | 1%                |
| - Jewish                  | 2                          | 0.2%              |
| - Muslim                  | 2                          | 0.2%              |
| - Sikh                    | 4                          | 0.5%              |
| - Other                   | 3                          | 0.4%              |
| No                        | 317                        | 37%               |
| Prefer not to say / blank | 329                        | 39%               |

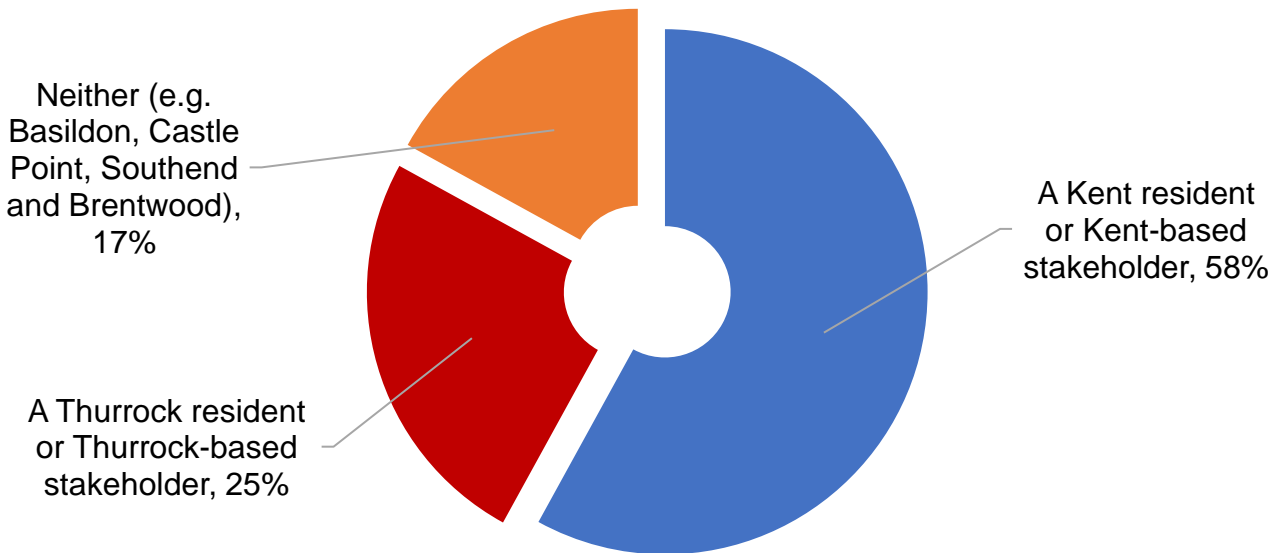
| <b>CARER</b>              | <b>Number of responses</b> | <b>Percentage</b> |
|---------------------------|----------------------------|-------------------|
| Yes                       | 77                         | 9%                |
| No                        | 470                        | 55%               |
| Prefer not to say / blank | 300                        | 35%               |

## GEOGRAPHIC LOCATION OF CONSULTEES TAKING PART

58% of consultees answering indicated they are a Kent resident or a Kent-based stakeholder. 25% of consultees answering indicated they are Thurrock resident or Thurrock-based stakeholder. 17% indicated they are neither of these and are primarily based in other areas of Essex (such as Basildon, Castle Point, Southend and Brentwood).

### Are you or the person/organisation you are responding on behalf of...?

Base: all providing a response (881)

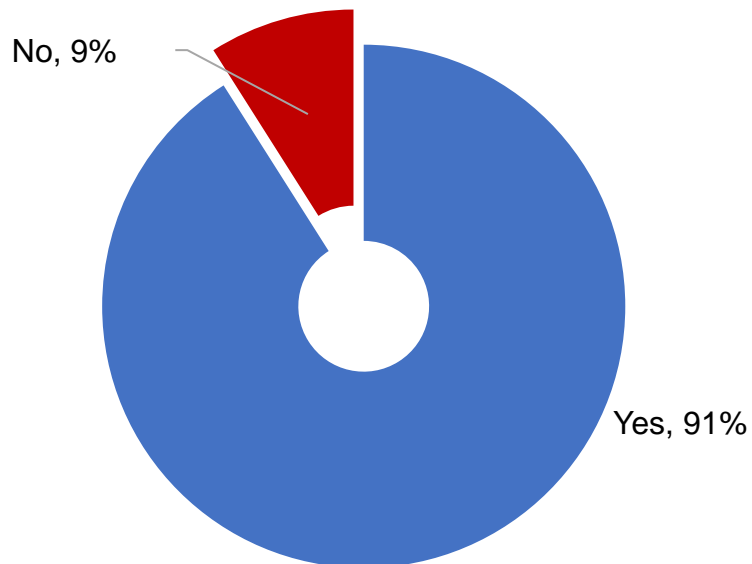


| SUPPORTING DATA TABLE   | Number of responses | Percentage |
|---|---------------------|------------|
| A Kent resident or Kent-based stakeholder                     | 510                 | 58%        |
| A Thurrock resident or Thurrock-based stakeholder             | 217                 | 25%        |
| Neither (e.g. Basildon, Castle Point, Southend and Brentwood) | 154                 | 17%        |

## USE OF GRAVESEND TO TILBURY FERRY SERVICE

The majority of consultees (91%) taking part in the consultation indicated they or the person they are responding on behalf of use the Gravesend to Tilbury Ferry Service.

**Do you or the person you are responding on behalf of use the Gravesend to Tilbury Ferry Service?** Base: all providing a response (857)



| SUPPORTING DATA TABLE | Number of responses | Percentage |
|-----------------------|---------------------|------------|
| Yes                   | 782                 | 91%        |
| No                    | 75                  | 9%         |

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## REASONS FOR USING SERVICE

Consultees were asked to indicate how often they use the service for specific purposes, namely:

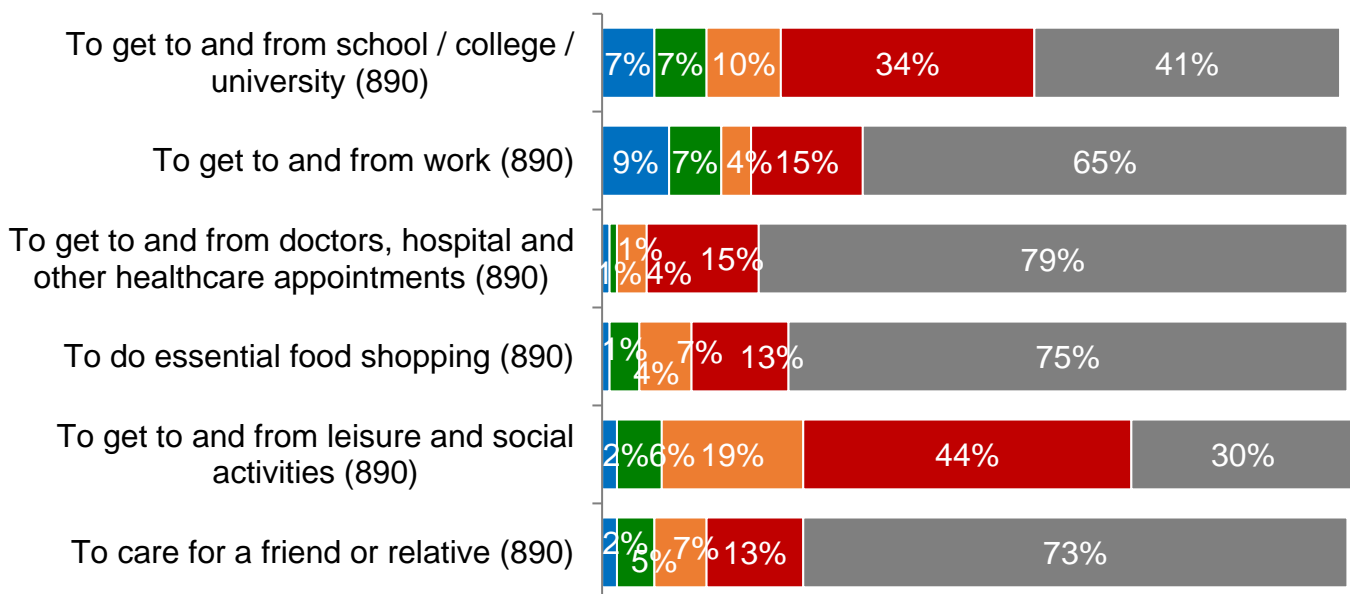
- To get to and from school / college / university
- To get to and from work
- To get to and from doctors, hospital and other healthcare appointments
- To do essential food shopping
- To get to and from leisure and social activities
- To care for a friend or relative

The graph below shows the proportion of consultees who selected a frequency for each purpose as well as the proportion who didn't answer the question / assumed the service is not used for each purpose.

At an overall level, the most common reason for using the service is to get to and from leisure and social activities (70% of consultees responding to consultation), followed by getting to and from school / college / university (59% of consultees responding to consultation). 35% of consultees responding to the consultation use the service to get to and from work.

### All consultees taking part in consultation

**Please tell us the usual reason for your journey and how often you make this journey. Please complete all rows that apply.** Base: all providing a response (base in chart labels)



- Daily
- Frequently (2-3 times a week or more)
- Less frequently (once every 1 or 2 weeks)
- Now and again (1 or 2 times a month or less)
- Not answered question / not used for this purpose

| <b>SUPPORTING DATA TABLE</b><br>(the sum of individual percentages may not sum 100% due to rounding) | Daily | Frequently | Less frequently | Now and again | Not answered question / not used for this purpose |
|--|-------|------------|-----------------|---------------|---|
| To get to and from school / college / university   | 7%    | 7%         | 10%             | 34%           | 41%   |
| To get to and from work  | 9%    | 7%         | 4%              | 15%           | 65%   |
| To get to and from doctors, hospital and other healthcare appointments                               | 1%    | 1%         | 4%              | 15%           | 79%   |
| To do essential food shopping  | 1%    | 4%         | 7%              | 13%           | 75%   |
| To get to and from leisure and social activities   | 2%    | 6%         | 19%             | 44%           | 30%   |
| To care for a friend or relative   | 2%    | 5%         | 7%              | 13%           | 73%   |

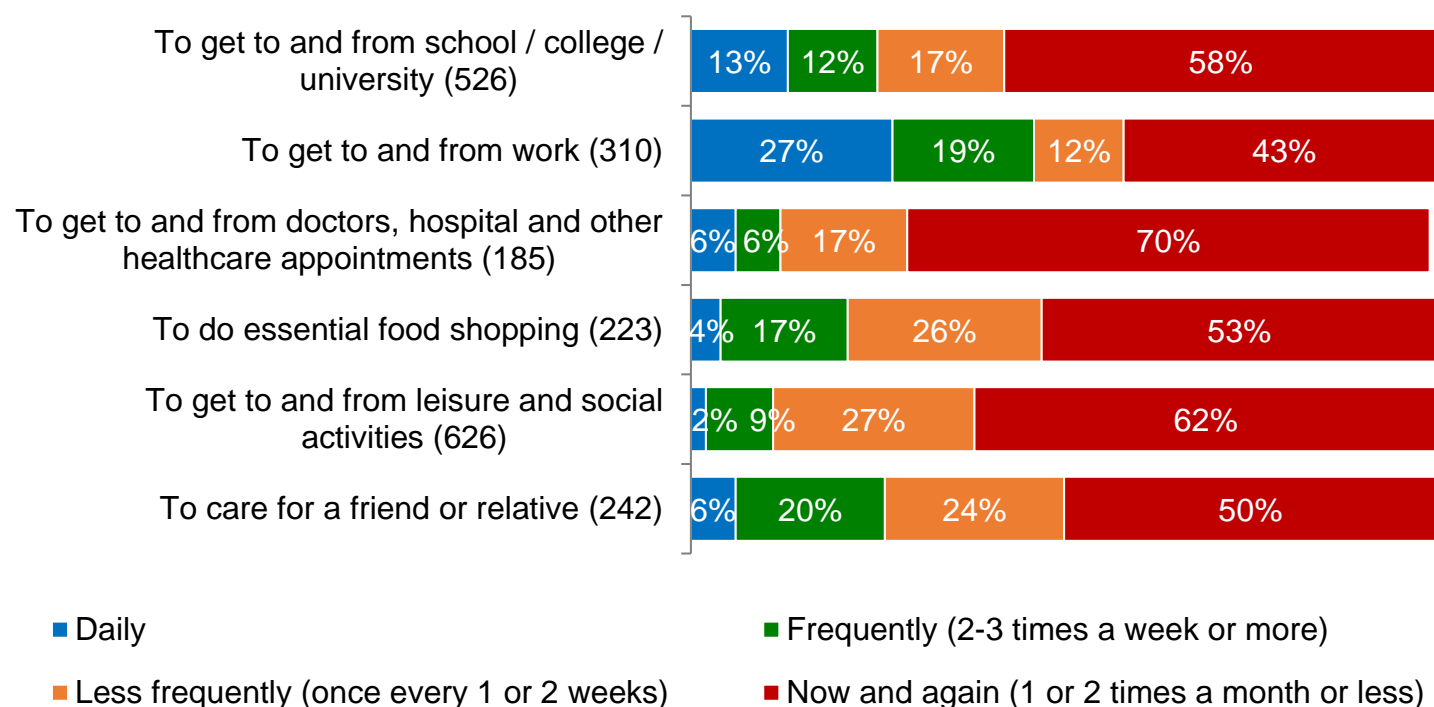
There are significant variations in the proportion of consultees using the service for each purpose for any frequency by the geographic location of residents / stakeholders. A comparably lower proportion of Kent residents / Kent-based stakeholders indicated they use the service for most purposes compared to Thurrock residents / Thurrock based stakeholders (but most notably to get to and from school / college / university and to do essential food shopping).

| <b>% use service for a purpose (any frequency)</b><br>(the sum of individual percentages may not sum 100% due to rounding) | Kent residents / Kent-based stakeholder | Thurrock residents / Thurrock-based stakeholder | Resident / stakeholder outside Kent / Thurrock |
|--|---|---|--|
| To get to and from school / college / university   | 52%                                     | 72%   | 64%  |
| To get to and from work  | 31%                                     | 41%   | 39%  |
| To get to and from doctors, hospital and other healthcare appointments   | 17%                                     | 28%   | 23%  |
| To do essential food shopping  | 18%                                     | 40%   | 27%  |
| To get to and from leisure and social activities   | 68%                                     | 78%   | 66%  |
| To care for a friend or relative   | 25%                                     | 30%   | 29%  |

When filtering usage frequency amongst consultees answering the questions only (i.e. users of the service for each purpose category). The largest group that will see an impact daily are those that use the service to get to and from work. 46% of consultees who use the service for work use it daily or frequently (2-3 times a week or more). 25% of consultees who use the service to get to and from school / college / university use it daily or frequently (2-3 times a week or more). Comparably frequency of use is lower for those using the service for healthcare reasons, leisure / social activities and caring responsibilities.

**All consultees answering questions only**

***Please tell us the usual reason for your journey and how often you make this journey. Please complete all rows that apply.*** Base: all providing a response (base in chart labels)



| <b>SUPPORTING DATA TABLE</b><br>(the sum of individual percentages may not sum 100% due to rounding) | Daily | Frequently | Less frequently | Now and again |
|--|-------|------------|-----------------|---------------|
| To get to and from school / college / university   | 13%   | 12%        | 17%             | 58%           |
| To get to and from work  | 27%   | 19%        | 12%             | 43%           |
| To get to and from doctors, hospital and other healthcare appointments                               | 6%    | 6%         | 17%             | 70%           |
| To do essential food shopping  | 4%    | 17%        | 26%             | 53%           |
| To get to and from leisure and social activities   | 2%    | 9%         | 27%             | 62%           |
| To care for a friend or relative   | 6%    | 20%        | 24%             | 50%           |

There are significant variations in the proportion of consultees using the service daily / frequently (2-3 times per week or more) by the geographic location of residents / stakeholders. A comparably lower proportion of Kent residents / Kent-based stakeholders indicated they use the service daily / frequently (2-3 times a week or more) to get to and from school / college / university compared to Thurrock residents / Thurrock based stakeholders.

| <b>% daily / frequently (2-3 times a week or more)<br/>(the sum of individual percentages may not sum 100% due to rounding)</b> | <b>Kent residents /<br/>Kent-based<br/>stakeholder</b> | <b>Thurrock<br/>residents /<br/>Thurrock-based<br/>stakeholder</b> | <b>Resident /<br/>stakeholder<br/>outside Kent /<br/>Thurrock</b> |
|---|--|--|---|
| To get to and from school / college / university  | 18%  | 34%  | 29%   |
| To get to and from work   | 41%  | 44%  | 62%   |
| To get to and from doctors, hospital and other healthcare appointments  | 14%  | 17%  | 3%  |
| To do essential food shopping   | 18%  | 29%  | 12%   |
| To get to and from leisure and social activities  | 8%   | 17%  | 13%   |
| To care for a friend or relative  | 29%  | 27%  | 18%   |

## TYPE OF FARE / PASS USED WHEN TRAVELLING ON SERVICE

Consultees that indicated they use the Gravesend to Tilbury Ferry Service were asked to indicate which of the following they, or the person they are responding on behalf of, use when travelling on the service:

- Pay a fare
- Travel using an Older Persons English National Concessionary Pass
- Travel using a Disabled Persons English National Concessionary Travel Pass

Just under three quarters of consultees (73%) who use the service pay a fare when travelling. 23% of consultees that use the service travel using an Older Persons English National Concessionary Pass and 3% travel using a Disabled Persons English National Concessionary Pass.

### ***When travelling do you or the person you are responding on behalf of...?***

Base: all providing a response (772)



| SUPPORTING DATA TABLE  | Number of responses | Percentage |
|--|---------------------|------------|
| Pay a fare   | 565                 | 73%        |
| Travel using an Older Persons English National Concessionary Pass          | 178                 | 23%        |
| Travel using a Disabled Persons English National Concessionary Travel Pass | 25                  | 3%         |
| Don't know   | 4                   | 1%         |



There are significant variations in the fare / pass used by the geographic location of residents / stakeholders. Whilst still in the majority, a comparably lower proportion of Kent residents / Kent-based stakeholders pay a fare when they travel (70%) compared to Thurrock residents / Thurrock based stakeholders.

| <b>% selecting<br/>(the sum of individual percentages may not sum 100% due to rounding)</b> | <b>Kent residents /<br/>Kent-based<br/>stakeholder</b> | <b>Thurrock<br/>residents /<br/>Thurrock-based<br/>stakeholder</b> | <b>Resident /<br/>stakeholder<br/>outside Kent /<br/>Thurrock</b> |
|---|--|--|---|
| Pay a fare  | 70%  | 79%  | 76%   |
| Travel using an Older Persons English National Concessionary Pass                           | 27%  | 16%  | 22%   |
| Travel using a Disabled Persons English National Concessionary Travel Pass                  | 3%   | 5%   | 2%  |
| Don't know  | 1%   | 0%   | 1%  |

# IMPACT OF CONSULTATION PROPOSALS

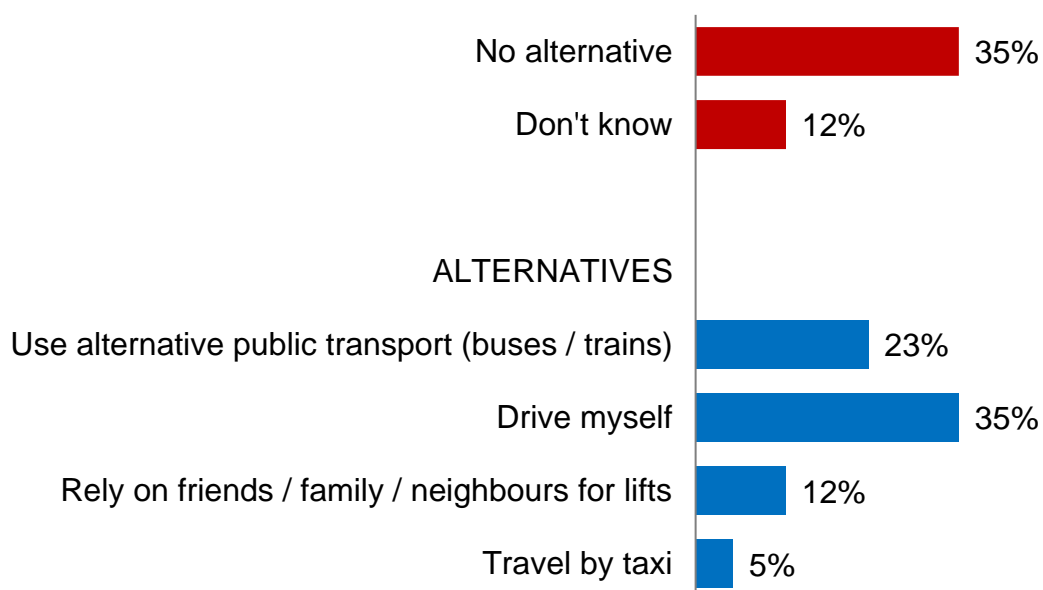
## ALTERNATIVE MEANS OF TRAVEL

Consultees were asked to indicate the alternative way(s) they would have to travel for the reasons they had identified if the service was to stop. The percentages below represent the number of consultees selecting each option. Please note service users had the option to choose more than one of response from those presented to them. A proportion of consultees selected more than one alternative and a proportion of consultees selected an alternative as well as don't know. As a result, the percentages in the bar chart below will exceed the sum of one hundred percent.

Just over a third (35% of consultees answering) indicated they would have no alternative way to travel if the Gravesend to Tilbury Ferry Service were to stop. An additional 12% of consultees answering are unsure. Of the alternatives posed, consultees are most likely to drive themselves (35%), use alternative public transport (23%) or rely on friends/family/neighbours for lifts (12%). 5% indicated they would travel by taxi.

***If the service were to stop, what alternative way(s) do you or the person you are responding on behalf of have to travel for the reason(s) you / they have identified?***

Base: all providing a response (773), the sum of individual percentages will exceed 100% as consultees could select more than one response code)



| SUPPORTING DATA TABLE                             | Number of responses | Percentage |
|---|---------------------|------------|
| No alternative                                    | 269                 | 35%        |
| Don't know  | 91                  | 12%        |
| <b><u>ALTERNATIVES</u></b>                        |                     |            |
| Use alternative public transport (buses / trains) | 177                 | 23%        |
| Drive myself                                      | 273                 | 35%        |
| Rely on friends / family / neighbours for lifts   | 94                  | 12%        |
| Travel by taxi                                    | 36                  | 5%         |

There are significant variations in likely alternative(s) available by the geographic location of residents / stakeholders. A significantly higher proportion of Thurrock residents / Thurrock based stakeholders indicated they do not have an alternative (45%) compared to Kent residents / Kent-based stakeholders (31%). A significantly higher proportion of Kent residents / Kent-based residents indicated they would use alternative public transport (25%) compared to Thurrock residents / Thurrock-based stakeholders.

| <b>% selecting<br/>(the sum of individual percentages will exceed 100% as question is multi-response)</b> | <b>Kent residents /<br/>Kent-based stakeholder</b> | <b>Thurrock residents /<br/>Thurrock-based stakeholder</b> | <b>Resident / stakeholder outside<br/>Kent / Thurrock</b> |
|---|--|--|---|
| No alternative  | 31%  | 45%  | 32%   |
| Don't know  | 10%  | 11%  | 18%   |
| <b><u>ALTERNATIVES</u></b>  |  |  |   |
| Use alternative public transport (buses / trains)   | 25%  | 17%  | 22%   |
| Drive myself  | 36%  | 32%  | 36%   |
| Rely on friends / family / neighbours for lifts   | 12%  | 12%  | 13%   |
| Travel by taxi  | 7%   | 1%   | 3%  |

There are also significant variations in likely alternative(s) available by frequency of using the Gravesend to Tilbury service. A higher proportion of consultees who use the service daily or frequently for at least one of the six previously prompted purposes (e.g. school, work, leisure) indicated they do not have an alternative (40%) compared to those who use the service less frequently (33%) In addition, a significantly higher proportion of consultees who use the service daily or frequently are unsure what they would do.

| <b>% selecting<br/>(the sum of individual percentages will exceed 100% as question is multi-response)</b> | <b>Use the service daily or frequently for at least one of the six prompted purposes</b> | <b>Use the service but not daily or frequently for any of the six prompted purposes</b> |
|---|--|---|
| No alternative  | 40%  | 33%   |
| Don't know  | 17%  | 10%   |
| <b><u>ALTERNATIVES</u></b>  |  |   |
| Use alternative public transport (buses / trains)   | 26%  | 22%   |
| Drive myself  | 28%  | 38%   |
| Rely on friends / family / neighbours for lifts   | 14%  | 12%   |
| Travel by taxi  | 8%   | 3%  |

There are also significant variations in likely alternative(s) available by those who use the service daily / frequently for specific purposes. A higher proportion of residents who use the service daily or frequently indicated there is no alternative for their travel for doctors, hospital and other healthcare (61%), essential food shopping (63%), social activities (64%) or caring for a friend / relative (59%). 44% of residents who use the service daily or frequently indicated there is no alternative for travel to school / college / university.

30% of consultees who use the service daily or frequently for school / college / university indicated they would use alternative public transport (buses / trains) and 26% indicated they would drive. 26% of consultees who use the service daily or frequently for work indicated they would use alternative public transport (buses / trains) and 37% indicated they would drive.

| <b>% selecting<br/>(the sum of individual percentages will exceed 100% as question is multi-response)</b> | <b>Use service daily or frequently for school / college / university</b> | <b>Use service daily or frequently for work</b> | <b>Use service daily or frequently for doctors, hospital and other healthcare *</b> |
|---|--|---|---|
| No alternative  | 44%  | 33%   | 61%   |
| Don't know  | 20%  | 16%   | 6%  |
| <b><u>ALTERNATIVES</u></b>  |  |   |   |
| Use alternative public transport (buses / trains)   | 30%  | 26%   | 26%   |
| Drive myself  | 26%  | 37%   | 9%  |
| Rely on friends / family / neighbours for lifts   | 14%  | 16%   | 17%   |
| Travel by taxi  | 9%   | 8%  | 4%  |

\* Please note the base size for daily / frequent travel for doctors, hospital and other healthcare is low (23)

| <b>% selecting<br/>(the sum of individual percentages will exceed 100% as question is multi-response)</b> | <b>Use service daily or frequently for essential food shopping</b> | <b>Use service daily or frequently for social activities</b> | <b>Use service daily or frequently to care for friend / relative</b> |
|---|--|--|--|
| No alternative  | 63%  | 64%  | 59%  |
| Don't know  | 24%  | 16%  | 25%  |
| <b><u>ALTERNATIVES</u></b>  |  |  |  |
| Use alternative public transport (buses / trains)   | 22%  | 26%  | 17%  |
| Drive myself  | 2%   | 9%   | 13%  |
| Rely on friends / family / neighbours for lifts   | 13%  | 14%  | 10%  |
| Travel by taxi  | 7%   | 12%  | 6%   |

There are also significant variations in likely alternative(s) available when comparing the response of consultees who consider themselves disabled and those that do not. A higher proportion of consultees who consider themselves disabled indicated they do not have an alternative (48%) or would rely on friends / family / neighbours (20%) compared to those who do not (34% and 9% respectively).

| <b>% selecting<br/>(the sum of individual percentages will exceed<br/>100% as question is multi-response)</b> | <b>Consider themselves<br/>disabled</b> | <b>Do not consider<br/>themselves disabled</b> |
|---|---|--|
| No alternative  | 48%                                     | 34%  |
| Don't know  | 6%                                      | 13%  |
| <u>ALTERNATIVES</u>   |   |  |
| Use alternative public transport (buses / trains)   | 16%                                     | 24%  |
| Drive myself  | 22%                                     | 36%  |
| Rely on friends / family / neighbours for lifts   | 20%                                     | 9%   |
| Travel by taxi  | 6%                                      | 4%   |

## IMPACT OF PROPOSED SERVICE WITHDRAWALS

Consultees were asked to detail in their own words how they or the person/group they were representing could be affected if the Gravesend to Tilbury Ferry were to no longer operate. For the purpose of reporting, we have reviewed the comments made and have grouped common responses together into themes. These are reported in the table below.

The percentages below represent the number of consultees commenting on each theme. Please note comments often cover more than one theme. As a result, the percentages in the data table presented will exceed the sum of one hundred percent.

A range of potential impacts were made but a high proportion of comments highlight concerns with regards to impact on journeys, socialising and reaching specific destinations:

- Journeys – would take longer (26% of consultees commenting), roads would be busier / already congested around Dartford Tunnel (20%), journey would cost more (17%)
- Socialising – would impact social life / visiting family and friends (23%), would impact use for leisure / day trips / visiting attractions (18%)
- Reaching specific destinations – wouldn't be able to visit Gravesend / restrict access – 22%, would be able to get to work / would have to change jobs / could lose job – 18%, wouldn't be able to get to school / children attend Gravesend Grammar school (7%)

***Please tell us how you or the person/group you represent could be affected if Gravesend to Tilbury Ferry were no longer to operate?*** Base: all consultees providing a response (840)

| <b>% SELECTED</b>   | <b>Number of responses</b> | <b>Percentage</b> |
|---|----------------------------|-------------------|
| Journeys would take longer  | 216                        | 26%               |
| Would impact social life / visiting family / friends (vice versa)   | 195                        | 23%               |
| Wouldn't be able to visit Gravesend / Tilbury etc / restrict access / no alternative / don't drive  | 184                        | 22%               |
| Roads would be busier / already congested around Dartford Tunnel  | 165                        | 20%               |
| Wouldn't be able to get to work / would have to change jobs / could lose my job   | 151                        | 18%               |
| Would impact use for leisure / day trips / visiting attractions / Tilbury Fort / World's End / football ground / river walks / parks / historic sites | 150                        | 18%               |
| Journeys would cost more (incl. cost of toll / Gravesend residents do not get toll subsidy)   | 140                        | 17%               |
| Would add to pollution / environmental impact   | 89                         | 11%               |
| Important / vital community amenity   | 87                         | 10%               |
| Public transport inadequate / expensive   | 83                         | 10%               |
| Would affect footfall / business in town / Gravesend / impact high street   | 74                         | 9%                |
| Inconvenient / have to rely on others   | 71                         | 8%                |

| <b>% SELECTED</b>   | <b>Number of responses</b> | <b>Percentage</b> |
|---|----------------------------|-------------------|
| Wouldn't be able to get to school / children attend grammar school in Gravesend / special setting school (child has autism) | 59                         | 7%                |
| Wouldn't be able to do my shopping in Gravesend   | 58                         | 7%                |
| No alternative for cyclists / foot passengers   | 55                         | 7%                |
| Would impact elderly / people in need / vulnerable / disabled: their ability to travel or family / carers to visit them     | 53                         | 6%                |
| Do not stop operating the service / inconceivable / do not agree  | 53                         | 6%                |
| Been using it for years / regular user  | 41                         | 5%                |
| Alternatives would be stressful / impact mental health  | 41                         | 5%                |
| Part of Gravesend heritage / historic amenity   | 36                         | 4%                |
| We / the kids / grandchildren enjoy using the ferry   | 25                         | 3%                |
| Impact tourism / cruise liner passengers use the ferry  | 23                         | 3%                |
| Wouldn't be able to go on cruises - only access   | 20                         | 2%                |
| The ferry is a safe travel option   | 10                         | 1%                |
| The ferry feels safe for people with autism or anxiety  | 7                          | 1%                |

Example comments supporting these themes can be found below:

**“Travelling to work would be so much more difficult, expensive and time consuming. The Dartford Crossing always has delays so travelling times would increase significantly. This in turn would lead to higher stress levels and have an adversely effect on people’s mental health.”**

**“The ferry is the only way I can get across the river to Gravesend. I’ve been using the ferry regularly since I was a child. Now I’ve retired it’s my only couple of days to shop at my leisure. I also visit an elderly old neighbour who doesn’t see anyone else all week. I’m her only visitor.”**

**“It would be a total disaster for me. I travelled by ferry for more than 10 years for work, I have no other ways of getting to the other side of the river. I did have alternatives to get to work my friend used to give me lift but unfortunately, he has now left the company. When the ferry brakes down I had to use my bike to get to the bridge and use its shuttle van to get over. but that alternative is well over an hour and a half to get to work. I cannot do that why should I swap a 20min journey for an hour and a half journey? There is no logic in it! it would make a major attack on my mental health. I can’t get another job because the pay I am on with this job is good for my family whereas other places of work with their starter pay is a massive pay cut and would be a total disaster especially in this cost of living crisis. On behalf of everyone, you just can’t take away our ferry there are so many people who rely on this service. it would wreck so many lives.”**

**“The ferry provides easy access to Essex from Kent. It is useful for both local economies as it allows people to be employed either side of the Thames, in both counties. If the route no longer ran, then this would mean there may be an impact on company workforce.”**

**“The ferry is essential to my daughter’s travel to Rochester Grammar School. If this were to be closed it would cause a massive change in her travel arrangements. Unfortunately, I cannot drive her to school as I work in London, and it will cause me to be late for work because it means I have to drive instead of taking the train. If my daughter was to use alternative transport, this journey will be completed in like 3 hours not forgetting QE2 bridge’s constant disruptions. This will mean my daughter will be constantly late and constantly tired. That is not ideal for both physical and mental wellbeing meaning she will definitely struggle in class.”**

**“I use the ferry service for leisure reasons. Losing the ferry would prevent me from doing riverside walks, hikes and bird watching on the Essex bank. The ferry also provides a convenient link to cruises departing from Tilbury. The public transport links via the Dartford crossing are complex, lengthy and inconvenient. Cutting the ferry would only push more cars on to the roads, exacerbating the current congestion problems and contributing to air pollution and climate damaging emissions.”**

Some example comments from emails / letters sent to the public transport team from stakeholders can be found below:

**“It provides a vital service for school children from Tilbury attending schools in Gravesend, commuting to/from the communities and job opportunities on both sides of the River Thames, tourism (Thames Path connection, cycling, linking the Forts), access to social, leisure and retail facilities in Gravesend from Tilbury. The alternative public transport route involves using 3 different buses, one of which is only hourly, and takes at least 1:50 at an additional cost compared with the Ferry, which only takes 5 minutes. Driving takes at least 30 minutes (depending on how well the Dartford Crossing is operating) and is not relevant to user groups that cannot drive or do not have access to a motor vehicle.”**

**“The communities of Gravesend and Tilbury have higher than average economic deprivation, with higher unemployment rates amongst young people than other towns in the region. As both sides of the river actively pursue economic regeneration through the Thames Freeport, Thames Estuary Growth Board and other major growth opportunities, removing the opportunity for people – particularly young people – to access existing and new employment opportunities appears to be a self-sabotaging step. For a relatively low overall cost, the ferry service provides a regular and reliable connection for businesses, students and families. This connection has not and cannot be substituted by the Dartford Crossing which – even if people have access to a car - adds many miles, hours and pounds to people’s regular journeys between the heart of Gravesend and the town and port of Tilbury.”**

**“Many people use this service daily for jobs and for getting to school. As the strategic public transport authority this service is vital for facilitating people to travel not by car. There has been a ferry service since Roman times! A ferry service that is well used with over 100,000 trips every year should be protected.”**

**“If the county council is required to provide this public service requirement, the alternative to the ferry might require a service using four buses. At a rate of £500 to £1,000 per bus per day, an alternative bus service might cost £1,000,000 per year. The total ferry subsidy has been quoted as being about £200,000. Consequently, the ferry service appears to provide excellent value for money. The consultation does not compare the subsidy per passenger**



**with other public transport subsidies provided by Kent County Council. Therefore, it has not been possible to compare the ferry with other public transport services and requirements. This is not a typical public transport service in Kent, where alternative options can take the same route as public transport. In the case of the ferry route, a huge diversion would be required. The suggested alternative route in the consultation requires a train and two bus services to connect.”**

**“Longer term considerations that could affect the future of the service are plans for the Lower Thames Crossing as well as the potential Kenex cross-Thames tram link plus developments such as the Ebbsfleet theme park and the Freeport and other plans to regenerate the Thames riverside economy for which a comprehensive public transport network is vitally important. We therefore recommend that all possible attempts are made to retain the Gravesend to Tilbury ferry link, at least over the short- and medium-term dependent on longer term developments in the area, including working with partners and commercial stakeholders north and south of the river to ensure that operational costs are shared equitably.”**

**Impact perceptions by subgroups of consultees**

Consistent with service use patterns, there are significant differences in the perceived impact(s) of the service withdrawal by the geographic location of residents / stakeholders. The tables overleaf detail consultees’ response to the impact of the proposed withdrawals by the following groups:

- Kent residents / Kent-based stakeholders, Thurrock residents / Thurrock-based stakeholders, Residents / stakeholders outside these areas
- Varying frequencies of using the Gravesend to Tilbury Ferry Service

Please note service users’ comments often cover more than one theme. As a result, the percentages in the data tables presented will exceed the sum of one hundred percent.

**Kent residents / Kent-based stakeholders, Thurrock residents / Thurrock-based stakeholders, Residents / stakeholders outside these areas**

***Please tell us how you or the person/group you represent could be affected if Gravesend to Tilbury Ferry were no longer to operate?***

| <b>% SELECTED</b>   | <b>Kent residents / Kent-based stakeholder</b> | <b>Thurrock residents / Thurrock-based stakeholder</b> | <b>Resident / stakeholder outside Kent / Thurrock</b> |
|---|--|--|---|
| Journeys would take longer  | 26%  | 23%  | 29%   |
| Would impact social life / visiting family / friends (vice versa)   | 22%  | 30%  | 20%   |
| Wouldn't be able to visit Gravesend / Tilbury etc / restrict access / no alternative / don't drive  | 22%  | 25%  | 18%   |
| Roads would be busier / already congested around Dartford Tunnel  | 21%  | 16%  | 19%   |
| Wouldn't be able to get to work / would have to change jobs / could lose my job   | 16%  | 20%  | 19%   |
| Would impact use for leisure / day trips / visiting attractions / Tilbury Fort / World's End / football ground / river walks / parks / historic sites | 17%  | 19%  | 18%   |
| Journeys would cost more (incl. cost of toll / Gravesend residents do not get toll subsidy)   | 16%  | 16%  | 18%   |
| Would add to pollution / environmental impact   | 12%  | 7%   | 12%   |
| Important / vital community amenity   | 11%  | 10%  | 8%  |
| Public transport inadequate / expensive   | 10%  | 9%   | 11%   |
| Would affect footfall / business in town / Gravesend / impact high street   | 8%   | 10%  | 9%  |
| Inconvenient / have to rely on others   | 9%   | 8%   | 8%  |

| <b>% SELECTED</b>   | <b>Kent residents / Kent-based stakeholder</b> | <b>Thurrock residents / Thurrock-based stakeholder</b> | <b>Resident / stakeholder outside Kent / Thurrock</b> |
|---|--|--|---|
| Wouldn't be able to get to school / children attend grammar school in Gravesend / special setting school (child has autism) | 5%   | 12%  | 7%  |
| Wouldn't be able to do my shopping in Gravesend   | 2%   | 18%  | 7%  |
| No alternative for cyclists / foot passengers   | 8%   | 2%   | 8%  |
| Would impact elderly / people in need / vulnerable / disabled: their ability to travel or family / carers to visit them     | 6%   | 6%   | 6%  |
| Do not stop operating the service / inconceivable / do not agree  | 7%   | 4%   | 6%  |
| Been using it for years / regular user  | 3%   | 8%   | 6%  |
| Alternatives would be stressful / impact mental health  | 3%   | 10%  | 5%  |
| Part of Gravesend heritage / historic amenity   | 6%   | 1%   | 2%  |
| We / the kids / grandchildren enjoy using the ferry   | 3%   | 3%   | 1%  |
| Impact tourism / cruise liner passengers use the ferry  | 4%   | 1%   | 0%  |
| Wouldn't be able to go on cruises - only access   | 4%   | 0%   | 1%  |
| The ferry is a safe travel option   | 1%   | 1%   | 1%  |
| The ferry feels safe for people with autism or anxiety  | 1%   | 1%   | 1%  |

**Impact by varying frequencies of using the Gravesend to Tilbury Ferry Service**

**Please tell us how you or the person/group you represent could be affected if Gravesend to Tilbury Ferry were no longer to operate?**

| <b>% SELECTED</b>   | <b>Use the service daily or frequently for at least one of the six prompted purposes</b> | <b>Use the service but not daily or frequently for any of the six prompted purposes</b> |
|---|--|---|
| Journeys would take longer  | 31%  | 26%   |
| Would impact social life / visiting family / friends (vice versa)   | 23%  | 27%   |
| Wouldn't be able to visit Gravesend / Tilbury etc / restrict access / no alternative / don't drive  | 18%  | 26%   |
| Roads would be busier / already congested around Dartford Tunnel  | 21%  | 20%   |
| Wouldn't be able to get to work / would have to change jobs / could lose my job   | 38%  | 8%  |
| Would impact use for leisure / day trips / visiting attractions / Tilbury Fort / World's End / football ground / river walks / parks / historic sites | 7%   | 22%   |
| Journeys would cost more (incl. cost of toll / Gravesend residents do not get toll subsidy)   | 21%  | 17%   |
| Would add to pollution / environmental impact   | 9%   | 11%   |
| Important / vital community amenity   | 7%   | 9%  |
| Public transport inadequate / expensive   | 7%   | 12%   |
| Would affect footfall / business in town / Gravesend / impact high street   | 3%   | 9%  |
| Inconvenient / have to rely on others   | 11%  | 9%  |
| Wouldn't be able to get to school / children attend grammar school in Gravesend / special setting school (child has autism)                           | 16%  | 3%  |
| Wouldn't be able to do my shopping in Gravesend   | 8%   | 7%  |
| No alternative for cyclists / foot passengers   | 1%   | 8%  |
| Would impact elderly / people in need / vulnerable / disabled: their ability to travel or family / carers to visit them                               | 11%  | 5%  |
| Do not stop operating the service / inconceivable / do not agree  | 4%   | 6%  |
| Been using it for years / regular user  | 5%   | 5%  |

| <b>% SELECTED</b>                                      | <b>Use the service daily or frequently for at least one of the six prompted purposes</b> | <b>Use the service but not daily or frequently for any of the six prompted purposes</b> |
|--|--|---|
| Alternatives would be stressful / impact mental health | 9%   | 4%  |
| Part of Gravesend heritage / historic amenity          | 0%   | 4%  |
| We / the kids / grandchildren enjoy using the ferry    | 1%   | 4%  |
| Impact tourism / cruise liner passengers use the ferry | 1%   | 2%  |
| Wouldn't be able to go on cruises - only access        | 0%   | 3%  |
| The ferry is a safe travel option                      | 1%   | 1%  |
| The ferry feels safe for people with autism or anxiety | 1%   | 1%  |

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## RESPONSE TO EQUALITY IMPACT ASSESSMENT

Consultees were asked to provide their views in their own words on Kent County Council's (KCC) equality analysis on the future of the ferry service. For the purpose of reporting, we have reviewed the comments made and have grouped common responses together into themes. These are reported in the table below. 24% of consultees provided a response to this question.

A range of comments were made in reference to potential considerations but the most common are perceived impacts on the following groups:

- Those who don't own a car / don't drive (23%)
- The elderly (17%)
- Residents with a disability, limited mobility and wheelchair users (17%)
- People on low incomes who can't afford other modes of transport (15%)
- School children getting to schools (12%)
- Workers (12%)

***We welcome your views on our equality analysis and if you think there is anything else we should consider relating to equality and diversity?*** Base: all consultees providing a response, 2% mentions and above reported below (217)

| <b>% SELECTED</b>   | <b>Number of responses</b> | <b>Percentage</b> |
|---|----------------------------|-------------------|
| Would impact those who don't own a car / don't drive  | 50                         | 23%               |
| Would impact the elderly  | 37                         | 17%               |
| Would impact residents with a disability, limited mobility and wheelchair users                                       | 37                         | 17%               |
| Would impact people on low incomes who can't afford other modes of transport  | 33                         | 15%               |
| Would impact school children getting to schools, including the grammar schools  | 26                         | 12%               |
| Would impact workers and could mean people become unemployed  | 25                         | 12%               |
| The ferry is a vital service used by many   | 23                         | 11%               |
| Equality is irrelevant; all users are affected regardless of who they are   | 21                         | 10%               |
| Would impact those who can't afford to use alternative transport methods, public transport would be too expensive     | 20                         | 9%                |
| Would impact those who can't use alternative public transport, it is not sufficient and would make travel impractical | 20                         | 9%                |
| The ferry is convenient and easy access   | 19                         | 9%                |
| The ferry is used by shoppers   | 15                         | 7%                |
| The ferry keeps families and friends connected, people could become isolated and unable to see one another            | 14                         | 6%                |

| <b>% SELECTED</b>   | <b>Number of responses</b> | <b>Percentage</b> |
|---|----------------------------|-------------------|
| Please do not stop the ferry service  | 13                         | 6%                |
| The ferry is used for days out, visiting the attractions  | 10                         | 5%                |
| The ferry is used by pedestrians and cyclists, who would be discriminated against                       | 10                         | 5%                |
| Would impact those with anxiety issues, neurodiverse people and those with Aspergers syndrome or autism | 9                          | 4%                |
| The loss of the ferry would impact on social lives  | 9                          | 4%                |
| The loss of the ferry would impact on mental health and well-being                                      | 9                          | 4%                |
| There would be more cars on the roads, adding to the traffic and pollution                              | 8                          | 4%                |
| Would impact carers' responsibilities   | 7                          | 3%                |
| The ferry keeps communities and towns connected, allowing access to other towns                         | 7                          | 3%                |
| The ferry is used by tourists, cruise ship passengers   | 6                          | 3%                |
| The ferry has been operating for years, it's part of our heritage                                       | 5                          | 2%                |
| Would impact ethnic minorities  | 4                          | 2%                |
| The ferry ride itself is an enjoyable social experience for many  | 4                          | 2%                |

Example comments from consultees that highlight the depth of feeling behind the high-ranking themes can be found below:

**“To get rid of this service affects those, like me, who cannot drive for health reasons and who need to visit Thurrock to access their network of support. It affects physically and mentally disabled individuals, and those on low income like myself who cannot afford all of the connecting journeys. I have tried these in the past and it is incredibly challenging.”**

**“I imagine the people most reliant on the ferry services are of less flexible socio-economic groups. Those least likely to own private transportation. By removing the service you'll be absolutely knacker them. How are they supposed to cross the river?”**

**“Whilst the statistics may not show a significant number of passengers each day, those that do use the ferry crossing rely on it as an affordable, social, quick and efficient route across the Thames that doesn't involve a long, expensive trip across the bridge. We are talking about the elderly, the disabled, those on low incomes. If KCC pulls out, it will impact some of the most needy in our society and that would be a huge mistake. It would be a huge loss to both Kent and Thurrock in terms of community connections. Residents tell me of family support networks that will be devastated, carers and childminders using the ferry to visit customers that will no longer be able to and grandparents that will no longer be able to sit for grandchildren whilst their parents go to work. A number of parents lives will be**

turned upside down as their family support network is cut off and alternatives are few and far between given the huge costs of childcare.”

“At the moment anybody with special needs or mobility problems can pop across to Tilbury Fort with relative ease. Take away the ferry and the journey is not so appealing.”

“The Equality Impact Report makes it clear that for most categories there is a negative impact and nothing that can be done to mitigate them. For example, the English National Concessionary Travel Scheme pass is valid on the ferry service, and about 11% of all passenger journeys use passes based on disability (and can manage the pontoon’s). The same passes will work on the alternatives, but the multiple changes and time required mean that they are not an effective replacement.”

“Nearly all protected characteristics will be affected by this policy change and only some mitigation at greater inconvenience is offered according to the EQIA.”

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## FEEDBACK ON CONSULTATION INCLUDING SUGGESTIONS FOR ALTERNATIVE PROPOSALS

Consultees were asked in their own words to provide other comments in response to the consultation, including suggestions for alternative proposals. For the purpose of reporting, we have reviewed the comments made and have grouped common responses together into themes. 53% of consultees provided a response to this question.

The table below presents the alternative suggestions put forward in consultees' comments in this question. The most common alternatives suggest reviewing the service to potentially make it grow in usage and become more sustainable:

- Review pricing, e.g. increase price / tiered charging / paid in full by users (16%)
- Sponsorship / funding from those who rely on / benefit from the ferry service (12%)
- Review operating hours, e.g. more weekend services / longer hours / peak hours (11%)
- Contribution from other councils of service users – 7%
- Promote the service, attract groups, offer additional services – 6%

***Do you have any further comments that you would like to make in response to this consultation, including any suggestions for alternative proposals?***

Base: all consultees providing a response (468)

| <b>% ALTERNATIVE SUGGESTIONS PUT FORWARD</b>   | <b>Number of responses</b> | <b>Percentage</b> |
|--|----------------------------|-------------------|
| Review pricing: e.g. increase the price / tiered charging / regular / non regular users / paid in full / no subsidies  | 73                         | 16%               |
| Sponsorship / funding from those who rely on / benefit from the ferry service (e.g. dock owners / ports / Ambassador Cruises / Gravesend Pier / English Heritage / Landmark Trust), includes mentions of funding (crowd funding and lottery funding) | 56                         | 12%               |
| Review operating hours e.g. more weekend services / longer hours / peak hours / hourly / not half hourly   | 53                         | 11%               |
| Other councils should contribute / their residents use the service as well   | 34                         | 7%                |
| Promote the service, attract groups, offer additional services, tourist trips / heritage trips   | 27                         | 6%                |
| Lobby the government, the government should be funding the service   | 22                         | 5%                |
| Better ways to save money / rethink Essex/Kent tunnel / sell assets / reduce allowances  | 17                         | 4%                |
| Invest in the ferry - more reliable, bigger boats, better  | 13                         | 3%                |
| Partner with Uber boats / other boat services  | 12                         | 2%                |
| Find another operator  | 7                          | 1%                |
| Develop the area into more of a tourist area, cash in on the potential, riverside community area, bars, cafes  | 6                          | 1%                |
| Bring back the car ferry   | 3                          | 1%                |

Example comments from consultees behind the most common themes can be found below:

**“I am able-bodied I would not mind an increase in ticket price, as long as people with disabilities or the like do not suffer from it. Equally, perhaps getting other nearby councils involved that may benefit from the ferry could be beneficial financially.”**

**“Extend the ferry service to include Sundays - so many events happen on a Sunday in Gravesend that I am sure there would be a demand. The fare is very cheap when compared to the price of petrol and toll when the journey is made by road.”**

**“I think it essential that the service is maintained at least until the Lower Thames Crossing is operational. Attempts should be made to seek sponsorship/support from commercial organisations affected and promotional/advertising opportunities. Political pressure should be brought to bear on Thurrock and Gravesham Councils and central government.”**

**“Has either council considered putting together a proposal to approach potential sponsors for the Ferry service - if the bid is successful, the sponsor should be allowed to display their company logo/livery on the vessels.”**

**“We would urge the Council to consider how a ferry service could continue to operate, and indeed to secure long-term investment into its future so as to provide a high quality, regular service. To that end: Has the Council fully explored alternative funding models, including asking for contributions from employers and business groups on both sides of the river? Would running a well-promoted procurement exercise encourage competition and innovative approaches to providing a ferry service? In order to attract private investment in both infrastructure and vessels, would the Council consider a longer-term concession, for example 15-25 years, with appropriate safeguards and performance standards? Could sustainability be put at the heart of any long-term solution?”**

**“There is massive potential associated with the London Tilbury Cruise Terminal and Ambassador Cruises who this year, from January 19 until the end of 2024 are scheduled to operate over thirty cruises from Tilbury. Cruise passengers from Kent and south of the River Thames without their own transport should be encouraged to use the Gravesend / Tilbury Ferry when embarking or disembarking from their trips. Not only that, crew members with a few hours 'freetime' should be encouraged to use the Ferry to visit and shop in Gravesend, boosting the local economy into the bargain. Those addressees who are also local councillors in Gravesham will already be aware of the space in front of the Town Pier at the bottom of the High Street in Gravesend which could be used by taxis or coaches as a drop off or pick up point. Local hoteliers could also be encouraged to advertise 'stopovers' in Gravesend to cruise passengers on the night before their trips. Gravesend occupies a fantastic location on the River Thames, why not fully exploit it.”**

The table below summarises consultees' feedback in response to the consultation. The main comments received emphasise the importance of the service (17%) and not wanting the service to stop operating (13%). 12% raised concerns in relation to sponsorship / funding for organisations / individuals that rely on / benefit from the service.

***Do you have any further comments that you would like to make in response to this consultation, including any suggestions for alternative proposals?*** Base: all consultees providing a response (468)

| <b>% FURTHER COMMENTS PUT FORWARD</b>   | <b>Number of responses</b> | <b>Percentage</b> |
|---|----------------------------|-------------------|
| Important / essential community amenity   | 78                         | 17%               |
| Do not stop operating the service / inconceivable / do not agree  | 59                         | 13%               |
| Wouldn't be able to visit Gravesend / restrict access / no alternative  | 51                         | 11%               |
| Impacts people getting to work  | 51                         | 11%               |
| Part of Gravesend heritage / historic amenity / taking away another part of Gravesend identity                                  | 48                         | 10%               |
| Gravesend already becoming unattractive: Would affect footfall / business in Gravesend / impact high street / people shopping   | 46                         | 10%               |
| Roads would be busier / already congested around Dartford Tunnel  | 3                          | 8%                |
| Would add to pollution / environmental impact/ should be encouraging public transport use                                       | 36                         | 8%                |
| Impacts people getting to school  | 35                         | 7%                |
| Comments around council wasting money / poorly run / penalising residents   | 32                         | 7%                |
| Would impact use for leisure / day trips / visiting attractions / Tilbury Fort / World's End / football ground / kids' days out | 21                         | 4%                |
| Journeys would take longer on other routes  | 21                         | 4%                |
| Improve public transport / alternative options  | 20                         | 4%                |
| Journeys would cost more (incl. cost of toll / Gravesend residents do not get toll subsidy)                                     | 17                         | 4%                |
| Would impact social life / visiting family / friends (vice versa)   | 15                         | 3%                |
| Impact tourism / cruise liner passengers use the ferry  | 14                         | 3%                |
| The ferry is a lifeline to many / elderly / people living alone   | 13                         | 3%                |
| Impacts on disabled / no alternatives   | 9                          | 2%                |
| Impact on / alternatives for bike users / cyclists / walkers  | 7                          | 1%                |
| Comments around purpose of consultation / dubious   | 7                          | 1%                |
| Been using it for years / regular user  | 6                          | 1%                |

Example comments from consultees behind the most common themes can be found below:

**“Please do not stop this vital service . It is an important service for residents in the Kent area. I have worked with people who travel on this service to work in Gravesend. I know of plenty of children who also use this service to attend my son’s school in Gravesend. Lots of Kent residents also use this service for social and leisure too. If this service is costly then consider putting price up slightly to be able to keep it in place?”**

**“Apart from myself, consideration should also be given to the many students who travel from Thurrock to study in the Gravesham district along with many who travel to Thurrock in order to work. This ferry has operated for hundreds of years, and it would be a travesty were it to stop. It's an institution. Many others travel both ways. Cyclists for example use the route throughout the year. Closure would impact so many people.”**

**“So many people rely on the ferry, especially children who use it to travel to and from school. Parents may not have the funds or resources to take their children to school and train fares are expensive. School children may be forced to attend another school if they are unable to get there.”**

## Section 1 – About You

### Q1. Are you responding as...?

Please select the option from the list below that most closely represents how you will be responding to this consultation. Select **one** option.

- Yourself (as an individual)
- On behalf of a friend or relative – please answer all the questions in this questionnaire using their details and not your own.
- A representative of a local community group or residents' association
- An educational establishment, such as a school or college
- On behalf of a Parish/Town/Borough/District Council in an official capacity
- A Parish/District or County Councillor
- On behalf of a business
- On behalf of a charity, voluntary, community or social enterprise organisation (VCSE)
- Other, please specify:

**Q1a. If you are responding on behalf of an organisation (community group, council, school or college, business or VCSE), please tell us the name of the organisation. Write in below:**

**Q2. Are you or the person/organisation you are responding on behalf of...?**

Please select **one** option.

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | A Kent resident or Kent-based stakeholder         |
| <input type="checkbox"/> | A Thurrock resident or Thurrock-based stakeholder |
| <input type="checkbox"/> | Neither   |

**Q2a. Please tell us the first five characters of your postcode:**

Please do not reveal your whole postcode. If you are responding on behalf of a friend or relative, provide their postcode. If you are responding on behalf of an organisation, use your organisation's postcode. We use this to help us to analyse our data. It will not be used to identify who you are.

If you are responding as an organisation, please go to **Section 2, question 7**.

If you are responding as an individual or on behalf of a friend or relative, please continue to **question 3**.

If you are responding on behalf of a friend or relative, please answer these questions using their details.

**Q3. Do you or the person you are responding on behalf of use the Gravesend to Tilbury Ferry Service?**

Please select **one** option.

- |                          |     |
|--------------------------|-----|
| <input type="checkbox"/> | Yes |
| <input type="checkbox"/> | No  |

If 'Yes', please complete questions 4 and 5. If 'No', please go to question 7.

**Q4. Please tell us the usual reason for your journey and how often you make this journey.** Please complete **all** rows that apply. If you are responding on behalf of someone else, please respond using their journey information.

| <b>Reason/purpose of your journey</b>                                  | <b>Daily</b> | <b>Frequently</b><br>(2-3 times per week or more) | <b>Less frequently</b><br>(once every 1 or 2 weeks) | <b>Now and again</b> (1 or 2 times per month or less) |
|--|--------------|---|---|---|
| To get to and from school/college/university                           |              |   |   |   |
| To get to and from work  |              |   |   |   |
| To get to and from doctors, hospital and other healthcare appointments |              |   |   |   |
| To do essential food shopping  |              |   |   |   |
| To get to and from leisure and social activities                       |              |   |   |   |
| To care for a friend or relative                                       |              |   |   |   |
| Other reason to travel, please specify here:                           |              |   |   |   |

**Q5. When travelling do you or the person you are responding on behalf of...**

Please select **one** option.

- Pay a fare
- Travel using an Older Persons English National Concessionary Pass
- Travel using a Disabled Persons English National Concessionary Travel Pass
- Don't know

**Q6. If the service were to stop, what alternative way(s) do you or the person you are responding on behalf of have to travel for the reason(s) you/they have identified? Please select all that apply.**

- Drive myself
- Rely on friends/family/neighbours/colleagues for lifts
- Use alternative public transport (buses and trains)
- Travel by taxi
- No alternative
- Don't know
- Other, please specify below:



## Section 2 – Our Proposal

The consultation document provides detail of the current position and the possible outcomes.

**Q7. Please tell us how you or the person/group you represent could be affected if Gravesend to Tilbury ferry were no longer to operate.**

**We have completed a consultation stage Equality Impact Assessment (EqIA) on the future of the ferry service.**

An EqIA is a tool to assess the impact any service change, policy or strategy would have on age, sex, gender identity, disability, race, religion or belief, sexual orientation, pregnancy or maternity, marriage and civil partnership and carer’s responsibilities.

The EqIA is available online at [kent.gov.uk/ferryconsultation](http://kent.gov.uk/ferryconsultation) or in paper copy on request.

**Q8. We welcome your views on our equality analysis and if you think there is anything we should consider relating to equality and diversity, please add any comments below:**

**Q9. Do you have any further comments that you would like to make in response to this consultation, including any suggestions for alternative proposals?**

### Section 3 – More about you

We want to make sure that everyone is treated fairly and equally, and that no one gets left out. That's why we are asking you these questions. We will use it only to help us make decisions and improve our services.

**If you would rather not answer any of these questions, you don't have to.**

**It is not necessary to answer these questions if you are responding on behalf of an organisation.**

If you are responding **on behalf of someone else**, please answer using their details.

**Q10. Which of the following best describes your working status?** Please select **one** option.

- Working full time
- Working part time
- On a zero-hours or similar casual contract
- Temporarily laid off
- Freelance/self employed
- Unemployed
- Not working due to a disability or health condition
- Carer
- Homemaker
- Retired
- Student
- Other, please specify below:

**Q11. Are you.....?** Please select one option.

- Male       Female       I prefer not to say

We use the terms "transgender" and "trans" as inclusive umbrella terms for a diverse range of people who find their gender identity differs in some way from the sex they were originally assumed to be at birth.

**Q12. Have you ever identified or do you identify as a transgender or trans person? Select one option.**

|                          |                     |
|--------------------------|---------------------|
| <input type="checkbox"/> | Yes                 |
| <input type="checkbox"/> | No                  |
| <input type="checkbox"/> | Other               |
| <input type="checkbox"/> | I prefer not to say |

**Q13. Which of these age groups applies to you? Please select one option.**

|                          |       |                          |       |                          |       |                          |       |                          |                     |
|--------------------------|-------|--------------------------|-------|--------------------------|-------|--------------------------|-------|--------------------------|---------------------|
| <input type="checkbox"/> | 0-15  | <input type="checkbox"/> | 25-34 | <input type="checkbox"/> | 50-59 | <input type="checkbox"/> | 65-74 | <input type="checkbox"/> | 85 + over           |
| <input type="checkbox"/> | 16-24 | <input type="checkbox"/> | 35-49 | <input type="checkbox"/> | 60-64 | <input type="checkbox"/> | 75-84 | <input type="checkbox"/> | I prefer not to say |

**Q14. Do you regard yourself as belonging to a particular religion or holding a belief? Please select one option.**

|                          |     |                          |    |                          |                     |
|--------------------------|-----|--------------------------|----|--------------------------|---------------------|
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | I prefer not to say |
|--------------------------|-----|--------------------------|----|--------------------------|---------------------|

**Q14a. If you answered 'Yes' to Q14, which of the following applies to you? Please select one option.**

|                          |                     |
|--------------------------|---------------------|
| <input type="checkbox"/> | Christian           |
| <input type="checkbox"/> | Buddhist            |
| <input type="checkbox"/> | Hindu               |
| <input type="checkbox"/> | Jewish              |
| <input type="checkbox"/> | Muslim              |
| <input type="checkbox"/> | Sikh                |
| <input type="checkbox"/> | Other               |
| <input type="checkbox"/> | I prefer not to say |

If you selected Other, please specify:

The Equality Act 2010 describes a person as disabled if they have a long standing physical or mental condition that has lasted, or is likely to last, at least 12 months; and this condition has a substantial adverse effect on their ability to carry out normal day-to-day activities. People with some conditions (cancer, multiple sclerosis, and HIV/AIDS, for example) are considered to be disabled from the point that they are diagnosed.

**Q15. Do you consider yourself to be disabled as set out in the Equality Act 2010?** Please select **one** option.

- Yes
- No
- I prefer not to say

**Q15a. If you answered 'Yes' to Q15, please tell us the type of impairment that applies to you.**

You may have more than one type of impairment, so please select all that apply. If none of these applies to you, please select 'Other' and give brief details of the impairment you have.

- Physical impairment
- Sensory impairment (hearing, sight or both)
- Longstanding illness or health condition, such as cancer, HIV/AIDS, heart disease, diabetes or epilepsy
- Mental health condition
- Learning disability
- I prefer not to say
- Other

Other, please specify:

A Carer is anyone who provides unpaid care for a friend or family member who due to illness, disability, a mental health problem or an addiction cannot cope without their support. Both children and adults can be carers.

**Q16. Are you a Carer?** Please select **one** option.

- Yes
- No
- I prefer not to say

**Q17. Are you ...? Select *one* option.**

- |                          |                       |
|--------------------------|-----------------------|
| <input type="checkbox"/> | Heterosexual/Straight |
| <input type="checkbox"/> | Bi/Bisexual           |
| <input type="checkbox"/> | Gay man               |
| <input type="checkbox"/> | Gay woman/Lesbian     |
| <input type="checkbox"/> | Other                 |
| <input type="checkbox"/> | I prefer not to say   |

**Q18. To which of these ethnic groups do you feel you belong? Please select *one* option.**  
(Source 2011 Census)

- |                          |                                    |                          |                                  |
|--------------------------|------------------------------------|--------------------------|----------------------------------|
| <input type="checkbox"/> | White English                      | <input type="checkbox"/> | Mixed White & Black Caribbean    |
| <input type="checkbox"/> | White Scottish                     | <input type="checkbox"/> | Mixed White & Black African      |
| <input type="checkbox"/> | White Welsh                        | <input type="checkbox"/> | Mixed White & Asian              |
| <input type="checkbox"/> | White Northern Irish               | <input type="checkbox"/> | Mixed Other*                     |
| <input type="checkbox"/> | White Irish                        | <input type="checkbox"/> | Black or Black British Caribbean |
| <input type="checkbox"/> | White Gypsy/Roma                   | <input type="checkbox"/> | Black or Black British African   |
| <input type="checkbox"/> | White Irish Traveller              | <input type="checkbox"/> | Black or Black British Other*    |
| <input type="checkbox"/> | White Other*                       | <input type="checkbox"/> | Arab                             |
| <input type="checkbox"/> | Asian or Asian British Indian      | <input type="checkbox"/> | Chinese                          |
| <input type="checkbox"/> | Asian or Asian British Pakistani   | <input type="checkbox"/> | I prefer not to say              |
| <input type="checkbox"/> | Asian or Asian British Bangladeshi |                          |                                  |
| <input type="checkbox"/> | Asian or Asian British Other*      |                          |                                  |

\*Other - If your ethnic group is not specified on the list, please describe it here:

Thank you for taking the time to complete this questionnaire, your feedback is important to us.



## Environment and Transport Cabinet Committee – Draft Agenda and Work Programme (Updated 26 February 2024)

| Item   | Cabinet Committee to receive item |
|--|-----------------------------------|
| Verbal Updates by Cabinet Members and Corporate Director | At each meeting                   |
| Performance Dashboard                                    | At each meeting                   |
| Work Programme   | At each meeting                   |
| Draft Budget   | Annual                            |
| Biosecurity and Tree Health Report                       | Annual (January)                  |
| Corporate Risk Register                                  | Annual (March)                    |
| Winter Service Policy                                    | Annual (September)                |
| Environment Agency - Presentation                        | Bi-Annual                         |
| Southern Water - Presentation                            | Bi-Annual                         |

### 21 May 2024

| No.      | Item   | Additional Comments                                 |
|----------|--|---|
| Page 187 | Verbal Updates by Cabinet Members and Corporate Director       | At each meeting                                     |
|          | Performance Dashboard  | At each meeting                                     |
|          | Work Programme   | At each meeting                                     |
|          | Entry/Exit System  | 'standing item' until end of 2024                   |
|          | Windmills Policy – Key Decision                                |   |
|          | Natural Landscapes (AONB) Management Action Plan               |   |
|          | South West Organics- Green Waste West Kent Contract            | Added at agenda setting meeting on 29 November 2023 |
|          | Biosecurity and Tree Health Report                             | Annual (postponed from January's meeting)           |
|          | Household Waste and Recycling Centres contracts – Key Decision |   |

### 9 July 2024

| No. | Item   | Additional Comments |
|-----|--|---------------------|
|     | Verbal Updates by Cabinet Members and Corporate Director | At each meeting     |
|     | Performance Dashboard                                    | At each meeting     |
|     | Work Programme   | At each meeting     |
|     | Southern Water Presentation                              | Bi-annual           |

|  |                   |                                   |
|--|-------------------|-----------------------------------|
|  | Entry/Exit System | 'standing item' until end of 2024 |
|--|-------------------|-----------------------------------|

| <b>Items for Consideration that have not yet been allocated to a meeting</b> |  |  |
|--|--|--|
| Highways and Transportation fault reporting and enquiry form - Update        |  | Requested at ETCC on 19 January 2023                 |
| A review of highway aspects of planning applications - Report                |  | Requested at ETCC on 7 March 2023<br>For information |
| Climate Change Adaptation Plan   |  |  |
| Water management   |  | To be added to the November meeting                  |