

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 Friday, 11 March 2016.

PRESENT: Mrs P A V Stockell (Chairman), Mr C R Pearman (Vice-Chairman), Mr M Baldock, Mr A H T Bowles, Mr D L Brazier (Substitute for Mr M A Wickham), Mr C W Caller, Mr I S Chittenden, Dr M R Eddy, Mr P J Homewood, Mr B E MacDowall, Mr J M Ozog, Mr C Simkins, Mrs C J Waters and Mr M E Whybrow

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

IN ATTENDANCE: Mrs B Cooper (Corporate Director of Growth, Environment and Transport), Mr A Loosemore (Head of Highway Operations), Miss K Phillips (Strategic Business Adviser - GET), Mr T Read (Head of Highway Transport), M D Beaver (Head of Network Management and Performance), Mr Diplock (Soft Landscape Asset Manager), Mr R Fitzgerald (Performance Manager), Mr P Lightowler (Head of Public Transport), Ms C McKenzie (Sustainability and Climate Change Manager), Mr M Overbeke (Head of Public Protection), Mr J Ratcliffe (Principal Transport Planner - Strategy), Mr M Scrivener (Corporate Risk Manager), Mrs K Stewart (Director of Environment Planning and Enforcement) and Ms C A Singh (Democratic Services Officer)

UNRESTRICTED ITEMS

153. Apologies and Substitutes

(Item A1)

1. Apologies were received from Mr Wickham who was substituted by Mr Brazier.

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

(Item A2)

The Chairman, Mrs Stockell and Mr Chittenden declared an interest on Item B3 as they were both Maidstone Borough Councillors.

155. Minutes of the meeting held on 12 February 2016

(Item A3)

RESOLVED that the Minutes of the meeting held on 12 February were correctly recorded and that they be signed by the Chairman.

156. "No Lower Thames Crossing East of Gravesend" - Petition

(Item C1)

(This item was brought forward for discussion by the Chairman as agreed at the start of the meeting)

1. The Chairman welcomed Mr Bob Lane, representative of “No to Lower Thames Crossing East of Gravesend” and Mr Bryan Sweetland, County Councillor for Gravesend Rural, who had been given permission to speak at the meeting by the Chairman.

2. Mr Lane representative of “No to Lower Thames Crossing East of Gravesend” campaign spoke on the petition that asked the Council to withdraw its support for a Lower Thames Crossing East of Gravesend and to support the thousands of Kent residents whose lives would be devastated by this proposal. A new crossing East of Gravesend would not address the problems at Dartford.

3. The Chairman then invited the Cabinet Committee to debate the petition. During debate the following views were expressed and concerns were raised:

- The lifting of the toll at Dartford had not reduced delays and congestion as anticipated.
- A new route was necessary and a status quo was not an option.
- There would always be a collateral cost.
- No viable alternative been put forward the crossing needed to be in Gravesend.
- There would always be people who object to what every option was put forward. This was a better option than adding to Dartford's traffic.
- It was suggested that there was a need to look at getting freight off the roads and onto trains.
- Residents travelling from one borough to another through the tunnel should be provided with a free bus service. These options could be carried out through 106 agreements with five year costings.
- A suggestion was made that the tunnel should be extended to avoid housing.
- There was support verbalised for the petition and did not feel that the case had been made for Option C.
- It was suggested that Option A and the upgrading of the Dartford Tunnel should be addressed in KCC's response to the Consultation.
- There were strategic questions that need to be asked regarding how much infrastructure Kent was willing to accept and what was it doing to the quality of lives of Kent's residents. It was considered that this was a short term solution and that alternatives should be looked into. Option C would have an effect on biodiversity, air quality, land and town scape, noise pollution. It was questioned whether the Kent Environment Strategy had any value.
- A request was made that a Kent Freight//Rail Action Plan to be produced.
- A suggestion was made that a Select Committee or Members Task and Finish Group consider alternative ports other than Dover.
- There was a need to look at what goods were moving on Kent's roads at source.
- This was not nimbyism; there was genuine concern by residents of Gravesend. Option C would do nothing for the Dartford at best it would remove 14% of traffic from the Dartford Crossing.

- It was suggested that the M25 needed to be turned into a true London Orbital Road, that could be achieved with little land grab. The entrance and exit would be on the south side between the M20 and the A2, coming out at North South Ockenden, bypassing the existing Tunnel.
- Highways England needed to look at the suitability of the roads the traffic would be linked to coming out of the tunnel.
- It was suggested that people needed to live in the real world and that looking at more suggested routes that had not been through viability tests or costed would cause further delays that Kent could not afford. Mr Sweetland was given permission to give a point of information. He advised that the option of a long tunnel under Dartford had been costed and that information could be found within the HE consultation papers at Option A14.

4. Mr Balfour said that he had enormous sympathy for those that had signed the petition and empathy for all those that were going to be affected by the proposals if they went ahead. Mr Balfour highlighted that; (i) Kent County Council was not the deciding body but a consultee; (ii) there needed to be an assurance within KCC's response to the consultation that it did not reinvent other things that had been discounted already; (iii) it was correct that KCC listened to the Petitioners because they would be hugely affected, if the proposal went ahead, therefore every possible mitigation should be included in the response, particularly compensation for those going to be affected; and (iv) whilst KCC needed to pay attention to the petition and understand where it was coming from and what it was about, there should also be an appreciation that this was a national product. He reserved further comments for Item C2 "Proposed Response to the Highways England Consultation on proposed route options for a new Lower Thames Crossing" to be considered later on the agenda.

5. Mr Balfour advised that he had attended; a meeting that had been recorded by the BBC to be publicised later in the evening; and a public meeting was held at Gravesend, both of which produced heightened feelings. He considered that HE's comments had not helped residents in the local areas come to terms with what might happen, he urged Members to listen to the debates.

6. Mr Balfour concluded that if the proposals were agreed further debates would take place on the designs for the Crossing.

7. Mr Balfour thanked the Petitioners and Mr Lane.

8. RESOLVED that the petition and the comments by Members on the petition be received.

157. Proposed Response to the Highways England Consultation on proposed route options for a new Lower Thames Crossing
(Item C2)

1. The Director of Environment, Planning and Enforcement, Mrs Stewart, introduced a report that sought the Cabinet Members comments on the County Council's proposed response to the Highways England consultation on a proposed route for a new Lower Thames Crossing. Mrs Stewart stated that the response to the consultation was a work in progress. Consideration would be given to all comments raised at this meeting and those made at the Growth, Economic Development and

Communities Cabinet Committee meeting held on 3 March. The consultation was due to close on 24 March, before which, Cabinet would make its final considerations to the final draft of the response at its meeting on 21 March.

2. Members were made aware that the County Council had been working closely with the borough councils affected by the proposals taking account of their concerns within the response.

3. The Transport Strategy Manager, Mr Ratcliffe, advised on the background of the consultation, variations to routes proposed since the first consultation held in 2013 and the rationale of KCC's draft response appended to the report.

4. The Chairman welcomed Mr Sweetland, Local Member for Gravesend Rural, who had received permission to speak to the meeting.

5. Mr Sweetland highlighted that he had resigned his Cabinet post because he did not agree with the County Council Administration's view that it strongly supported Option C. He highlighted the issues for his decision; (i) A reference in the DfT published document in 2013 by AECOM reference to Option C *"that it is likely that the Dartford Crossing would remain close to capacity and although delays would be reduced incidents could still lead to long delays as they do at present"* Mr Sweetland believed that this was a very big risk which would not be realised until the crossing was built in Gravesend. He stressed the issues of the continued traffic congestion at Dartford's former toll area including; air pollution and associated health problems, the many incidents per week on that route meant there were three miles of traffic. Mr Sweetland highlighted KCC's response to the DfT consultation in 2013 when it agreed Option C included the proviso that a variant was built in; the upgrading of Bluebell Hill. In the current consultation HE had taken the decision not to progress with the variant upgrading of Bluebell Hill. He highlighted the high rates of asthma using a health map from the Dartford Crossing Hospital emergency Unit that showed areas either side of Dartford which he did not want to see in Gravesend. He quoted from a document produced by KCC in 2002 "What Price Growth" and asked for the four tests within the report to be returned; to preserve our; countryside, traditional villages, market towns and environmental heritage. He advised that a meeting on the Dartford Crossing recorded by Radio Kent would be air in the evening. He concluded that HE's consultation was biased; poorly managed, accompanying information difficult to obtain and would result in the likelihood of no growth with gridlock. He thanked the Chairman for allowing him to speak.

6. Mr Balfour considered that the consultation was not about growth in Kent but was about traffic. For the foreseeable future Ramsgate M2 Folkestone A20. It was a fact that Dover was the shortest and cheapest route from Europe to Kent. Traffic was going to increase by 30% over the next 10 years HGVs. Three borough councils enough may look for traffic needs to be looked into. He stated that KCC did not strongly support. There were variant CC would support parts missing from HE eg compensation length of tunnel and environment landscape but heavily constrained. Make mention what's needed to go ahead.

7. Members' comments were noted and responses to questions by Members were as follows:

- a) Mr Baldock raised concerns about; the lack of links between the A2/M2 corridor and the A20/M20 corridor and the lack of evidence from Highways England to show that upgrades would be made to the link roads. He considered that it had not been demonstrated that alternative options had been considered. He considered that it would be irresponsible of KCC not to respond to Option A in its response, the costings were included in the consultation.
- b) Mr Baldock stated that he did not support the recommendation.
- c) Dr Eddy highlighted the following on the format of the draft response:
- That the responses to the questions began with the words “strongly agree” and considered that this needed to be toned down.
 - The opening paragraph should set out issues mentioned further on in the text so that the degree of support for each issue was clear.
 - He noted the issues around the policy objection for bifurcation of the M2/20 were not mentioned until paragraph 1.10 which he considered was too late in the response and should be mentioned in the introductory paragraph. He suggested that we say “our agreement clearly is contingent on other changes to the infrastructure of the roads; M2 and M20 join with the M25 and the A2 and A20 join Dover; and most of that traffic was going through the Port of Dover.
 - He was pleased with the comments in paragraph 7.9.
 - He considered that there was a need to reemphasise in the answer to the question on feedback on the consultation, towards the end of paragraph 9.3, the need for more road improvements to link the two systems together otherwise there would be a single link road to Dover choked with heavy goods vehicles.
 - The question on just in time deliveries would be a major cultural change and needed to be addressed.
- d) Mr MacDowall suggested the following:
- that KCC’s response should be “subject to upgrades on the M20, A20, A249 and in particular the duelling of the A2; Lydden and Whitfield, a route should be created which moved freight away from Dartford, a built up urban area, to come into the western suburb link and that HE create a tunnel from there through to Essex which would be a direct route for freight and more resilient”.
 - He considered that building a junction at the A226 would not work and would become gridlocked.
 - He considered that if Option C could be built for less than £6 billion there was a possibility that the upgrade of major roads in Kent may be afforded.
 - The response should also include the East London crossings at Belvedere and Silvertown as part of the overall package.
- e) Mr Caller raised the following concerns:
- The acceptance of the increase of roll on roll off traffic and what he considered a piecemeal sticking plaster approach to a major problem, rather than a long term strategic approach by the government.
 - KCC’s response supporting the government’s approach appeared to be accepting the growth in traffic without comment on the effect on the quality of life for the residents of Kent.
 - The many contradictory arguments made by HE within the consultation.

- He did not accept that the UK could not afford to put in long bore tunnels when countries like Denmark and Sweden, with smaller economies, can construct infrastructure to create routes through their countries.
 - Referring to page 134, he did not accept the need to look at the A226 linkage in more detail and should dismiss this.
 - There were no detailed comments on the road parallel to Castle Lane in Chalk with no suggestion how this would be mitigated.
 - He opposed the draft response in its entirety.
- f) Mr Balfour considered that some of the Members comments were unfair stating that the reason for the report was for Members to put their comments forward.
- g) Mr Whybrow made the following comments:
- He agreed with comments that KCC's response to questions be addressed whether it did or did not "strongly agree" with points raised in the consultation.
 - He agreed with the criticisms of HE consultation process.
 - He considered that the figures detailed in the background information regarding economic growth and job potential lacked credibility.
 - He sought clarification on a question to whether KCC would support the Eastern Southern Link referred to on page 133 paragraph 5.2 which appeared to be unanswered.
- h) Mr Balfour explained that the draft response to the consultation was a working document and comment had been received from the Growth, Environment and Communities Cabinet Committee this committee and then Cabinet before its submission. He stated that KCC could not agree to Option C without the mitigating factors to be fully detailed in the response. Mr Balfour clarified that KCC would not support the Eastern Southern Link and that it would only support the Western Southern Link.
- i) Mr Chittenden made the following comments:
- He was pleased to note other Members comments.
 - The loading of lorries onto trains was essential and supported a review of Kent's Freight Action Plan.
 - It was essential to get passengers off the roads onto modal or bus transport.
 - He was disappointed that the connections onto the M20 and M2 were not being considered at this stage predicting that this would have serious consequences for both routes that already suffered from a serious accident record. He requested that this be brought forward in the response
- j) Mr Sweetland added that without the link or variant between the M20 and M2 eradicated the cost ratios that HE had given in the consultation paper. There needed to be a holistic approach.
- k) Mr Ozog reflected on the rise in traffic since the Queen Elizabeth II Bridge was opened in 1991 and made the following comments:
- Since the toll booths had been removed at the bridge the traffic congestion had worsened.
 - He suggested that there was not room in the Dartford area to build another crossing and believed it had to be a tunnel option.
 - Mr Ozog supported Option C.

- If freight was to go onto rail a new rail network would have to be provided and this would not be feasible.
 - He suggested that the link road A249 should be upgraded.
- l) Mr Bowles made the following points:
- Referring to page 137, paragraph 7.9, he agreed with all of the points and the comments raised by Dr Eddy.
 - He would not consider moving the disbenefits from Essex to the A249 and Medway Services on the M2.
 - He believed that the right option was Option C, although not perfect, he still struggled with recommending the Cabinet Member support this whilst HE was not addressing the improvement of the linking roads.
- m) Mr Brazier addressed the issue of freight on rail and why it had not worked in the past, due to many transfers that would need to be made of the goods from trucks to containers onto rail and the high cost this produced rendering it unaffordable. He reminded Members that freight containers would not be able to be carried by rail through London as the infrastructure was too old.

8. Mr Balfour referred to the A226 as an extra connection He agreed for this issue to be looked at holistically to include all the other road connections. The issue of freight and rail was being looked at. The comments by Member would be taken into account. He agreed that some of the responses to questions should indicate that “we support subject to” highlighting what would make it work. He agreed that as much mitigation as necessary would also be included.

9. Members noted that the final report would be published 5 clear days before the meeting of Cabinet on 21 March and any comments on the final report would be welcomed.

10. Mr Sweetland thanked the Cabinet Committee for allowing him to speak and concluded that Public Health should also respond to the consultation with regarding the links to health risks.

11. RESOLVED that:-

- (a) the responses to comments and questions by Members and the report be noted; and
- (b) the comments by the Local Member for Gravesend Rural, Mr Sweetland, and the Cabinet Committee Members be considered by the drafting officers for inclusion in KCC’s final response to Highways England’s consultation.

158. Verbal updates

(Item A4)

1. The Cabinet Member for Community Services, Mr Hill, advised that he had no verbal update for this meeting.

2. The Cabinet Member for Environment and Transport, Mr Balfour, advised on the following:-

Country Parks, Environment, Planning & Enforcement

- (a) Property Group recently published statutory notices in respect of five sites; Parkwood, Preston Hill, Bluebell Hill Picnic site, The Larches and Dryhill following a review by the Country Parks team.
- (b) The notices regarding the five sites created a significant public response, therefore the process was stopped. A full consultation would be launched in due course, inviting local communities and stakeholders to come forward with proposals to ensure that the sites remained open to the public and were financially viable. This Cabinet Committee would receive a future report on the outcome of the consultation.

Safer Roads

- (a) Transport Intelligence: CRASH data recording had now begun at Kent Police. This would streamline data collection and improve accessibility and accuracy.
- (b) Kent and Medway Safety Camera Partnership: The procurement of digital upgrade for existing safety camera equipment had sped up the process for police to report speeding offences at camera locations, reducing the maintenance costs.
- (c) Road Safety: An award winning Speak Up campaign delivery was held in February aimed at passengers of young drivers and a Seatbelts campaign was held in March to highlight the issue of 1:3 fatalities last year due to a seatbelt not being worn.
- (d) Safer Mobility: Following a successful bid to the Department for Transport for funding had been received to deliver child cyclist training in schools until 2020.

Environment

- (a) ISO14001 success – Following a three day assessment the Council has shown that it continued to meet the international standard for environmental management and delivered improved environmental performance. Kent remained ahead of its target for reducing carbon dioxide emissions which translated into cost savings on energy, fuel and travel.
- (b) Kent Environment Strategy – An implementation plan workshop was held on 25 February with over 70 delegates in attendance from various sectors and organisations providing expert input into the development of activities for delivery of the strategic priorities. Officers were drawing the conclusions together to develop the first draft of the implementation plan which would be consulted on with key stakeholders over the coming months.

Minerals and Waste Development Plan

- (a) Following the receipt of several further Main Modifications from the Planning Inspectors, that were necessary to ensure the soundness of Kent's Minerals and Waste Local Plan, an eight week public consultation was held which expired on 4 March 2016.
- (b) A total of 25 representations were received. These views would be considered by the Inspector in finalising his report. When he was satisfied with the

Plan, his report would pave the way for the County Council to adopt the Plan. Once adopted the Minerals and Waste Local Plan became the Development Plan against which minerals and waste management planning applications were determined and the allocation criteria for the separate Minerals and Waste Sites Plans. The decision to adopt the Plan would be a matter for Full Council. A report on the Minerals and Waste Development Plan would be submitted to this Cabinet Committee and Cabinet in an advisory capacity.

Highway Operations and Programmed Works

- (a) Kent had not experienced severe or extreme weather events so far this year. This had been recognised in half the number of reported potholes per week compared to this time in previous years. The colder night time weather for January and February had seen precautionary gritting runs increasing with a total number of 40 being undertaken.
 - (b) The changes proposed through Service re-design in Highway Operations have been embedded into the organisational structure. Teams had been co-located to improve service outcomes at a number of highway depots. The revised 3 areas of operational delivery were in place.
 - (c) Scheduled cleansing of highway drainage was back on profile and a soakaway cleansing programme had been compiled. Following the service redesign the Drainage team now had a full complement of Staff and were working through the enquiries in a prioritised manner for the remainder of this financial year and preparing works for next year.
 - (d) Mobilisation of the new LED Street Lighting contract was progressing at pace. The first LED lights were due to be installed this week with the full programme commencing in Ashford from Monday 14 March. Whilst officers had some minor concerns around the IT system, these were being addressed and the new contractor was positive that the contract would be successful.
 - (e) The Highway Resurfacing programme 2015/2016 was on track. The Roads and Footway Asset team was working up a programme for 2016/17 that balanced asset management with local needs. Members of the County Council would receive notification in mid-March what works were planned in their respective electoral divisions.
 - (f) A substantial shortfall in the level of capital funding required for 2016/17 realised an £11.5 million gap. This resulted in Highways, Transportation and Public Rights of Way teams being allocated 70% of a reduced amount. An audit assessment would be undertaken to determine risk across all asset areas prior to final budget allocations.
3. Mr Balfour responded to comments and questions by Members as follows:
- (a) A request was made for a Members Working Group on the Air quality in Kent.
 - (b) Mr Balfour agreed to make further enquiries with Southern Water regarding a hole that had opened up on the A249. He advised that a meeting was planned with the main utilities providers and developers to reach an understanding of each other's work schedules.
 - (c) Mr Balfour reassured Members that the LED system was robust with the one central management system.

- (d) Concern was raised regarding the reduction in capital funding for the Highways, Transportation and Public Rights of Way.
 - (e) Mr Balfour and Mr Hill agreed with the suggestion that the Performance Dashboard report be moved up the agenda in future as the Cabinet Committee would be looking at the management of the commissioning of services in the near future.
 - (f) A request was made that the Cabinet Members' verbal updates be made available for other Members of the County Council to read.
4. Resolved that the comments and the responses to questions by Members and the information in the verbal update be noted.

159. Fees and Charges for Highways activities 2016/17
(Item B1)

1. The Interim Deputy Director Highways Transportation and Waste, Mr Loosemore, introduced a report on the proposed changes to fees and charges for the 2016/17 financial year for certain highways elements where a charge was made for the provision of services. He advised that no review was undertaken or changes were made for 2015/16. It was proposed to increase fees in line with recent council tax increases, unless fees were not covering reasonable cost where a further increase had been proposed. As there was no increase in 2015/16 the general increase has been at 3.98% reflecting two years council tax increases at 1.99% each year. The effective date for agreed changes to fees and charges, as set out in appendix 1 of the report, was April 2016.

2. Mr Loosemore responded to questions by Members as follows:

- a) Mr Loosemore agreed to discuss; the questions on Third party signing inc. Tourism and the differing charges for emergency road closures and temporary road closures with Mr Baldock outside the meeting.
- b) Members were advised that Road Closures were made by the Traffic Regulation rules and a notice was published in the press.
- c) Mr Loosemore advised that emergency road closures were carried out by notice only which was why the cost of the fee was lower
- d) The access to technical information was cheaper for a three year history of crashes at a location was cheaper than a five year history as this was calculated on the average officer's time, some cases were longer, some were shorter which meant that it was not always the same cost.
- e) Mr Loosemore advised that there were no charges for "A" boards on the pavements. The Pavement License referred to seating facilities with table and chairs on the highway.
- f) Mr Loosemore explained that the Technical data on crashes at a location was for developers and not the general public.
- g) Mr Loosemore agreed to discuss Mr Caller's comments regarding the headings "Traffic Count data" in the table at appendix 1 with him outside the meeting.
- h) Mr Loosemore noted the request by a Member to make the form for a temporary road closure user friendly. Mr Loose added that the general advice regarding community road closure for the queen's 90th Birthday celebrations this year was available on KCC's website. There would need

to be signage on the roads regarding the closure and public liability insurance.

3. RESOLVED that:-

(a) the responses to questions by Members be noted; and

(b) the Cabinet Committee endorsed the recommendations to the Cabinet Member for Environment and Transport on the proposed amendments to fees and charges for 2016/17 as attached at appendix 1 and 2 of the report.

160. West and Mid Kent Dry Recyclables Processing Contract

(Item B2)

1. The Head of Waste Management Services, Mr Beaver, introduced a report that explained that the current contract for the processing of dry recycling would expire in June 2016. As the current contractor, Viridor Management Limited did not wish to extend the contract due the significant changes in the global commodity process; KCC was due to go out to Tender. KCC had engaged with four potential suppliers that had a progressive and constructive working relationship with KCC. It was proposed to split the contract into two lots based on the collection arrangements of the relevant Waste Collection Authorities. This was due to the cost of recycling glass being significantly higher than residual mixed dry recyclates.

2. Mr Beaver and Mrs Cooper agreed to follow up on comments made on possible problems at the Allington Energy from Waste (EfW) Incinerator with Mr Bowles outside the meeting.

3. RESOLVED that the Cabinet Committee endorsed the decision to be made by the Cabinet Member of Environment and Transport to delegate authority to the Head of Waste Services to award the West & Mid-Kent Dry Recyclables contract, subject to successful procurement and also to offer contract extensions of up to two years subject to achieving satisfactory services performance and being commercially beneficial to KCC as set out in appendix A of the report.

161. Growth, Environment and Transport Directorate Business Plan 2016-17

(Item C6)

(This item was brought forward for discussion by the Chairman as agreed at the start of the meeting)

1. The Corporate Director for Growth, Environment and Transport, Mrs Cooper, introduced a report that outlined the early draft Growth, Environment and Transport Directorate Business Plan for 2016-17 as set out in Appendix 1 of the report which would be used to help shape and inform the final version of the Directorate Business Plan to be published on line in April 2016. Mrs Cooper highlighted key sections of the draft, including a commissioning timetable to guide the Commissioning Advisory Board and Cabinet Committees going forward as to which commissions they would like to look at, a section listing internal and external services which indicates when internal services would be reviewed, cross-cutting priorities for customers,

commissioning and communities, and the divisional priorities. Mrs Cooper drew Members' attention to GET's Plan on a Page, which has been designed to show the relationship between our strategic outcomes, Cabinet Member priorities and how they flow down into the business plan. Members noted that the Performance Indicators were to be developed further for the final business plan.

2. Mrs Cooper and Ms Phillips noted comments and responded to questions by Members as follows:

- (a) Following a request, Mrs Cooper agreed to the commissioning activity tables, on pages 178 to 186, being reproduced at A3 size in future reports.
- (b) Some Members commented in favour of the new commissioning activity table on pages 178-186 of the report and some were finding it difficult to understand. Mrs Cooper advised that there had been a lot of discussion about ways to simplify the format. Mr Hill added that he felt this format reflected Cabinet Members' priorities better than before.
- (c) Ms Phillips advised that the final version of the Growth, Environment and Transport Business Plan 2016/2017 would be available in April on KCC's website.

3. RESOLVED that the responses to questions by Members and the final Directorate Business Plan 2016/2017 would be published online in April 2016 be noted.

162. Community Warden Service Transformation update *(Item C5)*

(This item was brought forward for discussion by the Chairman as agreed at the start of the meeting)

1. The Cabinet Member for Community Services, Mr Hill, introduced a report that provided an update on the transformation of the Community Warden Service following the public consultation in November 2014 and budget reduction of £700k in 2015/16 and outlined the development of a Volunteer Support Warden pilot scheme.

2. Mr Hill explained that following the consultation 70 uniformed community wardens had been retained preserving as much community based frontline delivery resource as possible. It also prompted proposals for a volunteer wardens scheme. The volunteers would complement and support the Community Wardens Service rather than replace them. This was carried out in conjunction with Kent Police and Kent Association of Local Councils (KALC).

3. The Director of Environment, Planning and Enforcement, Mrs Stewart, advised that this was a new way of working and the service would continue to evolve with an intelligence led approach. This work would be carried out working closely with Parish and district councils to understand the priorities for their areas and shape the Community Warden Service with them in a challenging budget climate.

4. The Head of Public Protection, Mr Overbeke, explained in detail the report regarding the realignment of the service to produce the 50% savings whilst

continuing to provide a robust service on the ground. He then spoke on the pilot scheme for voluntary warden developed in partnership with KALC. A maximum of 12 Parish Councils were selected to be involved to keep the pilot manageable. A recruitment campaign was held for three months and 18 people responded in the specific areas. Following interviews eight individuals were selected who would be deployed across five parish and two town council areas following their training in March 2016. A structure review would be undertaken on the pilot in the next six months. A decision would be made on whether to expand of the scheme and if so any financial contribution required from participating parishes enabling the parish to decide if it wished to be part of a full Scheme in April 2017.

5. Mr Hill, Mrs Stewart and Mr Overbeke responded to questions by Member as follows:

- (a) Mr Overbeke advised that the financial savings target of £700k had been achieved.
- (b) All the posts within the scheme had been filled.
- (c) Concerns were raised regarding the parish councils setting their precept before November. This left a narrow timeframe for the Parishes to decide to proceed with the scheme. Mr Hill agreed that it was a narrow timeframe. The purpose of the pilot was to tease out some of the difficulties. He confirmed that for the scheme to work the Volunteer would need sufficient support and advice from a regular Community Warden.
- (d) A report would be submitted to a future meeting of this Cabinet Committee on the outcome of the Pilot.
- (e) A robust approach would be taken with regards recruitment as the volunteers would be wearing a uniform and badge and would undertake training similar to that of the Community Wardens.
- (f) Mr Hill said that he had many letter and article of appreciation about the work of the Community Wardens. Mrs Stewart advised that there was work being undertaken regarding communications and branding of the Community Wardens service. Work would also be carried out with local parishes to identify where possible volunteers may be identified for the service.
- (g) Comments were made that the Community Warden Scheme was of great benefit to the community and support for the local councillors.
- (h) Mr Hill stressed that this was a suitable role for volunteers as they would be good at helping people, offering advice, assistance; and signposting. Mr Hill said that he had fought hard following the advice of experts to keep 70 Community Wardens, that being the lowest number to offer robust cover across the county. The volunteer presence would offer more resilience to the resource.
- (i) Mr Caller was pleased to receive the reassurances given by Mr Hill and that a detailed report would be submitted to a future meeting and requested that the report included what qualified an area receiving a volunteer the support the current Warden in the area and how outside bodies/local authorities could contribute to the costs.

6. RESOLVED that:-

- (a) the responses to comments and questions by Members be noted; and

- (b) a detailed report be submitted to a future meeting of this Cabinet Committee on the outcome of the Volunteer Support Wardens pilot scheme and consideration be given to that report being produced district by district be agreed.
- (c) the transformation of the Community Wardens Service following the public consultation and the savings contribution made to the Medium Term Financial Plan as set out in the report be noted.

163. West and Mid Kent District. A274 & A20 junctions with Willington Street, construction of dedicated directional lanes
(Item B3)

1. The Deputy Director Highways Transport and Waste, Mr Read, introduced the report on the improvement scheme to widen the Willington Street Junction. The overall estimated scheme cost was £1.8 million. The allocation from the Local Growth Fund was £1.3 million. The remaining £500k was available from Section 106 Local Developer contributions. The Scheme information had been submitted to Government, to confirm the £1.3 million Local Growth Fund allocation to the Willington Street Junction improvement Scheme as recommended by the South East Local Enterprise Partnership Accountability Board.

2. Mr Read noted comments and responded to questions by Members as follows:-

- a) This was a very welcomed report. This area was notoriously constricted with traffic and any widening of this road was welcomed.
- b) Mr Chittenden advised that this was one of many items from the Integrated Plan which had been agreed by Maidstone Borough Council and the Joint Transport Board. He considered this the only sensible route South of Maidstone.

3. Resolved that:-

- (a) the comments and responses to questions by Members be noted; and
- (b) the Cabinet Committee endorsed the proposed decision to be taken by the Cabinet Member for Environment & Transport to:
 - i) approve the preliminary design scheme for Willington Street Maidstone A274 Sutton Road junction & Willington Street Maidstone A20 Ashford Road junction for development control and land charge disclosures;
 - ii) give approval to progress all statutory approvals or consents required for the scheme ;
 - iii) give approval to enter into Local Growth Fund funding agreement subject to the approval of the Corporate Director of Finance & Procurement, and

- iv) give approval to enter into construction contracts as necessary for the delivery of the scheme subject to the approval of the Procurement Board to the recommended procurement strategy.

164. KCC Bus Funding Review - Proceed to Public Consultation on Proposed Service Changes

(Item B4)

1. The Cabinet Member for Environment and Transport, Mr Balfour, introduced a report that sought the Cabinet Committees endorsement for a consultation to take place on a range of measures required to reduce KCC expenditure on supported bus services as set out in Appendix A of the report. A further report would be submitted to this Cabinet Committee detailing the responses of the consultation and any necessary proposals to a future meeting.
2. Mr Balfour praised the work of the Head of Public Transport, Mr Lightowler and his Team to achieve the savings and reduce the impact on those that use the bus services.
3. Mr Balfour and Mr Lightowler noted comments and responded to questions by Members as follows:
 - a) A comment was that the consultation did not allow for the consultee to be against the issue in their answers.
 - b) Mr Baldock advised that there had been a noticeable impact on the residents in his electoral area. Mr Lightowler said that there had been minimal impact on users of the bus services. If there were a lot of complaints the Corporate Director would have seen them.
 - c) Mr Chittenden commented that when services were cut there must be an effect on people who use the service and he hoped that the bus routes least used were those affected. He praised the timely bus services in this electoral area and considered that there was still a need to reduce the number of cars on the road.
 - d) A comment was made that the figures within the report and appendix did not tally and needed to be revised. Mr Lightowler agreed to address the figures in the report and appendix. He explained that the Operators Grant portion of full duty was 25 pence per litre. The Department for Transport (DfT) paid a fixed sum. The officers recalculated the figures and found that this generated a surplus of £250,000. Members noted that there was an agreement that as long as the surplus could be reinvested into public transport this would be signed off by the DfT.
 - e) Mr Balfour advised that most other Local Authorities had ceased to provide supported bus services. KCC's aim was to ensure the revisions to the existing service allowed it to operate commercially.
 - f) Mr Lightowler advised that he had worked hard on the EQIA whether deprivation was considered would have depended on the data that came back on the usage and deprivation may not have been as high. He referred to Stage Coach in Folkestone having a strong commercial network.
 - g) Agreement was given to a request for a report on "Supported bus services" being submitted to a future meeting of the Cabinet Committee outside of the consultation.

4. RESOLVED that:-

- (a) the comments and questions by Members be noted; and
- (b) the Cabinet Committee endorsed the decision to be taken by the Cabinet Member for Environment & Transport on the proposed decision to approve consultation on a range of measures (bus service changes) required to reduce KCC expenditure on supported bus services as set out in Appendix A of the report.

165. Low Carbon across the South East Project
(Item B5)

1. The Sustainable Business Programme Manager and Head of Sustainable Business and Communities, Mrs McKenzie, introduced a report that sought approval for the delivery of the Low Carbon across South East (LOCASE) project funded via European Regional Development Funds. She advised that the project's value was £18 million and was an accessible business support programme across the SELEP area, providing grants to small businesses.

2. Mrs McKenzie responded to questions by Members as follows:-

- a) Mrs McKenzie advised that the usage of water did not within this funding. She gave examples of how the funding could be used by a business eg a feasibility study, an audit, marketing, relocation etc to increase its efficiency in low carbon.
- b) Mrs McKenzie was able to forward a list of companies to Members that had received support in the last round of funding. She explained that her Team provided generic advice and had procured a framework of suppliers to give to businesses.
- c) There would be a strict criteria followed before funding a business. The businesses were assessed by the Sustainable Business Team then by the Funding Panel.
- d) Mrs McKenzie explained that as part of the proposal for EU funding, KCC had agreed to contribute £134,377 in-kind match funding over three years of the project. She was able to provide figures from the last round to Members outside the meeting. Mrs McKenzie's advised that her Team, over the three years, would bring in £18 million which was good value for money.
- e) It was agreed that a report and appendix headed "European Funding Update" submitted to the Growth, Economic Development and Communities Cabinet Committee on 3 March 2016 be forwarded to Members. This report indicated that, based on the projects already approved and others in the course of being evaluated, over £45 million in EU funding was likely to have been secured by Kent by the end of the first quarter of 2016 in support of its priorities.
- f) Members were assured that no funding would be forwarded to the successful businesses that applied for funding until the EU grant funding was banked and receipts from the businesses were received.
- g) Mrs McKenzie concluded that the funding was secured until 2020 regardless of the outcome of the European Referendum.

3. RESOLVED that:-

- (a) the responses to questions by Members be noted; and
- (b) the Cabinet Committee endorsed the decision to be taken by the Cabinet Member for Environment and Transport on the proposed decision to approve the delivery of the Low Carbon across the South East as detailed in appendix A of the report.

166. Kent County Council Highways, Transportation & Waste Soft Landscape Works - Service Review 2018/19

(Item C3)

1. The Chairman of the Task and Finish Group, Mr Pearman, introduced a report that set out the work undertaken by the Member Task and Finish Group set up to review the options for the future commissioning of the soft landscape works service.

2. Mr Pearman thanked the Members of the Task and Finish Group; Mr Caller, Mr Whybrow, Mr Chittenden, Mr Baldock and Mr Brazier, for all their work on this matter. He advised that the Group concluded that their preferred approach was Option 3 Devolve to Local Councils.

3. Mr Diplock explained that a series of workshops would be set up to consider devolution of the service to local councils and Parish and Town Councils and determine the level of interest. This work would be carried out in conjunction with the Kent Associations of Local Councils.

4. Mr Balfour also thanked the Task and Finish Group and considered that the local authority should be heavily involved in this.

5. Mr Pearman, Mr Balfour and Mr Diplock responded points raised by Members as follows:

- a) Some Members applauded the recommendation by the Task and Finish Group.
- b) A comment was made that borough councils also had to make financial savings and there may be issues with devolving the soft landscape works service in the future.

6. RESOLVED that responses to questions by Members; and support be given to the recommendation by the Task and Finish Group set out in the report be noted.

167. Kent County Council Response to Maidstone Borough Council Regulation 19 Local Plan Publication: Integrated Transport Strategy

(Item C4)

1. The Cabinet Member for Environment and Transport, Mr Balfour, introduced a report that explained the work undertaken to date with Maidstone Borough Council (MBC) in seeking to agree a realistic and deliverable Integrated Transport Strategy (ITS), as part of the Maidstone Local Plan. He reported that the draft Integrated

Transport Strategy produced by MBC; and to which a response was necessary, did not reflect KCC's position.

2. Mr Balfour believed that work could still be done jointly between MBC and KCC to ensure that an improved document was produced in the future and therefore work continued to be undertaken to remedy the problems highlighted in the report and to secure a robust Local Plan for Maidstone Borough Council.

3. The Head of Highway Transport, Mr Read, reported that MBC were undertaking a regulation 19 consultation on their draft Local Plan which included the draft integrated transport strategy to which Mr Balfour had referred in his introduction. He informed members that the ITS had been produced by MBC unilaterally, despite the fact that it should be a jointly produced document and that as a result it did not reflect KCC's position. Furthermore, it did not reflect the position of the local Joint Transportation Board as agreed at its meeting in December 2015. Therefore it would be necessary to voice an objection to the document at this stage, and for the reasons set out, on account of the unacceptably severe impact on the highway network.

4. He continued; KCC had been working with MBC on the draft document for 5 years during which time the number of proposed new houses had risen from 10,000 to 18,560 and this had caused concern for KCC that the impact on the highway network would be unacceptably severe. National planning guidance required the local highways authority, KCC, to produce evidence where it was believed that the impact of a plan or proposal on traffic congestion would be severe and in this case this was evidenced by the traffic modelling work jointly commissioned by KCC and MBC.

5. The JTB had considered this evidence in July 2015, which estimated that without mitigating measures traffic delays in the town would rise by 40% as a result of the impact of the Local Plan. Mr Read stressed that the Strategy put forward by MBC did not include measures to successfully mitigate the impact of over 18k houses. In addition, the modelling work had found that the most severe impacts would occur at the south and south-east approaches to the town and that a relief road connecting the A274 to the A20, around the villages of Leeds and Langley, was shown to be the best way of mitigating these identified pressures. The JTB agreed that MBC and KCC should work towards an interim housing strategy to 2022 including lower housing numbers and pursue the provision of the relief road as described.

6. Despite representations reflecting the concerns and recommendations of KCC and the JTB as detailed in paragraph 5. MBC did not address the matters within the local plan and went further to produce a unilateral ITS. As such neither document reflected KCC concerns regarding additional housing in these areas, nor the view that work toward an LLRR should be undertaken. It also included what KCC believed were unrealistic proposals for bus services on the main radial routes, and a walking and cycling strategy not agreed in consultation with KCC.

7. For the reasons set out Mr Read recommended that the committee endorse the intention to object to the draft strategy at this stage prior to the Examination in Public but he stressed that officers and members would continue to encourage MBC to work jointly toward an interim strategy that included reduced housing numbers and a commitment to an LLRR.

8. Mr Balfour and Mr Read responded to comments and questions by Members as follows:

- a) Mr Chittenden, expressed concern regarding the contents of the report and comments made by Mr Read. He read out a statement that included evidence of successful joint working between the two authorities and named Highway Improvement Options projects that had been agreed and progressed, and included the LLRR in this list as a project fully supported by both KCC and MBC. He also defended the housing allocation numbers within the plan, and said that they had been based on government guidelines. He welcomed Mr Balfour's comments that discussions continued to take place with MBC but confirmed that he did not support the recommendations set out in the report and urged members to instead, support the plan in order that it could meet government deadlines and avoid the government taking over the process; a possibility that MBC had been alerted to.
- b) Mr Balfour thanked Mr Chittenden for his comments but he expressed concern that the matters to which he had referred had been discussed and resolved many times over at various meetings such as the Maidstone JTB. He believed now that the way forward must be to recognise that at present the Local Plan and ITS that KCC was responding to would not be achieved without severe congestion of the highways system.
- c) Mr Read advised that the Maidstone Borough Council's Integrated Transport Strategy, prepared with KCC's logo on it although it had not been subject of KCC approval, would not mitigate the impact of 18,560k new houses in the borough until 2031 and that it was his professional duty to advise members present that that was unacceptable.
- d) Mr Bowles stated that Members should take the professional advice of officers and rely on it when making their judgements. He expressed concern that this would delay the approval of Maidstone's Local Plan, leaving them open to speculative development, but felt that this consequence was unavoidable.
- e) Mr Baldock expressed concern that the meeting had not heard from MBC officers as well as those from KCC and stated that he disliked the process by which Local Plans were agreed in general, which should, he felt, avoid interference from parties other than the Borough Council. As a result he could not support recommendations, such as those contained within the report for consideration, which would cause considerable difficulty for MBC. In response Mr Balfour stressed that this was not interference by the County Council but a professional response to a problem. Members of the Cabinet Committee were being asked to comment on the issues to be included in that response by KCC to MBC's draft Integrated Transport Strategy. Mr Read commented; and stressed that it was a legal duty of KCC as the Local Highways Authority to comment and give advice on the draft Integrated Transport Strategy and that the one before them for consideration had no evidence to support the conclusions within it.
- f) Mr Brazier highlighted all of the services and facilities that the County Council was responsible for provided within the boroughs and that as such the County Council needed to be involved in the Local Plan building process; without a joint approach there would be no local plan agreed and the matter would be decided by government or the courts which was not in the interests of the County.

- g) Mr Chittenden spoke again to reiterate in response to comments from Mr Read that MBC had only just received the modelling to which he had referred. He also explained that the government, and not MBC, had over time increased the proposed new housing allocation to over 18k and the only way this could have been avoided would have been through the modelling being available, which it was not. He stated that if the ITS was not submitted the number of proposed new houses could rise again. He was aware of options that were being discussed with officers and councillors of KCC and MBC to find a way forward and supported those but could not support the recommendations within the report. In conclusion he refuted allegations that the process had been political and assured members that the submission of the plan as drafted had cross-party support.
- h) The Corporate Director of GET spoke to the item; she reiterated that the modelling had been commissioned jointly by MBC and KCC and that each of the scenarios had been agreed by the JTB and that as soon as the evidence had become available to support concerns regarding severity KCC had voiced concerns and made objections. She was concerned that MBC had now unilaterally procured another highway consultant to question the results of the jointly procured work, all of which involved public expenditure. She assured members that no party to the process wished to derail the process or the plan. It was important that MBC saw that the objections to the plan as drafted were properly considered by the appropriate members of the council but that ultimately it would be officers who would have to defend the Plan and ITS at the enquiry in public and that this was not possible at this time. It was, she argued, unfortunate that what had been perceived as an agreed way forward; a pause to 2020 and work toward an LLRR, had not been reflected in the plan but assured members that despite the difficulties and objections reported to them today, both parties wanted a successful local plan to emerge.
- i) Mr Caller urged members and officers of both KCC and MBC to move quickly to address the situation so that the ultimate, and negative, consequence of MBC losing control of the process did not come to fruition.

9. RESOLVED that:-

- (a) the comments and responses to questions by Members be noted; and

By 9 votes to 2 with 1 abstention that:

- (b) the Cabinet Committee endorsed the proposed KCC response to the Regulation 19 consultation on the draft Integrated Transport Strategy (ITS) that: the level of development would have a severe impact particularly on key transport routes in South and South East Maidstone which would not be mitigated by the measures contained in the draft ITS and that MBC and KCC should work together to develop a jointly agreed ITS in accordance with the resolution of the Maidstone JTB on 07/12/15 that:

“in the absence of an agreed transport strategy and in light of the evidence presented to this Board demonstrating Maidstone’s significant highway capacity constraints, this Board recommends that a transport strategy be taken forward urgently by the Borough and County Councils

covering the period of the Local Plan, with a further review completed in 2022.

The aim of this strategy will be to mitigate the transport impact of future growth, in the first instance up to 2022. The strategy should comprise of the key highway schemes and public transport improvements agreed by the Board, and further traffic modelling will be required to identify its impact. It is proposed that the £8.9 million growth fund monies identified for transport be used to accelerate the delivery of these improvements. Existing developer contributions may then be used to support further measures.

The agreed transport strategy should also develop the justification for a relief road between the A20 to the A274 (the Leeds and Langley Relief Road), along with a preferred route, in order to allow testing with other strategic transport options and identify all source of potential funding to enable the schemes to be implemented at the earliest opportunity.”

168. Work Programme 2016

(Item C7)

RESOLVED that the work programme 2016 be noted.

169. Risk Management: Growth, Environment and Transport

(Item D1)

1. The Corporate Risk Manager, Mr Scrivener, introduced an annual report that contained strategic or cross cutting risks that potentially affect several functions across Growth, Environment and Transport directorate. There were currently six directorate risks featured on the GET risk register none of which were rated “High”. The Corporate Director for Growth, Environment and Transport was also designated as the Lead for two corporate risks relating to CRR3 and CRR4.

2. RESOLVED that the directorate risk register and relevant corporate risks outlined in appendices 1 and 2 be noted

170. Performance Dashboard

(Item D2)

1. The Business Intelligence Manager – Performance, Mr Fitzgerald, introduced a report on performance against targets for the Key Performances Indicators including this year’s Directorate Business Plan. He highlighted that Highways and Transport had met all of its targets and Waste Landfill was also doing very well and although Kent Scientific Services had a good year it had not reached the income it had received in 2015.

2. Mr Balfour advised that the Public Rights Of Way red indicator, on page 242 of the report, was due to a systems failure that had taken some time to correct.

3. RESOLVED that the report be noted.

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