

KENT COUNTY COUNCIL

ENVIRONMENT & TRANSPORT CABINET COMMITTEE

MINUTES of a meeting of the Environment & Transport Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Thursday, 17 November 2016.

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

ALSO PRESENT: Mrs S V Hohler and Mr M A C Balfour

IN ATTENDANCE: Mrs B Cooper (Corporate Director of Growth, Environment and Transport), Mr R Wilkin (Director of Highways, Transformation and Waste), Mrs L Whitaker (Democratic Services Manager (Executive)) and Ms Jemma West (Democratic Services Officer)

UNRESTRICTED ITEMS

215. Apologies and Substitutes

(Item A1)

Apologies were received from Mr Bowles and Mr Hill. Mrs Crabtree attended as a substitute for Mr Bowles, and Mrs Hohler was in attendance as a substitute for Mr Hill.

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

(Item A2)

Mr Balfour declared for information, in relation to Item C6 Minerals and Waste Safeguarding Supplementary Planning Document, that his nephew owned land which sat on minerals.

217. Minutes of the meetings held on 7 September and 20 October 2016

(Item A3)

RESOLVED that the Minutes of the meetings held on 7 September and 20 October 2016 were correctly recorded and that they be signed by the Chairman.

218. Verbal Updates

(Item A4)

1. The Deputy Cabinet Member for Community Services, Mrs Hohler, gave a verbal update on the following issues:

- (a) The Kent Resilience Forum annual exercise had taken place, based on a flooding scenario, and KCC had been heavily involved. An exercise of this scale was a challenge to organis`e, and all staff involved were congratulated

for making it a success. The aim had been to validate key elements of Kent Resilience Forum plans, processes and training.

- (b) On 10 November, the annual Kent and Medway Community Safety Conference had been held in Ashford. It had been a huge success with very well balanced programme, primarily focussed on drug addiction. It was well attended with excellent speakers. The changing and complex environment of drug use and supply had prompted the first Joint Drug and Alcohol Strategy for Kent, which it was hoped would enhance already excellent and proactive partnership working. The Police and Crime Commissioner had also been in attendance to address the conference fully supported the approach.

2. Mr Balfour, Cabinet Member for Environment and Transport gave the following update:

- (a) The previous Monday, KCC had been invited to give oral evidence to the Parliamentary Select Committee on the future of public parks. He had highlighted the good work that KCC's Country Parks Team had done over the years; maintaining high quality and increasing income. 74% of the public parks budget had been generated from the parks themselves. KCC were bucking a national trend, as the Select Committee had heard from other authorities whose parks were under a real threat. He reported that a tweet from BBC Millbank falsely attributing comments to him had been corrected by BBC Kent and the Tweet deleted. To ensure progress was continued, the Country Parks service was developing a new strategy for 2017. This Committee would be given ample opportunity to feed into development of the strategy.

He had attended a round table discussion with the Minister for Transport on freight issues. It had been a useful meeting and he had invited the Minister to attend the Inaugural Strategic Freight Group meeting on 2 December, the purpose of which was to bring together relevant parties to take a strategic view of freight issues affecting the county, and to develop solutions for managing freight. He hoped to show the Minister the key areas in the county where residents were experiencing problems.

- (b) He had also attended a meeting of the Dartford Crossing Focus Group involving Dartford District Council, Highways England and Kent Police, among others. He was hopeful that positive outcomes would come out of the discussions to reduce congestion in the area.
- (c) On other highway matters, there were three major schemes currently underway: Radfall Road, Gravesend; M20 junction for overbridge widening; and the Maidstone Bridges scheme, the Gyrratory. The LEP programme continued to be delivered, and it was expected to be supplemented in the autumn statement on 23 November when the result of the current round of bids to the Local Growth Fund was announced. An announcement on the Bid to the Large Local Majors Scheme was also awaited for the A2/M2 Brenley Corner Improvement.

- (d) Urgent repairs on the Thanet Way had begun at the request of Kent Police to ensure the safety of motorists. Work started on 14 November with a view to completing in March.
- (e) Following the fire at North Farm Waste facility on 22 October, buildings were now structurally secure, following urgent remedial works and the site had reopened on 15 November. Permanent repairs would be undertaken in due course. He extended his thanks to Sevenoaks, Tunbridge Wells and Tonbridge and Malling District Council's for their support in providing alternative disposal arrangements, while the facility was closed.
- (f) He reminded the Committee that there would be an all Members' briefing on 30 November on the council's preparations for the winter weather.

3. Mr Pearman, Deputy Cabinet Member for Environment and Transport gave the following verbal updates:

- (a) He had represented KCC at a seminar entitled 'Making road travel as safe as rail and air', organised by Highways England and the Road Safety Foundation, sponsored by Ageas UK and supported by the Department for Transport. Kent had been acknowledged for improvements seen at the A227 between Tonbridge High Street and Borough Green, where 10 fatal/serious injury accidents had taken place between 2009 and 2011 but had been reduced to 2 between 2012 and 2014. This represented an 80% reduction, against the national norm of 5%. On Monday there had been notification that KCC had won a Prince Michael International Road Safety Award., There would be a formal announcement by Prince Michael on 13 December, and 10 representatives from KCC would be invited to attend a ceremony to receive the award. He asked for the contribution of officers to be acknowledged.

4. Mr Balfour, the Cabinet Member for Environment and Transport responded to comments and questions by Members, and made points including the following:

- (a) That the ongoing problems at the Dartford Crossing approach were now a matter of enforcement for the police as officers had done all they could in terms of technical improvements. Highways England had been asked to redesign the methodology to ensure lorries could move to the right hand lane without causing congestion. This matter would be considered at the Strategic group on 2 December.
- (b) 40mph Zone on A20 - No agreement had yet been found about the amount of signage that Highways England wanted to put in to advertise a 40mph zone. Highways England had suggested 83 signs on one side of the A20, running through an important landscape, and the Kent Area of Outstanding Natural Beauty Office and Natural England had suggested this is disproportionate and would diminish the landscape. It was in the hands of Highways England and a solution continued to be sought by all parties.

5. Mr Wilkin, Director of Highways, Transportation and Waste then added the following:

That the Thanet Way works had been funded largely through the identification of unspent contingency funds built in to the large number of capital schemes that had been undertaken in Highways. Further funding had been taken from a fund earmarked for highways projects and the balance had been accessed via the existing Capital Programme.

6. Mr Balfour then made the following further points in response to questions from Members.

(a) The Police Crime Commissioner was not responsible for operational issues, and it was Police Officers that dealt with issues regarding speed checks on the A229.

(b) Representations had been made to the National Infrastructure Commission regarding rail freight issues.

7. Mr Pearman also made the following additional point in response to a Member's question:

(a) The group on Monday was seeking to develop a pathfinder portfolio of projects, by April 2017, where willing local authorities would look at business planning cases to address England's persistent high risk roads. They were able to provide specialist support to apply business planning tools and the funding that would go toward the preparatory work.

8. RESOLVED that the information in the verbal updates and the responses to questions by Members be noted.

219. Performance Dashboard

(Item B1)

(Mr Fitzgerald, Performance Manager, was in attendance for this item).

1. The Business Intelligence Manager – Performance, Mr Fitzgerald, introduced a report setting out the progress made against targets set for Key Performance Indicators.

2. In response to questions raised by Members, officers made points including the following:

(a) With regard to HT11c (number of actual LED streetlight conversions), there had been issues with the supply chain for contractors, and some units had needed to be sent back. This was not unusual in a project of this scale, and the contractor had put additional resources into the project to catch up against the planned programme for roll out.

(b) With regard to HT04 (Customer Satisfaction with service delivery), at the time of agreeing the contract, 75% had been an ambitious target, but was now not sufficiently ambitious. As part of the commissioning cycle, performance measures would be looked at including this one to ensure that they were sufficiently challenging.

- (c) Where a contract provider failed to meet operational performance measures, there would normally be an option for financial claw back, and this was recognised in the budget.
 - (d) In terms of WM02 (Municipal waste converted to energy), the target reflected the strategic target of moving away from landfill. Two years ago, 19% of municipal rubbish had gone to landfill. However, the Government target was 5% by 2020, and KCC had exceeded this target, and was now at 1%.
3. A Committee Member passed their thanks to the lighting team for their work on Christmas lights in the county.

RESOLVED that the performance dashboard for September 2016, and the responses to questions of Members be noted.

220. Pothole Blitz - Update and Future Actions

(Item C1)

1. Mr Wilkin, Director of Highways, Transportation & Waste, introduced the report. He stated that in addition to the 1,200 pot holes which had been filled, 50,000 square metres of patching had also taken place.
2. Mr Balfour and Mr Wilkin then responded to comments made by members, and made the following points:
 - (a) Parish Councils were encouraged to report large pot holes in their parishes. There were differing views on devolution, and although Parish Councils were encouraged to take on a bigger role, formalising this arrangement could be difficult. This was however, part of the long term agenda.
 - (b) An annual summary report could be provided to the Cabinet Committee giving clarity on where pothole repairs had taken place, ensuring transparency.
 - (c) That this work was in addition to safety critical work, which would not be affected, as this was imbedded in the Highways Maintenance contract.
3. RESOLVED that the decision proposed to be taken by the Cabinet Member for Environment and Transport to agree the approach to funding as set out in the report; to delegate authority to the director to identify and award such funding as it becomes available, and to undertake any necessary actions to conclude the first phase undertaken in the summer of 2016, be endorsed.

221. Shadow Sub-National Transport Body for the South East

(Item C2)

1. The Corporate Director of Growth, Environment and Transport, Mrs B Cooper introduced the report, which set out proposals for the creation of a Sub National Transport Body for the South East.
2. The Cabinet Member for Environment and Transport, and the Corporate Director of Growth, Environment and Transport responded to comments and questions raised by Members, and made points including the following:

- (a) Discussions were ongoing about governance, and the relationship between Shadow Boards, Transport for London and the London Mayor.
- (b) A link with London plans was vital.
- (c) A link with TfL would be beneficial to the rail structure in Kent.
- (d) Although the Local Enterprise Partnership (LEP) straddled the estuary, The Department for Transport were keen that the South East and Essex were kept separate in relation to these Boards, however, it was acknowledged that there would still be a strategic link. In addition, the Shadow Board needed to look carefully at cross-channel communications.

3. RESOLVED that the decision proposed to be taken by the Leader, in accordance with Article 10(1) & (4) of the Council's constitution, to agree (a) to establish and participate in a shadow Sub National Transport Body for the South East, known as Transport for the South East (TfSE), at the cost ,for purposes and with the membership set out in the report, and (b) to the proposal to establish, and participate in, a formal Sub-National Transport Body for the South East also known as TfSE and with the same purpose and membership, be endorsed.

4. The voting figures were recorded as 8 in favour of the recommendation, and 2 against (Mr Baldock and Mr MacDowell).

222. Introduction of a pre-application charging scheme for sustainable urban drainage advice

(Item C3)

(Mrs S Thompson, Head of Planning Applications and Bronwyn Buntine, Sustainable Drainage Team Leader , attended the meeting for this item).

1. Mrs Thompson introduced the report which sought the introduction of an interim chargeable pre-application service for sustainable urban drainage advice to developers. She stated that there was an intention to report back to the Committee in 2017 with recommendations for changes to a wider Growth, Environment and Transport (GET) charging scheme of which this would become part.

2. Mrs Thompson then responded to the comments and questions raised by Members, and made points including the following:

- (a) The National Planning Policy Framework encouraged developers to seek local authority advice, but there was no statutory obligation for them to engage.
- (b) The Local Government Act 2003 regulations allowed KCC to charge for the advice.

3. RESOLVED that the decision proposed to be taken by the Cabinet Member for Environment and Transport to introduce a pre-application charging service for sustainable urban drainage advice to developers, as set out at Appendix A in the report for engagement with representatives from the development industry via the Kent Developers Group, be endorsed and for the scheme to be reviewed as part of the wider GET charging review.

223. Kent Minerals and Waste Local Plan - Minerals and Waste Development Scheme (MWDS)

(Item C4)

(Mrs S Thompson, Head of Planning Applications, attended the meeting for this item).

1. RESOLVED that the decision proposed to be taken by the Cabinet Member for Environment and Transport to (a) endorse an updated Minerals and Waste Development scheme, as attached in Appendix B, and (b) authorise the Corporate Director for Growth, Environment and Transport to bring the undated MWDS into effect and publish the updated MWDS on the council's website, be endorsed.

224. Kent Minerals and Waste Planning Policy Sites Plan - Site Identification and Selection Methodology including the 'call for sites'

(Item C5)

(Mrs S Thompson, Head of Planning Applications, and Mr B Geake, Principal Planning Officer, Policy, attended the meeting for this item).

1. Mrs Thompson, Head of Planning Applications introduced the item which sought the Committee's views of the Site Identification and Selection Methodology that was proposed to support the 'call for sites' exercise

2. Mrs Thompson proposed that paragraph 4.8 relating to the Detailed Technical Assessment be amended to clarify that additional information to support the detailed technical assessment stage would need to be provided by the site promoter and not the County Council..

3. Mrs Thompson and Mr Geake responded to comments and questions by Members and made points including the following:

(a) The Safeguarding Policy would ensure assessments were carried out fairly and reasonably and meet government and community expectation that minerals in particular would not be compromised for future generations.

(b) There were no community claw backs, and site allocation would be carried out in accordance with the adopted Kent MWLP Strategy , although there was potential for planning gain at application stage.

(c) Information about the final destination of minerals extracted in the county was not presently collated. Local authorities did receive information on a four yearly basis for the South East region, which could be shared.

4. RESOLVED that the decision proposed to be taken by the Cabinet Member for Environment and Transport to agree

(a) the methodology for site identification and assessment for the Kent Mineral and Waste Site Plans as attached at Appendix B of the report, subject to the amendment referred to in paragraph 2 above.

(b) the 'call for sites' exercise that forms the initial part of the preparation of the Site Plans work; and

(c) to authorise the Corporate Director for Growth, Environment and Transport to:

- (i) publish the draft Site Identification and Selection Methodology, having first made any minor modifications that may be needed, such as formatting changes and typographical errors, and
- (ii) undertake the 'call for sites' exercise, be endorsed.

225. Minerals and Waste Safeguarding Supplementary Planning Document (SPD)

(Item C6)

(Mrs S Thompson, Head of Planning Applications, and Mr B Geake, Principal Planning Officer, Policy, attended the meeting for this item).

1. Mrs Thompson introduced the report which informed the Committee that following the adoption of the Kent Minerals and Waste Local Plan 2013-30 (MWLP), a draft Supplementary Planning Document (SPD), set out at Appendix B of the report, had been produced regarding minerals and waste safeguarding.

2. Mrs Thompson and Mr Geake responded to the questions and comments made by Members, and made points including the following:

- (a) The strategy and policies had already been agreed in the adopted Kent MWLP and were not changed as a result of the SPD. The SPD sets out how the policies are to be implemented.. A number of mineral safeguarding exemptions were proposed in the Kent MWLP including where a developer had secured an allocation in an adopted borough council local plan. . However, for emerging allocations in a local plan, there was a requirement to satisfy the safeguarding requirements of the NPPF and the Kent MWLP.
- (b) The SPD was prepared to address concerns by the borough councils who attended the Examination into the MWLP, that they lacked expertise to discharge their obligations regarding safeguarding. The County Council would be consulted on planning applications affecting safeguarding matters. Where it was not persuaded that an application met the policy requirements then it could raise an objection.

3. RESOLVED that the decision proposed to be taken by the Cabinet Member for Environment and Transport to endorse the Kent Minerals and Waste Safeguarding Supplementary Planning Document for public consultation, be endorsed.

226. Statement of Community Involvement for Kent Minerals and Waste Plan and Planning Applications determined by the County Council

(Item C7)

(Mrs S Thompson, Head of Planning Applications, attended the meeting for this item).

1. Mrs Thompson introduced the report which advised on minor revisions to the Statement of Community Involvement following the adoption of the Kent Minerals and Waste Local Plan, and the new focus on the Mineral and Waste Sites Plans work, amendments to the planning application processes and a move towards greater electronic engagement.

2. The Committee passed on their thanks to the team for their work on the scheme and the Minerals and Waste Local Plan.

3. RESOLVED that the decision proposed to be taken by the Cabinet Member for Environment and Transport to endorse the revised Statement of Community Involvement for public consultation as set out at Appendix B of the report, and authorise the Corporate Director for Growth, Environment and Transport to publish the Statement of Community Involvement for public consultation, be endorsed.

227. Re-procurement and award of contract/s for Soft Landscape Rural Swathe and Visibility Cutting

(Item C8)

(Mr R Diplock, Soft Landscape Manager attended the meeting for this item).

1. Mr Diplock introduced the report which invited comment on the proposed decision to re-procure the Soft Landscape Rural Swathe and Visibility Contract.

2. Mr Diplock advised on an amendment to the recommendation, to change the amount from £300k to £1 million per year.

3. Mr Diplock, Soft Landscape Manager, and Mr Wilkin, Director of Highways, Transportation and Waste, then responded to questions and comments raised by Members, and made points including the following:

- (a) Reductions would not take place for safety critical issues, savings would be made on discretionary work areas only.
- (b) The programme of works was based on what was a reasonable level, but also included an element of reactive works.
- (c) Additional weed spraying had been funded by an underspend from the previous financial year. It had been agreed to use any future underspends for this area too.
- (d) The contract focussed on rural hedges and junctions, and there was a separate contract for urban visibility cutting.

4. RESOLVED that the proposed decision of the Cabinet Member for Environment and Transport to re-procure and delegate authority to the Director of Highways, Transportation and Waste to award a contract/s for the Soft Landscape Rural Swathe and Visibility Cutting service as shown at Appendix A of the report, subject to the amendment set out at (1.) be endorsed.

228. Kent County Council response to Govia Thameslink Railway 2018 Timetable Consultation

(Item D1)

(Mr S Gasche, Principal Transport Planner – Rail, attended the meeting for this item).

1. Mr Gasche introduced the report which set out the proposed response to the consultation on proposed changes to the 2018 timetable for Govia Thameslink Railway (GTR).

2. He advised on an amendment to the response to q52 (the Ashford to Hastings, Eastbourne and Brighton service), as the response had been based on a survey of passengers which did not accurately reflect the much higher level of passenger journeys undertaken.

The amendment was to support option A, retention of a through train service between Brighton and Ashford International, operated by two-carriage diesel trains throughout.

3. Mr Gasche then responded to points raised by the Committee Members, and made points including the following:

- (a) With regard to the reference to the Sevenoaks via Bat and Ball route, this was to make clear that it was not the mainline Southeastern route.
- (b) In terms of proposals for the Ashford to Hastings service, either electrification scheme as set out would be expensive. Other options were being considered for use as part of any new High Speed fleet, with overhead electrification and battery bi-mode the most likely option as this was much cheaper and more efficient. In the meantime, other options and interventions had to be considered.

4. RESOLVED that the proposed decision of the Cabinet Member for Environment and Transport to approve the response to the Govia Thameslink Railway 2018 timetable consultation, subject to the amendment mentioned above, be endorsed.

229. Volunteer Support Warden Scheme - Review of the Pilot and Plans for a Full Scheme

(Item D2)

(Mr M Overbeke, Group Head - Public Protection, attended the meeting to present the report for this item).

1. Mr Overbeke introduced the report which set out the result of piloting a Volunteer Support Warden Scheme as part of the Kent Community Warden Service, in seven areas across Kent.

2. Mr Overbeke responded to points raised by Members and made points including the following:

- (a) The strongest applicants were given the opportunity to participate.
- (b) In terms of training, it was presently front-loaded with significant investment too early so the proposals were to offer initial training, then staggered further training as officers developed.
- (c) The proposed 5 hours a week for volunteers was part of the initial trial, but if the scheme was expanded, more might be required.
- (d) The budget was adequate at £15k per annum, which was the forecast amount for up to 24 different parish councils.

3. RESOLVED that the Committee note the progress of the pilot scheme, and the intention to offer local councils throughout Kent the opportunity to participate in the Volunteer Warden Scheme.

230. Kent and Medway Growth and Infrastructure Framework

(Item D3)

(Sarah Platts, Strategic Planning and Infrastructure Manager and Liz Milne, Natural Environment & Coast Manager, were in attendance for this item).

1. Ms Platts introduced the report which gave an update on the progress and achievements of the Growth and Infrastructure to date, together with a summary of the findings of the 2016 interim update which had recently been completed in draft, and set out the proposed programme of work for the 2017 update and potential actions to help unlock key barriers to growth.
2. The Chairman offered his congratulations with regard to being selected as the winner of the 'Excellence in the Planning to Deliver Infrastructure' category of the Royal Town Planning Institute South East Planning Awards 2016.
3. RESOLVED that the work undertaken in relation to the 2015 GIF and the 2016 draft update, the proposed next steps in progressing the full 2017 GIF update and the further proposed update to the Committee in Summer 2017 be noted.

231. Work Programme 2017

(Item D4)

1. The Chairman introduced the report which gave details of the proposed Work Programme for the Environment and Transport Cabinet Committee.
2. A Committee Member asked for an update on Online Fault reporting to be added to the programme.
3. Mr Wilkin, Director of Highways, Transportation and Waste advised that the follow up report for the Pothole Blitz would be considered at the March meeting of the Committee, as in January the Committee had a busy agenda, including the budget and Autumn statement with an expected announcement on the crossing.