

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, 21 September 2017.

PRESENT: Mr P J Homewood (Chairman), Mrs C Bell, Mr A Cook, Mr N J Collor, Mr S Holden, Mr A R Hills, Mr P J Messenger, Mr J M Ozog, Mr I S Chittenden, Mr A J Hook, Mr B H Lewis, Mr M E Whybrow, Mrs P A V Stockell (Substitute for Mr T Bond), Ms S Hamilton (Substitute for Mr R C Love) and Mr H Rayner (Substitute for Mr M D Payne)

ALSO PRESENT: Mr P M Hill, OBE 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 Miss G Little (Democratic Services Officer)

UNRESTRICTED ITEMS

23. Apologies and Substitutes

(Item 2)

Apologies for absence were received from Mr R C Love, Mr M Payne, Mr T Bond, and Mr A Booth.

Mrs S Hamilton, Mr H Rayner and Mrs P A V Stockell attended as substitutes for Mr R C Love, Mr M Payne and Mr T Bond respectively.

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

(Item 3)

None declared

25. Minutes of the meeting held on 15 June 2017

(Item 4)

Resolved that the minutes of the meeting held on 15 June are a correct record and that they be signed by the Chairman

26. Verbal Updates

(Item 5)

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) advised the Cabinet that the Informal Members Group was in the process of developing a number of proposals. Mr Balfour said that all updates would be brought back to this committee.

- (2) He also said that he hoped all Members would attend the open day at the Aylesford Highway Depot on Wednesday 27 September 2017. The morning session would run from 9.00am until 12.00 noon with the afternoon session running from 13.00 until 16.00.

27. Directorate Dashboard

(Item 6)

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

- (1) Mr Fitzgerald introduced the report which showed progress made against targets for Key Performance Indicators. The latest Dashboard was for July 2017. He outlined his role in producing the report and referred in particular, to the guidance notes and Key Performance Indicator Summary at page 28 and 29 of the agenda pack.
- (2) He informed Members that performance for July was ahead of target with only one indicator showing as red in relation to the Resident Satisfaction with Highways Schemes. The Cabinet Committee was advised that lessons had been learned and it was expected that the indicator would in future be rated as green. Attention was also brought to the improvement around Waste Management and municipal waste diverted from landfill with KCC now leading the country as the top performing authority.
- (3) In response to the questions officers provided further information.
- (4) Mr Wilkin said that all figures mentioned within the report and, in particular, those in relation to potholes and street lighting repairs were currently above target and recorded as one of the most successful years. Mr Wilkin said the pothole blitz had been running successfully for the past few months and had received positive feedback about the high quality of work being carried out. Of the 1700 potholes that had been fixed to date, only 2 had failed the quality check.
- (5) Mr Wilkin said that Street-lighting repairs were above target; this was in large part due to the LED conversion that had been carried out within residential areas. A capital bid had been submitted for funding to replace the concrete columns across Kent.
- (6) Mr Wilkin said that the targets shown on page 30 of the report related to the measurements of quality and those shown on page 31 were a measure of quantity.
- (7) Ms Stewart said that whilst the LED Street Lighting Programme had an impact on Greenhouse Gas Emissions (EPE13), performance was just behind target. She said that further actions included reducing business mileage and increasing staff awareness through the Green Guardians Programme. An ISO 14001 audit had identified a decrease in emissions across a range of services; the next audit would focus on Social Care.

- (8) Mr Wilkin said the HT01 figures reflected the potholes reported and the response time for these. The potholes repaired as part of the pothole blitz consisted of those reported by highway stewards and inspectors.
- (9) Mr Wilkin said that in relation to the number of potholes, KCC were unable to provide exact figures however a large scale operation was being carried out across the whole of Kent to resolve all reported work by the end of October / early November.
- (10) Mr Wilkin encouraged all Members to attend the Area Member Briefings when district managers would report on the progression of work within the district areas.
- (11) Mr Balfour said the Local Authority already provided strategic routing on the internet for Heavy Goods Vehicles (HGV) to reduce the cost of highway maintenance on rural roads; however, most HGV vehicles were inclined to use satellite navigation equipment rather than KCC's suggested routing.
- (12) Mr Balfour said there was a backlog of repairs on highways including roads, footways and footpaths.
- (13) In relation to maintenance of highways, Mr Wilkin assured Members that the Highways, Transportation and Waste Team worked closely with Members in the Districts to attract additional funding. A capital bid had been submitted in respect of the unfunded highway work.
- (14) Mr Wilkin said that due to the complexity of work involved with potholes it was not possible to put signage up giving a completion date. The Pothole Blitz Programme was, however, advertised on the KCC website and other areas for the public to view.
- (15) Resolved that the report be noted.

28. 17/00081 - Asset Maintenance and Vegetation Clearance for PRow Contract Awards

(Item 7)

Graham Rusling (Public Rights of Way and Access Service Manager) was in attendance for this item.

- (1) Mr Hill (Cabinet Member for Community and Regulatory Services) introduced the report which asked the Cabinet Committee to consider and endorse or make recommendations on a proposed decision to delegate authority to the Public Rights of Way and Access Service Manager to award contracts for the delivery of PRow asset maintenance and vegetation clearance work.
- (2) In response to the report, particular attention was brought to the following:
 - (i) The Public Right of Way (PRow) network extends to 7,000km and a large majority of it is publically maintained highway.

- (ii) The PRow and Access Service required a wide variety of suppliers and had established contracts with Small & Medium Enterprises (SME) of Kent and East Sussex to carry out the work.
 - (iii) In relation to financial implications the annual spend on PRow asset maintenance and vegetation clearance was around £1.02m. This figure varied depending on income from grants, external funding and budget fluctuations. Work was prioritised in terms of risk and public benefit.
 - (iv) The benefit of the proposed arrangement was that it managed risk. The framework contracts were of a scale that provided opportunities for SME contractors to tender for work.
 - (v) In relation to vegetation clearance, the contract duration was 5 years with opportunity to extend for a further 2 years allowing the service providers sufficient certainty to invest in specialist equipment and possibly training.
- (3) Resolved that the proposed decision of the Cabinet Member to delegate authority to the Public Rights of Way and Access Service Manager, to award contracts for the delivery of PRow asset maintenance and vegetation clearance work be endorsed.

29. 17/00080 - Decision to approve fees and charges for rechargeable Public Rights of Way and Access Service Activity and the principles for establishing fees and charges

(Item 8)

Graham Rusling (Public Rights of Way and Access Service Manager) was in attendance for this item.

- (1) Mr Hill (Cabinet Member for Community and Regulatory Services) introduced the report which asked the Cabinet Committee to consider and endorse or make recommendations on the decision to publish fees and charges for the PRow and Access activity and to delegate authority to the Public Rights of Way and Access Service Manager to review and publish revised fees and charges subject to the application of a number of key principles.
- (2) Mr Rusling said that the primary purpose of the report was to highlight the fees and charges for rechargeable Public Rights of Way (PRow) and Access Service activity as well as the key principles on which these charges are established.
- (3) In response to questions Mr Rusling provided further information.
- (4) Mr Rusling said that whilst paperless transmission of documentation had been sought current national regulations required that PRow documents or files for information be in paper form.
- (5) In relation to maintenance of existing furniture, Mr Rusling said that within Section 146 of the Highways Act, KCC was legally obliged to contribute 25%.
- (6) He also said that filming on the highway was governed by an amendment to the Road Traffic Regulation Act. The fees shown on Appendix B of the report related

to the administrative burden of the orders and there was no further charge for the inconvenience caused to residents.

- (7) Resolved that the Cabinet Committee endorsed the proposed decision of the Cabinet Member for Regulatory and Community Services to:
 - (i) publish the fees and charges for PRoW and Access Service activity, and
 - (ii) delegate authority to the Public Rights of Way and Access Service Manager to annually review and publish revised fees and charges subject to the application of a number of key principles.

30. 17/00083 - Paper and Card Recycling from Waste Kent Household Waste Recycling Centres

(Item 9)

David Beaver (Head of Waste Management and Business Services) was in attendance for this item.

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report which asked the Cabinet Committee to consider and endorse or make recommendations to award and issue the Paper and Card processing contract with a delegation for officers to offer extensions of up to two years if this was in Kent County Council's commercial interest.
- (2) Mr Beaver said that the current contract for the Disposal of Paper and Card ended at the end of October 2017. The current value of the contract was £980,000 with a proposal for the new contract to be for an initial 1 year fixed period, with 2 single year extensions beyond that initial 1 year period. KCC was seeking a fixed price for the first year and beyond this the price would fluctuate and be linked to independently through the Lets Recycle Price Guide where the price would be varied equally between the successful tenderer and KCC.
- (3) In response to questions the officers provided further information.
- (4) Mr Beaver said that this particular material stream was within West Kent. East Kent and Mid-Kent were part of wider contractual agreements with other suppliers and when they came to an end in 2021 and 2023, the specification would be brought back to the Cabinet Committee.
- (5) Mr Beaver advised Members that paper and card recycling operated in two distinct markets, one was a domestic market and the other was international. The international was more rigorous around the specification of waste going over-seas and with the potential of Brexit there could be many duties to pass. KCC had considered its investment via market engagement and found that local providers were more willing to share the risk.
- (6) Mr Beaver said that transportation of waste from Ramsgate Port, was not within the contract.
- (7) Mr Balfour said that KCC always tried to contract the waste streams in the most effective and efficient way and used the market to accomplish this. If the market

decided to send all waste to Ramsgate, KCC would support this, however, KCC was not prepared to add to costs by demanding that a certain route be used by a particular contractor.

- (8) Mr Wilkin said that material produced by a political party for publicity purposes was commercial waste. Mr Wilkin said that all providers taking on a contract with KCC had to sign a commitment to comply with the law in all respects.
- (9) Resolved that Cabinet Committee endorsed the proposed decision of the Cabinet Member for Planning, Highways, Transport and Waste to award and issue the Paper and Card Processing Contract with a delegation to officers to offer extensions of up to two years if this was in Kent County Council's commercial interest.

31. 17/00082 - Definition of our Resilient Highway Network

(Item 10)

Andrew Loosemore (Head of Highways Asset Management, Growth, Environment and Transport) and Alan Casson (Senior Asset Manager for Highways Transportation and Waste) were in attendance for this item.

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report which set out the proposed criteria to be used in adopting a definition for Kent's Resilient Highway Network, as part of Kent County Council's wider approach to Highway Asset Management and to maximise the Incentive Fund resource.
- (2) Mr Loosemore said that the primary purpose of the report was to provide an update on the County Council's progress towards achieving a Band 3 Incentive Fund rating in order to avoid further reduction in capital funding from the Department of Transport for highway maintenance.
- (3) Members welcomed the report and supported the need for the Council to adopt a definition for Kent's Resilient Highway Network in order to improve the county's resilience against extreme weather and other emergencies.
- (4) Resolved that the proposed criteria to be used in adopting a definition for Kent's Resilient Highway Network, as part of the wider approach to Highways Asset Management, and to maximise incentive fund resource be endorsed.

32. 17/00085 - Winter Service Policy 2017/18

(Item 11)

Mr Loosemore (Head of Highways Asset Management) and Carol Valentine (Highway Manager for the West) were in attendance for this item.

- (1) Mr Loosemore introduced the report which provided an update on the Council's Winter Service Policy and operational plan that supports it in light of changes within the national guidance and lessons learnt from the previous winter.
- (2) In response to the report, Ms Valentine provided the following information:

- (i) The allocated budget for the winter service for 2017/18 was £3,328,600.
 - (ii) During the summer of 2017, work was carried out to further refine and improve the winter service, this work primarily focused on:
 - (a) Procurement of the Bureau Maintenance (ice prediction service)
 - (b) Evaluation of the Brine only treatment
 - (c) Formalising arrangements with Medway Council
 - (i) Information from weather stations was used to produce the daily road weather forecasts throughout the winter service season. The contract expired in April 2017 and went out to tender. The new contract would be in place with Vaisala for 5 years with an option to extend for an additional 3.
 - (ii) A planned trial of using a brine solution to treat designated routes was not carried out fully as temperatures were too high during the trial period of January to April 2017. The trial would continue for the 2017/18 winter in order to collect sufficient data for evaluation by the Transport Research Laboratories.
 - (iii) Medway officers were working with KCC to put in place a formal contractual agreement to ensure both authorities recognised the obligations and service commitments regarding the winter service.
 - (iv) In the winter of 2017 radio, television and the press were provided with media briefs in advance of the winter season detailing plans for the year.
 - (v) Any money not used within the winter service would go towards removing weeds on the highway.
- (3) Resolved that the proposed decision of the Cabinet Member for Planning, Highways, Transport and Waste to agree the proposed changes to the Winter Service Policy 2017/18 as listed below be endorsed:
- (s.1.3.2) – Medway Council Winter Service on behalf of KCC to be formalised;
 - (s.3.3.2) – Brine only trial to be extended;
 - (S.4.4.1) – Bureau Maintenance service for weather stations contract to be procured; and
 - (s.5.5.1) Instruction for precautionary slating of primary routes to be carried out in line with KCC winter treatment instruction matrix contained in the winter service plan 2017/18

33. 17/00087 - DfT Safer Roads Fund
(Item 12)

Nikola Floodgate (Schemes Planning and Delivery Manager) was in attendance for this item.

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report that sought approval to submit a bid to the Department for Transport (DfT) under the Safer Road Fund Application process. It also sought approval to proceed to the next stages of implementing the associated interventions should the submitted bid be successful.
- (2) In response to questions and comments, Ms Floodgate explained the following:
- (3) The DfT invited proposals from local highway authorities to improve the safety of specific sections of local "A" roads. The bid would seek funding for approximately £3.5m of capital funding for the two eligible roads within Kent; the A252 and the A290. The general aim of the programme was to reduce the severity of casualties on the highway. The DfT offered a number of proposals and officers were involved in reviewing the intervention schemes.
- (4) The bid was submitted on 29 September 2017 and a decision was expected in the Autumn.
- (5) Ms Floodgate acknowledged that the current data set supplied by the DfT only showed statistics for 2012-2014, however, assurance was given to Members that the Transport Intelligence Team had identified the A252 and the A290 as being amongst the top four hazardous roads.
- (6) Resolved that the Cabinet Committee endorsed the proposed decision of the Cabinet Member for Planning, Highways, Transport and Waste to give:
 - (a) approval to the principle of the bid submission for the two routes Identified by the DfT and the Road safety Foundation; and
 - (b) delegated authority to the Director of Highways, Transportation and Waste to spend the funding should the bid be successful.

34. Proposed amendments to the Joint Transportation Board agreement between Maidstone Borough Council and KCC

(Item 13)

Louise Whitaker (Democratic Service Manager) was in attendance for the item.

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report on the proposed decision to adopt the amended Joint Transportation Board (JTB) agreement between Maidstone Borough Council and Kent County Council.
- (2) Members welcomed recommendations.
- (3) Resolved that the proposed decision of the Cabinet Member to adopt the amended JTB agreement between Maidstone Borough Council and Kent County Council be endorsed.

35. Road Casualties in Kent; 2016

(Item 14)

Tim Read (Growth, Environment and Transport) and Steve Horton (Casualty Reduction Manager) was in attendance for this item.

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report that set out the initial data analysis for road casualties in Kent 2016. It also provided context related to a change in the Police reporting process that might have affected data, provided insight into current KCC casualty reduction activity and identified an emerging risk to future funding.
- (2) Mr Read paid tribute to the team that had prepared and collated the data for the report and asked the Cabinet Committee to recognise the work undertaken. He also wished to place on record his thanks to the team.
- (3) Mr Horton advised that the road casualty data in Kent for 2016 had been finalised and was reported to the Department for Transport (DfT) in May for release to the public in July. Overall in Kent, casualties of all severity (fatal, serious and slight) had increased by 6%. National data would be released in late September 2017.
- (4) In 2016, Kent Police started to use a new reporting system called Collision Recording and Sharing (CRASH). Half the Police authorities in England already used CRASH and it had been identified that it might be recording a higher percentage of injuries than the previous process. Therefore comparisons with previous data might not be accurate. Further research was being carried out and findings were expected in October.
- (5) Mr Balfour said that 96% of collisions in 2016 could be attributed to behavioural factors. The Casualty Reduction Partnership (CRP), led by Kent Fire and Rescue Service, had initiated a review of the way in which partners collaborated and coordinated county wide activity. A campaign called "Licence to Kill" was being used to influence young people. The County Council had invited every school within Kent to participate in the activities. Members were advised that the next Kent Fire and Rescue Service presentation was on 8 November 2017 at Mote Park.
- (6) In relation to drink driving and drug driving statistics, the Police could only test for two drug types, which made it very difficult to measure the extent of drink/drug driving collisions.
- (7) Mr Horton said that the data captured by the Police identified both UK and non-UK vehicles. The proportion of collisions caused by non-UK vehicles was lower than the population as a whole residing within Kent.
- (8) Mr Balfour said that there was no policy that required a certain number of deaths for a fixed safety camera to be installed. The County Council worked in conjunction with the Safety Camera Partnership and the Police who liaised with Speed-watch groups to gather statistics.
- (9) Mr Balfour said a national funding model covered the cost of the speed awareness courses and costs associated with fixture and maintenance of the safety cameras.

- (10) Mr Horton undertook to examine data relating to the number of Serious Injuries received in collisions that resulted in death over 30 days from the incident and to include this information in future reports if it offered any new intelligence.
- (11) Resolved that the information on road casualties in Kent; 2016, the context of data reporting and ongoing work of the Highways, Transportation and Waste education and engineering teams be noted.

36. Waste Collection Partnerships - a Proposed Approach to Performance Payments

(Item 15)

David Beaver (Head of Waste Management Services) was in attendance for this item.

- (1) Mr Balfour (Cabinet Member for Planning, Highways, Transport and Waste) introduced the report that set out Kent County Councils' proposed funding arrangements for recognising, rewarding and incentivising improved recycling performance.
- (2) Mr Beaver said Dartford Borough Council, Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council were tendering for renewed kerbside waste collection services in 2019 with the aim of optimising kerbside recycling. He said the proposed approach was different from the agreements already in place within East and West Kent where; the current agreements were based upon the County Council paying a fixed price irrespective of performance. The proposed new agreement incentivised improved waste performance.
- (3) Resolved that the Cabinet Committee endorsed the proposed approach to funding arrangements to incentivise improved recycling performance.

37. 2016/17 Growth, Economic Development and Transport Equality and Diversity Review

(Item 16)

Ms Agyepong (Corporate Lead for Equality & Diversity, Strategic and Corporate Services) and Stephanie Holt (Chair of GET's Equality and Diversity Group) were in attendance for the item.

- (1) Ms Agyepong (Corporate Lead for Equality & Diversity, Strategic and Corporate Services) introduced the report that set out a position statement for services within Growth, Environment and Transport (GET) Directorate regarding equality and diversity work and subsequent progress on Kent County Council's equality and diversity objectives for 2016/17.
- (2) Ms Holt said that the Directorate had five key objectives in the Kent County Council Equality and Human Rights Policy 2016-2019 that had been agreed in December 2016. GET routinely captured protected characteristic data that

was used to influence the delivery of customer service and had reviewed the way in which KCC attracted and retained a diversity of staff.

- (3) Resolved that the current performance be noted and that the report be reviewed annually in order to comply with the Public Sector Equality Duty 2010.

38. Work Programme 2017/18

(Item 17)

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

39. Motion to Exclude the Press and Public

Resolved that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business in 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 (OPEN ACCESS TO MINUTES)

40. 17/00079 - Contract for Post Mortem Facilities for the North West Kent and North East Kent and Central and South East Kent coroner areas.

(Item 18)

Katie Stewart (Director for Environment, Planning and Enforcement) was in attendance for the item.

- (1) Mr Hill (Cabinet Member for Community and Regulatory Services) introduced the report that set out the recommendations for KCC to renew its contracts with the following:
- (i) Dartford and Gravesham NHS Trust to carry out Post Mortems at Darent Valley Hospital for the North West Kent coroner area and;
 - (ii) East Kent NHS Trust to carry out Post Mortems at QEQM Hospital Margate and William Harvey Hospital Ashford for the North East Kent and Central & South East coroner areas.
- (2) Single sourcing through a negotiated procedure provided the lowest risk option and the solution was most likely to deliver the best commercial and sustainable outcome for KCC.
- (3) Ms Stewart said that the previous contract was based on a fixed fee regardless of activity levels whereas the new proposed contract was based on a cost per post mortem.
- (4) Resolved that the Cabinet Committee endorsed the proposed decision of the Cabinet member for Community and Regulatory Services to award a four year contract for post mortems for the North East Kent, North West Kent and Central and South East Kent coroner areas for the period 1 October 2017 to 30 September 2021.

