ENVIRONMENT, HIGHWAYS AND WASTE CABINET COMMITTEE

Tuesday, 23rd April, 2013

10.00 am

Council Chamber, Sessions House, County Hall, Maidstone

Kent County Council
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AGENDA

ENVIRONMENT, HIGHWAYS AND WASTE CABINET COMMITTEE

Tuesday, 23 April 2013, at 10.00 am
Council Chamber, Sessions House, County Hall, Maidstone

Ask for: **Karen Mannering**
Telephone: **01622 694367**

Tea/Coffee will be available 15 minutes before the start of the meeting

Membership (12)

Conservative (10):	Mr D L Brazier (Chairman), Mr J R Bullock, MBE, Mr N J Collor, Mr M J Harrison, Mr B Hayton, Mr C Hibberd, Mrs J P Law, Mr R F Manning, Mr C P Smith and Mrs E M Tweed
Liberal Democrat (1):	Mr I S Chittenden
Labour (1)	Mr G Cowan

UNRESTRICTED ITEMS
(During these items the meeting is likely to be open to the public)

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A. Committee Business

A1 Introduction/Webcasting

A2 Substitutes

A3 Declarations of Interests by Members in items on the Agenda

A4 Minutes of the meeting held on 10 January 2013 (Pages 1 - 14)

B. Key or Significant Cabinet/Cabinet Member Decisions(s) for recommendation or endorsement

B1 Local Flood Risk Management Strategy - Decision No.12/01945 (Pages 15 - 106)

B2 North Farm Link Road (Longfield Road) Improvement, Tunbridge Wells (Pages 107 - 112)

B3 Environment, Highways & Waste Forthcoming Executive Decisions - current entry (Pages 113 - 118)

C. Monitoring of Performance

C1 Enterprise & Environment Performance Dashboard (Pages 119 - 124)

C2 Enterprise & Environment Directorate (Environment, Highways & Waste Portfolio) Financial Monitoring 2012/13 (Pages 125 - 146)

D. Other items for comment/recommendation to the Leader/Cabinet Member/Cabinet or officers

D1 Cabinet Member's and Corporate Director's Update (Oral report)

D2 Future Highways Programme (Pages 147 - 152)

D3 New Funding Streams (Pages 153 - 158)

D4 Highways and Transportation Winter Service Review for 2012/13 (Pages 159 - 164)

EXEMPT ITEMS

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

Peter Sass
Head of Democratic Services
(01622) 694002

Monday, 15 April 2013

KENT COUNTY COUNCIL

ENVIRONMENT, HIGHWAYS AND WASTE CABINET COMMITTEE

MINUTES of a meeting of the Environment, Highways and Waste Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 10 January 2013.

PRESENT: Mr D L Brazier (Chairman), Mr N J Collor (Vice-Chairman), Mr I S Chittenden, Mr G Cowan, Mr M J Harrison, Mr W A Hayton, Mr P J Homewood (Substitute for Mrs E M Tweed), Mrs J P Law and Mr R F Manning

ALSO PRESENT: Mr L Christie and Mr B J Sweetland

IN ATTENDANCE: Mr M Austerberry (Corporate Director, Environment and Enterprise), Mrs S Barton (Strategic Projects And Business Development Manager), Ms B Buntine (Sustainable Drainage Engineer), Mr J Burr (Director of Highways and Transportation), Ms A Carruthers (Transport Strategy - Delivery Manager), Mr P Crick (Director of Planning and Environment), Mr W Forrester (Head of Gypsy & Traveller Unit), Mr D Hall (Future Highways Manager), Mr B Haratbar (Head of Programmed Work), Mr G Harlow (Environmental Management Systems Co-ordinator), Mr T Harwood (Senior Emergency Planning Officer), Mr A Kamps (Principal Accountant), Mr T Martin (Strategy Manager), Ms C McKenzie (Sustainability and Climate Change Manager), Mrs E Milne (Flood Risk & Natural Environment Manager), Mr S Terry (Assistant Head of Emergency Planning), Mr A Turner (Principal Regeneration & Projects Officer), Mr R Wilkin (Waste Manager) and Mrs K Mannering (Democratic Services Officer)

UNRESTRICTED ITEMS

1. Minutes of the meeting on 15 November 2012
(Item A4)

RESOLVED that the Minutes of the meeting held on 15 November 2012 are correctly recorded and that they be signed by the Chairman.

2. KCC representations on the submission version of the Gravesham Local Plan Core Strategy (Regulation 19) - Decision No.12/01967
(Item B1)

(Mr L Christie, Local Member, was in attendance for this item and took part in the debate)

(1) Gravesham Borough Council was inviting representations on the proposed submission version of their local plan Core Strategy. The consultation ended on 12 February 2013, and the Core Strategy would then be submitted to the Secretary of State in May 2013. An Examination in Public was expected in August 2013 and adoption of the plan in December 2013. The report proposed representations by KCC. The Borough Council proposed that a minimum of 4,600 jobs and homes

would be provided, concentrated on previously developed land along the Thames Riverside, at Gravesend Town Centre and at Ebbsfleet. The Green Belt, Kent Downs Area of Outstanding Natural Beauty, the historic environment and biodiversity in the Borough would be safeguarded and maintained.

(2) Prior to debate Mr Crick referred to the statement in the report that Local KCC Members had been asked for their views on KCC's response to the consultation. Mr Crick apologised for the error, and stated that such consultation had not taken place. He assured Members that there was nothing to prevent the Cabinet Committee from discussing the report at today's meeting and making recommendations to the Cabinet Member; but that the views of all relevant local Members would be sought and included in the papers that came before the Cabinet Member before he made his decision on the matter.

(3) The decisions to be taken by the Borough Council may have long term financial implications for KCC as the provider of infrastructure and services to support development. The proposed response by KCC to the consultation supported the County Council's ambition to grow the economy, and the relevant priorities of *Bold Steps for Kent*.

(4) In January 2010, Gravesham Borough Council (GBC) consulted on their *Core Strategy and Development Management Policies* which set out how the Borough should develop to 2026. However, the *Localism and Decentralisation Bill* was then published, which would enable the South East Plan to be revoked. The economy and the housing market had slowed, and new studies were undertaken by the Borough Council, including the viability of their major development sites. In October 2011 the Borough Council proposed a revised approach in the *Gravesham Growth Scenarios and Core Strategy* consultation. Views were invited on development options for Gravesham to 2031, and on amendments to the policies published in 2010.

(5) The report summarised:-

(a) KCC's main views on the draft Core Strategy and Growth Scenarios in October 2011; and

(b) KCC Representations on the Proposed Submission Core Strategy - Scale and Distribution of Development; Housing Target; Strategic Housing Sites – Land West of Wrotham Road; Affordable housing and Gypsies and Travellers; Employment land; Retail; Infrastructure Provision - Education Learning and Skills, Families and Social Care, Customers and Communities; Transport; Minerals and Waste - Red Lion Wharf; and Environment.

(6) Mr Christie readily accepted the apology from Mr Crick and stated that, for the information of Members, he was not a Borough Councillor and therefore, had not had any input to Gravesham Borough Council's Core Strategy. There were 2 recommendations in the report which directly affected Mr Christie's division which he disagreed with, set out in paragraphs 7(c) and (i) below.

Land West of Wrotham Road

Mr Christie stated that development of land West of Wrotham Road had been an issue for many years, and had been the subject of a referral to the Secretary of State, who had supported the retention of green land and opposed an appeal for development. Gravesham Borough Council had provided space for housing which did not affect the green belt, but Mr Christie had strong concerns that if KCC's proposals went forward it would be an encouragement for even more housing.

Red Lion Wharf

Gravesham had 7 deep water berths and recommended safeguarding 6. The 7th one not guaranteed as being safeguarded was Red Lion Wharf, because it was in a regeneration area. Mr Christie supported the view of Gravesham Borough Council that should there be a need to choose between regeneration and retaining all 7 berths, then it would be preferable to release Red Lion Wharf for development.

(7) The report recommended that KCC:-

(a) welcomed the distribution of development proposed in Policy CS02 and confirmation that the Green Belt, as defined on the Policies Map, would be maintained and protected;

(b) supported the target of 4,600 dwellings as a minimum to 2028, which might be exceeded if further suitable development sites came forward that were not in the Green Belt;

(c) confirmed its support for the residential development of land West of Wrotham Road as identified in the 2011 consultation on options;

(d) supported the general approach to affordable housing and to the provision of Gypsy and Traveller sites in Policies CS16 and 17, but objected to use of the Green Belt;

(e) supported Gravesham Borough Council's target for jobs, and its economic vision and strategy set out in Policies CS02 and CS07 which were consistent with the National Planning Policy Framework requirement to support economic growth. However, Policy CS03 should support the investigation of large scale leisure use for Swanscombe Peninsula East Undeveloped Area;

(f) supported the approach to retail development in Policy CS08 as consistent with the priority to be given to town centres in the National Planning Policy Framework;

(g) supported the KCC social infrastructure projects in the Infrastructure Delivery Schedule;

(h) supported the approach to transport in the submission Core Strategy, subject to amendments to the text of the Core Strategy to clarify the need for public transport connections to both classic and high-speed rail services from Ebbsfleet and Gravesend stations. Reference should be made to the Transport Quarter and to the Rathmore Road Link, which was the subject of a planning application. Further work on the options to

provide additional capacity for the Thames crossing, and the implications of an extension to the Bluewater retail centre plus the possibility of a major leisure development on Swanscombe Peninsula, might require an early review of the Core Strategy transport provision and policies

(i) objected to the absence of a policy commitment in the local plan to safeguard Red Lion Wharf as an aggregates importation wharf, and to safeguard all existing, planned and potential mineral wharves; and

(j) supported Policy CS12 as it complied with national policy for the preservation, restoration and re-creation of priority habitats and ecological networks.

(8) During discussion issues were raised in relation to:-

- Land west of Wrotham Road
- Red Lion Wharf
- Funding for infrastructure
- Housing requirements
- New homes bonus

(9) RESOLVED that the Cabinet Member for Environment, Highways and Waste be recommended to approve the proposed representations from KCC set out in paragraph (7) above.

Carried
Mr Chittenden and Mr Cowan voted against

3. KCC-Managed Traveller Pitch Fees 2013/14 - Decision No: 12/02029
(Item B2)

(1) Pitch Fees for Traveller sites managed by KCC were regulated by the Mobile Homes Act 1983. This only permitted an increase once in every twelve months, and only allowed an increase by the Retail Price Index (RPI) at maximum, unless evidence of improvements to the amenity of the pitch could be shown. Under the Mobile Homes Act, site operators must provide a proposed pitch fee increase to each pitch occupier at least 28 days in advance of the increase taking effect. Any pitch occupier could object to the proposed increase, if they had reason to do so.

(2) The recommendations would increase the maximum recoverable income from all sites by just over 2.6%, because of the additional increase on the Polhill site, during 2013/14.

Polhill Site

(3) Works had been carried out on the Polhill site during 2011 & 2012 which considerably enhanced mainly the amenity blocks but also the pitches. The works had cost around £14,000. In recognition of that, the proposed pitch fee for each pitch was 2.6% RPI for the ordinary increase plus £2 per week for the improved amenity of the pitches.

Coldharbour Site

(4) The proposed pitch fee for the new Coldharbour site was set by the Committee in September 2012. It was £65, to take effect from 1 April 2013, or when the new pitches were first occupied, whichever came first. Expected completion of the new pitches was currently around late June 2013.

(5) The increases would enable the costs of managing and maintaining the sites to be more adequately covered by the income received, and a list of all the sites were set out in the report.

(6) The KCC Gypsy and Traveller Unit also managed the two Maidstone Borough Council sites, at Stilebridge Lane, Marden and Water Lane, Ulcombe, under a management agreement. Maidstone Borough Council would inform KCC shortly of the rents they planned to charge for 2013/14.

(7) RESOLVED that:-

(a) the Cabinet Member be recommended to approve the new proposed rents to be applied from 1 April 2013; and

(b) pitch occupiers be advised of the proposed increases with the required 28 days notice in advance of that date, in conformity with the Mobile Homes Act 1983.

4. Environment, Highways & Waste Forthcoming Executive Decisions - current entry
(Item B3)

RESOLVED that the current entry in the Forthcoming Executive Decisions for Environment, Highways and Waste be noted.

5. 2013/14 Revenue Budget Consultation Responses
(Item C1)

(1) Due to the late announcement of the Local Government Finance arrangements for 2013/14 the final draft budget was not available in time to include in the report. The consultation closed on 1 November and a full report was presented to Cabinet on 3 December.

(2) There were a number of issues affecting the Environment Highways and Waste portfolio and consultation findings were set out in the report.

(3) RESOLVED that the report be noted.

6. Enterprise and Environment Directorate (Environment, Highways & Waste Portfolio) Financial Monitoring 2012/13
(Item C2)

(1) Members were asked to note the second quarter's full budget monitoring report for 2012/13 reported to Cabinet on 3 December 2012. There were no exceptional revenue changes since the writing of the quarter 2 report.

(2) RESOLVED that the revenue and capital forecast variances from budget for 2012/13 for the Enterprise & Environment Directorate (Environment, Highways & Waste Portfolio, based on the second quarter's full monitoring to Cabinet, be noted.

7. Business Planning 2013/14 - Substantive Draft Plans
(Item C3)

(1) Following the development of the business planning headline priorities in November 2012, Directors and Heads of Service had built on the feedback received from the Cabinet Committee to develop substantive draft business plans for 2013/14. The emphasis had been on reducing the burden of business planning with a lighter touch process. It was important to increase the consistency and synergy between business planning and both the performance management dashboards and directorate and divisional risk registers which underpin the business plan actions, which were reported to the Committee on a regular basis.

(2) The emphasis for the 2013/14 draft business plans was identifying clear, tangible actions, ensuring that all activity was Specific, Measurable, Attainable, Realistic and Time bound (SMART). Actions were underpinned by milestones to check activity progress and further complemented by meaningful Key Performance Indicators (KPIs) and Activity Indicators that enabled the organisation to monitor and manage performance, to demonstrate progress against the delivery of Bold Steps for Kent. High level risks relating to the delivery of the actions were set out in the business plan, supported by detailed Divisional and Directorate Risk Registers.

(3) The draft plans were still at an early stage of development, with further refinement over the coming months before approval in March 2013. The Policy and Strategic Relationships team had been supporting Directors and Directorate Management Teams (DMT) to develop their draft plans as part of ongoing, informal Quality Assurance process, to help embed the revised business planning process.

(4) RESOLVED that the Directorate Risk Register set out in Appendix A to the report, and the substantive draft business plans set out in Appendix B to the report, be noted.

8. Cabinet Member's and Corporate Director's Update (Oral report)
(Item D1)

(1) Mr Sweetland and Mr Austerberry gave verbal reports on the following issues:-

Planning & Environment – Aviation; Rail; HGV's; Planning Applications; and Local Plans in Kent

Highways & Transportation – Winter Service; Kent Lane Rental Scheme (KLRS) Update; Member Highway Fund; and Road Safety Award

Waste Management – Household Waste Recycling Centre Policy Changes; and Capital Projects

(2) RESOLVED that the updates be noted and copies circulated to Members of the Committee.

9. KCC Drainage Adoption

(Item D2)

(1) Implementation of the Flood and Water Management Act 2010 required that KCC became the approving body (known as the 'SAB') for sustainable drainage. Defra had yet to announce the commencement date of the new duty. The interim period prior to commencement had extended from the Government's original proposal of October 2012 to an as yet undefined date, which was causing uncertainty for the development industry and failing to deal with drainage needs as identified in the Pitt Review. KCC had an opportunity to take the initiative to provide greater certainty for the development industry by adjusting what drainage infrastructure it currently adopted within current powers and, as Lead Local Flood Authority (LLFA) with the highest risk of surface water flooding, to be seen as an exemplar, taking the lead in flooding solutions and reducing flood risk. KCC had already engaged with developers on specific projects to assess the adoption proposal, and engagement with that sector would continue as the revised regime was taken forward. The report outlined the changes to KCC's adoption regime.

(2) Under the new regime, drainage adoption would only be available when it was associated with a highway adoption and the proposed system was within the adopted highway boundary. Any adoption of SuDS was to be determined through consultation and agreement between the developer and KCC and would be voluntary for both parties. The financial burden on KCC of administering this and adopting additional drainage would be covered by applying approval fees and commuted sums. The revised regime would not place any additional burdens on the developer, who would not incur further costs above the current practice.

(3) KCC would be required to undertake adoption of SuDS schemes under the Act at an undetermined date in the future. Within current powers some of the uncertainty currently faced by developers could be addressed; expertise in preparation for the new regulation could be developed; and responsibilities as the LLFA with the highest flood risk could also be addressed

(4) The revised adoption regime posed little risk to KCC, as discussed in the report, and provided an opportunity to lead the way in promoting sustainable drainage solutions and supporting developers in Kent. In the absence of a directive from central government to commence SAB duties, and the likelihood it could be another 18 months until received KCC should take the initiative and put in place the revised adoption regime.

(5) RESOLVED that:-

(a) KCC take the initiative forward, including further engagement with developers; and

(b) the position be reviewed after an appropriate period of time (two years) or following any announcement or decision by Defra about the implementation of the SAB.

10. Joint Transportation Boards Agreement and Governance
(Item D3)

(1) Further to Minute 63 of 15 November 2012, the report sought authority to up-date the current JTB agreement and to provide flexibility for a JTB Chairman to vary the number of Parish representatives. There was no proposal to give voting rights to the Kent Association of Local Councils. Members were invited to give their views on the revised draft JTB Agreement attached as Appendix 1 to the report.

(2) As well as up-dating the terminology of the Agreement to reflect up to date governance, it encapsulated the request from some JTBs to allow additional Parish Council representatives to attend the JTB. Rather than drawing up separate Agreements for each District Council area, it was considered better to have one Agreement that provided the Chairman with some flexibility on the point. The Agreement also covered and further clarified referrals from JTBs which would be considered by the Cabinet Member for Environment Highways and Waste.

(3) The outcome of discussion would be considered by the County Council's Cabinet. Once agreed with the Chairman and Vice Chairman of the JTB, it would be individually ratified by each District Council through its own agreed constitution. A report would then be provided for each JTB confirming the revision to the Agreement and clarifying the Parish representation issue with the formal outcome. It was anticipated that each District Council would enter into a revised Agreement with the County Council to reflect the changes approved.

(4) RESOLVED that:-

(a) the revised draft JTB agreement be agreed;

(b) the JTB chairmen be delegated authority to vary the number of Parish representatives attending a JTB meeting; and

(c) Members views be reported to the Cabinet Member for Environment, Highways and Waste for his consideration and decision before being reported back to JTBs.

11. Technical & Environmental Services Contract (TESC) Update - Decision No.12/01935
(Item D4)

(1) Further to Minute 54 of 15 November 2012, the report updated Members on the TESC procurement process. Based on the results across the areas of Quality, Price and Presentation, Amey was the strongest Tenderer and was now the "Preferred Bidder" for the TESC. Amey, throughout the process, had demonstrated their appetite and ability for the contract. They had committed to work with the Council to evolve the Contract and the personnel in the proposed management team were well received and had committed to be ring fenced to the TESC for at least the first 18 months.

(2) A robust and focussed procurement process had led to Amey being the TESC "preferred bidder" and subject to the "next steps", set out in the report, would be awarded the contract and commence mobilisation in early 2013.

(3) RESOLVED that the report which outlined the process to allow the Cabinet Member to award the TESC contract to Amey as the preferred bidder, be noted.

12. Environmental Management Update
(Item D5)

(1) Further to Minute 30 of 4 July 2012, the partnership targets for the Kent Environment Strategy and Climate Local agreement were agreed by the Kent Forum, including the expectation that to demonstrate leadership, KCC would develop its own bold targets focusing on buildings, street lighting and transport.

(2) Existing Corporate Environment targets were:-

- reduce energy use within the estate to meet the carbon reduction target of 2.6% per year up to 2015
- reduce business miles travelled by car to meet the carbon reduction target of 2.6% per year up to 2015
- reduce water use within the estate by 10% by 2015
- reduce waste generation across the estate by 5%, and increase the proportion of corporate waste which was reused or recycled to 60% by 2015

The additional targets recommended for KCC were detailed in Appendix 1 to the report, and would help demonstrate how the council was leading by example on both the Kent Environment Strategy and Climate Local agreement.

(3) Progress against current corporate environment targets was set out in Appendix 2 to the report. Overall, it had been positive, but focus needed to be maintained on the variety of actions and positive contributions which all staff and members could make towards achievement of the targets.

(4) RESOLVED that:-

(a) additions to existing targets be endorsed; and

(b) progress and issues relating to existing corporate targets, be noted.

13. Highway Soft Landscaping - review of standards
(Item D6)

(1) The report provided detail of the progress of work completed and set out the challenges encountered by the soft landscape service from the combined effects of the very wet summer and the budget reduction. It also proposed operational frequency changes for the future. As part of KCC's requirement to save some £340m over three years the budget for Soft Landscaping was reduced from £4.6m to £3.2m in 2011/12 (a reduction of 1.4m). The Soft Landscaping asset consisted of 4 million square metres (m^2) of urban grass, 470,000 m^2 of shrubs, 65,000 m^2 of hedges, 4900km of roads with a rural swathe cut, 4,200km of roads and pavements for weed treatment and 500,000 trees.

(2) The service reduction was partially mitigated by the dry conditions of the summer of 2011 that restricted vegetation growth. The spring/summer of 2012 was the wettest on record; which meant certain scheduled cuts could not be completed on time and had to be reprogrammed. Overall, the reduction in service levels since April 2011 combined with the weather conditions resulted in a significant increase in the number of complaints including a surge in Member concerns. The County Council responded by undertaking manual weed clearance following weed spray in the May/June, a second weed spray and extra shrub cutting to deal with highway safety issues.

(3) In April 2005 the Council in-sourced the highway functions from district councils functions with the exception of soft landscaping maintenance. In the intervening years, a number of district councils had handed back the service. A procurement exercise was being undertaken to rationalise the service delivery process to improve customer experience and to achieve better value for money, and new contracts would be in place on 1 April 2013.

(4) A review of the management of the Soft Landscaping Group found that the Service would benefit from in-sourcing the management function and day to day running of the Group, currently provided by Jacobs. The in-sourcing would be completed by end of March 2013.

(5) The report discussed weed spraying, shrub bed/hedge maintenance, swathe cutting of selected roads and removal of tree stumps at the same time as felling. It was proposed that the annual eight urban grass cutting was maintained.

(6) The reduced service standards arising from the funding cut of £1.4m from 2011/12 to 2012/13 were contributing to a cumulative decline of landscaped areas and aesthetic appearance of the urban environment as well as an increase in reactive costs. Additional funding would be required to increase the level of maintenance, and would necessitate a reduction of service in other areas to fund any additional planned works.

(7) RESOLVED that the report be noted.

14. Water Resources Planning
(Item D7)

(1) The report set out KCC's work regarding water resources management. It explained the outcomes of the Kent Water Summit held in June 2012, the development of the Kent Water Resilience Framework and processes through which KCC was able to influence the local water companies. The purpose of the report was to bring the work to the attention of the Committee and to seek support for its future direction.

(2) During 2012, KCC had been leading two initiatives concerned with improved water management – the Kent Water Summit and the Kent Water Resilience Framework. Both initiatives had produced important outputs and there were now opportunities over the coming months to ensure that they were impressed upon the Kent water companies as they prepared their long term plans for managing water resources.

(a) *The Kent Water Summit*

KCC held a water summit on 26 June 2012 which attracted over 90 representatives from a wide range of organisations. Discussion was synthesised into the following recommendations:

- More rapid introduction of domestic water metering to conserve water.
- Greater understanding of the true value of water through a public awareness campaign.
- Wastewater reuse to be considered more seriously as a potential solution to improving water supplies.
- Increased efficiency in both domestic and agricultural water use.
- Further expansion of facilities for on-farm water storage.
- Greater leadership and enhanced co-operation to deliver technological innovation in water conservation.
- A drive to cut out all forms of water wastage.

Good progress had been made in following up the recommendations but several also needed to be promoted through KCC's influence in the water industry planning process.

(b) *The Kent Water Resilience Framework (WRF)*

The WRF was an activity within the Kent Environment Strategy (KES) and contributed to delivery of Action CC 6.1 'To develop and deliver risk-based action plans for the top 'climate risk' priorities in Kent'. It was being developed in partnership with the Environment Agency.

The WRF would need to be reviewed at intervals to ensure that it continued to use the best available data and focus on the correct issues and locations.

(c) *The water industry planning process*

Water companies produced new Water Resources Management Plans (WRMPs) every 5 years. Each WRMP covered a 25 year time period on a rolling basis.

The companies would all produce their draft WRMPs in late April / early May 2013 and would be followed by a formal consultation period after which each company would produce its Statement of Response, make any revisions and publish the final plan in early 2014.

(d) *The proposed focus for KCC influence*

Drawing on the recommendations from the Kent Water Summit and the findings from the Kent Water Resilience Framework, there were three key areas of work

that it was suggested KCC should now be emphasising with all the local water companies:

- demand management;
- wastewater re-use; and
- catchment management.

(3) RESOLVED that:-

(a) the programmes of work described in the report and the resulting recommendations and findings, be noted; and

(b) the particular emphasis on water demand management, wastewater re-use and catchment management within KCC's ongoing engagement with water companies and within pending consultation processes, be supported.

15. Ash Dieback (Chalara Fraxinea) Outbreak Response
(Item D8)

(1) The report briefed Members on the Ash Dieback (*Chalara fraxinea*) outbreak in Kent and the significant risk the disease presented, and the ongoing response to manage the situation. Ash Dieback (*Chalara fraxinea*) was the infective phase of the cup-fungus *Hymenoscyphus pseudoalbidus*, which was named as new-to-science in 2010. The life-cycle of the organism appeared to be that *Chalara fraxinea*, living on Ash leaves and shoots, developed into *Hymenoscyphus pseudoalbidus* when the leaves fell. Individual cup-fungus then produced approximately 1,500 airborne spores an hour over a period of around 2 weeks, which drifted up into the canopy, where they might alight on Ash shoots and initiate new infection. The *Chalara* phase was also understood to produce a less mobile form of spore, which might further infect the host and nearby trees. Once initiated, infection spread along the Ash twig and under certain circumstances, which were not fully understood, into branches and the trunk of the tree. The destructive characteristic of the fungus derived from the fact that the *Chalara* phase produced a fungal poison, called viridiol, which was toxic to Ash. Saplings and coppice re-growth were particularly vulnerable to *Chalara* attack, while stricken larger trees exhibited a heightened risk from secondary infection and environmental stress.

(2) Since the announcement of confirmed cases in the UK in October, the outbreak had been reported widely by national and local media with much speculation as to the fate of Ash trees, suggesting that up to 95% of UK Ash trees could be affected. A key consideration for KCC was that Ash formed a significant component of the soft estate. Therefore, the health and safety considerations attached to ensuring effective monitoring and timely arboriculture interventions, to make safe dead or ailing trees, could be significant. A further key role for KCC would involve Trading Standards, working alongside the arboriculture industry, putting safeguards in place to ensure that "rogue traders" did not seek to profit from the outbreak.

(3) The report was tabled at the Cabinet Committee following discussion of potential environmental and financial impacts arising from the C*halara* outbreak at

Corporate Management Team and its proposed inclusion within the KCC Corporate Risk Register. Since the first cases were confirmed in Kent, KCC Emergency Planning had provided a direct link between the national response and a range of local partners, to ensure a consistent approach and single source of information. Emergency Planning had also printed and distributed Forestry Commission *Chalara* public information notices to relevant KCC teams and a range of partners for installation at public open spaces across Kent. In addition, stocks had been supplied to parish clerks for display on notice boards.

(4) Much of the activity would be informed by the Interim Chalara Control Plan issued on 6 December. However, the scale of the problem in Kent, the influence of specific local factors and the acknowledged pioneering position in dealing with the outbreak dictated that an effective local response was sustained. With this in mind, KCC Planning & Environment and Emergency Planning had produced a Local Action Plan (see *Appendix 2*) and have established working groups to facilitate the delivery of targets.

(5) RESOLVED that:-

(a) the potential serious consequences that the *Chalara* outbreak posed to the environment and economy of Kent, be noted; and

(b) the KCC approach outlined in the report, be endorsed.

16. Discussion: Growth without Gridlock 2 years on
(Item D9)

(1) Mr Crick gave a presentation to Members which looked at the achievements and progress to date of Growth without Gridlock, KCC's 20 year transport delivery plan, since its launch in December 2010.

(2) Growth without Gridlock formed the basis of Bold Steps for Transport in the Council's Medium Term Financial plan 'Bold Steps for Kent'. It was integral to delivering the objectives of helping the Kent economy to grow and tackling disadvantage. Therefore an update report with achievements and progress to date together with a delivery plan for the next four to five years would have a direct impact on achieving the objectives of Bold Steps for Kent. The proposed document was aligned to the Council's Local Transport Plan.

(3) Members were asked to provide comments on what had been achieved over the last 2 years and looking to the future on Kent County Council's priorities for implementation over the next four to five years. It was anticipated that it would form the basis of an updated Growth without Gridlock document for consultation later in 2013. The consultation document would be placed on the Council's website and taken to each JTB and other key stakeholders seeking input. It was anticipated *Growth without Gridlock 2 years on* would be finalised during the summer.

(4) RESOLVED that the update be noted.

Mr Crick was thanked for an informative presentation.

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Decision No: 12/01945

From: Bryan Sweetland, Cabinet Member – Environment, Highways & Waste
Paul Crick, Director - Planning & Environment

To: Environment, Highways & Waste Cabinet Committee

Date: 23 April 2013

Subject: Local Flood Risk Management Strategy

Classification: Unrestricted

Summary:

The Local Flood Risk Management Strategy is a requirement for Kent County Council in its new statutory capacity as Lead Local Flood Authority. It sets out a strategy for managing local flood risk (defined as flooding from surface water, groundwater and ordinary watercourses) in the county. The Local Strategy sets objectives for the management of local flooding and an action plan for KCC and other agencies in Kent to deliver these objectives.

Recommendation:

Cabinet Committee Members are invited to comment on the Local Strategy prior to its submission to Cabinet in May 2013 for formal adoption.

1. Introduction

The Local Flood Risk Management Strategy (the Local Strategy) is a requirement of the Flood and Water Management Act 2010 (the Act) for Kent County Council. It is part of our new role as Lead Local Flood Authority (LLFA) to oversee local flooding, which is flooding from surface water, ordinary watercourses and groundwater.

As part of our LLFA role, KCC has already undertaken the Preliminary Flood Risk Assessment (PFRA), reported to Cabinet in July 2011. The PFRA for Kent was published in August 2011 *and identified Kent as the most at risk Lead Local Flood Authority*, with approximately 76,000 properties at risk of surface water flooding.

The Local Strategy that sets out how these local flood risks will be managed in the county, how this will be delivered and how it will be funded. We have prepared the Local Strategy in partnership with other Risk Management Authorities in the county; consultation on the draft concluded in February 2013.

This paper provides an overview of the Local Strategy, drawing attention to specific sections of interest to the Authority. A copy of the final draft Local Strategy is

attached. Cabinet Committee Members are invited to comment on the Local Strategy prior to formal adoption in May 2013.

2. Background

The Flood and Water Management Act 2010 makes County and Unitary authorities Lead Local Flood Authorities, with a role to work alongside the Environment Agency and other risk management authorities to manage the risks of flooding.

The role of the Environment Agency is to provide a national strategic overview of all flood risk in England, which includes:

- Providing a National Strategy for all forms of flood risk management;
- Overseeing the distribution of grant funds for flood defence works; and
- Reporting on the progress and delivery of flood risk management in England.

The Environment Agency also has a local role to manage the flood risks from main rivers and the sea.

The new role of the Lead Local Flood Authority gives KCC a strategic overview role for local flooding (flooding from surface water, ordinary watercourses and groundwater). As Lead Local Flood Authority, KCC has flood risk management powers and duties, which include:

- Providing a Local Strategy for managing local flood risk;
- A duty to investigate flooding;
- Powers to regulate ordinary watercourses;
- A duty to maintain a register of structures and features, and
- A role to promote sustainable drainage.

3. The local strategy

3.1. Requirements

The Local Flood Risk Management Strategy must be consistent with the Environment Agency's National Strategy. The National Strategy sets out how all flood risks and coastal erosion will be managed in England.

The Act sets out the minimum that a local strategy must contain and, in accordance with this, the Kent Local Flood Risk Management Strategy details:

- The risk management authorities in the relevant area.
- The flood and coastal erosion risk management functions that may be exercised by those authorities in relation to the area.
- The objectives for managing local flood risk and the measures proposed to achieve those objectives.
- How and when the measures are expected to be implemented.
- The costs and benefits of those measures, and how they are to be paid for.

- The assessment of local flood risk for the purpose of the strategy.
- How and when the strategy is to be reviewed.
- How the strategy contributes to the achievement of wider environmental objectives.

3.2. Objectives

The Local Strategy sets out the following objectives for flood risk management in Kent (see Section 4 of Strategy), which all Risk Management Authorities in the county must act consistently with:

1. Improving the understanding of the risks of flooding from surface runoff, groundwater and ordinary watercourses in Kent.
2. Reducing the impact of flooding on people and businesses in Kent.
3. Ensuring that development in Kent takes account of flood risk issues and plans to effectively manage any impacts.
4. Providing clear information and guidance on the role of the public sector, private sector and individuals in flood risk management in Kent and how those roles will be delivered and how authorities will work together to manage flood risk.
5. Ensuring that emergency plans and responses to flood incidents in Kent are effective and that communities understand the risks and their role in an emergency.

The local strategy aims to coordinate the work of KCC with the Environment Agency, local authorities, water companies, internal drainage boards and other partners to better understand flood risk in the county and provide effective solutions to protect the people and economy of Kent from flooding.

3.3. Summary

The Local Strategy gives an overview of the flood risk in Kent, with signposts to more information, it outlines who else in the county has flood risk management functions and it sets out how KCC will exercise the new duties and powers given to us by the Act (see section 5 of Strategy).

The Local Strategy also applies a local flood risk policy to areas of the county to enable us as LLFA to prioritise action. These policies are determined according to the complexity of local flood risk. These policies are described below:

Policy 1 Areas with complex local flood problems	**The local flood risks in these areas will be investigated as a priority. An action plan of feasible options to manage the identified risks will be developed.**
Policy 2 Areas with moderate local flood problems	**The local flood risks in these areas will be dealt with by ensuring the relevant risk management authorities work together to investigate the problems.**
Policy 3 Areas with low	**Flooding in these areas will be monitored and problems will be dealt with reactively by the appropriate authority.**

Where further investigations are required they will be undertaken through Surface Water Management Plans. These policies will be kept under review.

Given the size and complexity of the local flood risks in Kent we have proposed that specific local actions and policies are identified and delivered through the aforementioned Surface Water Management Plans, not the Local Strategy.

3.4. Action plan

The Local Strategy includes a 12 month action plan (see section 9 of Strategy) to deliver the objectives, which is split into three parts:

1. The actions KCC will deliver countywide to meet the objectives of the Flood and Water Management Act.
2. The local actions that KCC will undertake to better understand flood risks, including Surface Water Management Plans.
3. The actions KCC will deliver in partnership with other risk management authorities.

The action plan will be reviewed annually.

4. Funding

As a LLFA, we receive an annual area based grant of £750,000 from Defra to undertake the new duties set out by the Act. This grant is in place for the next two financial years and will be used to fund KCC's actions identified in the Local Strategy.

The Local Strategy sets out how flood risk management issues will be investigated and how KCC will fund these, limiting our commitment to the initial investigation (within the available budget). Any further work identified beyond this will need to be at least part funded through the government's flood defence grant in aid scheme, which may require other local contributions.

The current action plan for 2013/14 is achievable within the annual Defra grant.

5. Consultation

The draft Local Strategy was developed with the overview of KCC's Flood Risk Management Committee, which includes representatives from the district authorities in Kent, and the Kent Flood Partnership, which is a committee of officers from the Risk Management Authorities in Kent.

The Local Strategy has just completed its statutory public consultation. The comments received were generally supportive with a few welcome suggestions for improvement.

The current draft Local Strategy is appended to this paper; it will be revised in light of the consultation responses in time for the EHW Cabinet Committee on 23 April. The Local Strategy is scheduled for the 24 May Cabinet meeting.
This Local Strategy will be in place for three years and reviewed in 2016.

Recommendations:

Cabinet Committee Members are invited to comment on the Local Strategy prior to its submission to Cabinet in May 2013 for formal adoption.

Background Documents:

The Flood and Water Management Act:
http://www.legislation.gov.uk/ukpga/2010/29/pdfs/ukpga_20100029_en.pdf

National Strategy for Flooding and Coastal Erosion Risk Management, Environment Agency: www.environment-agency.gov.uk/research/policy/130073.aspx

Draft Local Flood Risk Management Strategy for Kent; KCC, 2013

Preliminary Flood Risk Assessment for Kent, KCC, 2011:
www.kent.gov.uk/flooding_pfra

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Kent County Council

Local Flood Risk Management Strategy

Final Draft

April 2013

EXECUTIVE SUMMARY

Kent County Council was recently made lead local flood authority for Kent, with a role to oversee local flooding. Local flooding is defined as flooding that is caused by the following sources:

- **Surface water,**
- **Groundwater,**
- **Ordinary Watercourses.**

Kent is the most at risk lead local flood authority in England with approximately 76,000 properties estimated to be at risk of surface water flooding. Local flooding has a significant impact on the people and economy of Kent and it is predicted to increase due to climate change, increasing development and changing land use practices that affect the way the land is able to naturally respond to rainfall.

This Local Flood Risk Management Strategy for Kent (the local strategy) sets out a countywide strategy for managing the risks of local flooding. The aims of the local strategy are:

- to coordinate the work of the management authorities to improve the understanding of these risks;
- to ensure that we work together to provide effective solutions to the problems where we can; and,
- to improve the public's understanding of the risks in Kent and how everyone can play a part in reducing them.

This local strategy will help to ensure that Kent County Council (KCC), the Environment Agency, local authorities, water companies, internal drainage boards and other partners work together to help protect the people and economy of Kent from flooding, whilst ensuring all other relevant considerations are taken into account.

These are the objectives of the Local Strategy.

1. Improving the understanding of the risks of flooding from surface runoff, groundwater and ordinary watercourses in Kent.
2. Reducing the risk of flooding for people and businesses in Kent.
3. Ensuring that development in Kent takes account of flood risk issues and plans to effectively manage any impacts.
4. Providing clear information and guidance on the role of the public sector, private sector and individuals in flood risk management in Kent, how those roles will be delivered and how authorities will work together to manage flood risk.
5. Ensuring that emergency plans and responses to flood incidents in Kent are effective, and that communities understand the risks and their role in an emergency.

The local strategy includes a summary of the actions that KCC and the risk management authorities in Kent will be undertaking over the next year and beyond to deliver the objectives of the local strategy. The action plan contains a range of different actions that include:

- broad scale strategic policies that are required to provide better management and/or coordination of flood risk information in the county;
- more geographically specific actions such as a surface water management plan in one of the policy areas to provide more information; or
- very localised actions that will provide a specific scheme to manage flood risk.

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1 INTRODUCTION

This strategy sets out a countywide framework for managing the risk of local flooding. It will help risk management authorities and communities understand their different roles and responsibilities and how they can work together to mange local flooding. It addresses local flooding which the Flood and Water Management Act 2010 defines as flooding from:

- **Surface water,**
- **Groundwater,**
- **Ordinary Watercourses.**

Many authorities have a role to play in the management of these flood risks in Kent. They include Kent County Council (KCC), the Environment Agency, District and Borough Councils, Internal Drainage Boards and Water Companies.

The flooding from these sources is generally more localised than flooding from rivers and the sea, but cooperation and integrated planning is required from these agencies to understand where the risks are and to manage it effectively.

The aim of the local strategy

The aims of the local strategy are:

- to coordinate the work of the management authorities to improve the understanding of local flood risks;
- to ensure that we work together to provide effective solutions to local flood risks where we can; and,
- to improve the public's understanding of local flood risks in Kent and how everyone can play a part in reducing them.

1.1 Why has a local strategy been produced?

The Flood and Water Management Act 2010 (the Act) makes county and unitary authorities lead local flood authorities with a strategic overview role for local flooding in their area. A Local Flood Risk Management Strategy is a requirement for all lead local flood authorities to set out how local flood risks will be managed in the county, who will deliver them and how they will be funded.

The Act also gives the Environment Agency a national strategic overview role for flood risk management. The Environment Agency has produced a National Strategy for Flooding and Coastal Erosion Risk Management (the National Strategy) as part of their national strategic role.

The Local Strategy must be consistent with the National Strategy, which sets out how all flood risks and coastal erosion will be managed in England. The national Strategy can be found here: https://publications.environment-

agency.gov.uk/skeleton/publications/SearchResults.aspx?name=GEHO0711BTZE-E-E

The local strategy has been produced by KCC through consultation with the Flood Risk Management Committee, which is a committee of KCC and district, borough and Internal Drainage Board members, and the Kent Flood Partnership, which is a partnership of all the risk management authorities in Kent (more details are provided in Section 3.2.2).

1.2 What is local flood risk management?

Managing local flood risk involves:

- knowing where flooding may occur and what circumstances may cause such flooding,
- taking reasonable steps to reduce the likelihood of this flooding happening and
- adapting to the risks and acting to reduce the risk to life, damage and disruption caused by flooding.

Local flooding is difficult to predict as it can be caused by storms that are currently hard to forecast or blockages and poor maintenance. Local flood risk management must rely on adaptation and preparedness in advance of an event rather than mobilisation prior to flood events.

Examples of the features that can be used to reduce the likelihood of local floods include: green infrastructure, landscaped features that hold or direct water away from properties, and sustainable drainage systems (SuDS). A number of features may be used together to manage the risk in a particular area, working in combination within a risk management system.

Examples of the steps that may be taken to reduce the damage and disruption when floods do happen include: controlling inappropriate development to avoid increasing risk; adapting buildings to minimise damage and making sure that a proper emergency response plan is in place and can be operated when needed as set out in the Local Multi-Agency Flood Plans.

Other steps that may be taken to manage risk include:

- transferring risk to other areas where the consequences are low, for example by allowing land to flood and containing floodwater to prevent flooding elsewhere;
- tolerating a residual level of risk, for example by accepting that a flood may cause some disruption that is prepared for or is dealt with when it occurs.

The local strategy will set out a framework for managing local flood risks in Kent, which will involve the following steps:

- investigating the areas at risk of local flooding in Kent,
- prioritising which of these areas needs further investigation to develop flood risk management solutions and

- prioritising which flood risk management solutions need to be invested in.

1.3 What does the local strategy cover?

The local strategy provides a framework for delivering local flood risk management in Kent. The relationship of the local strategy to other flood plans and strategic planning documents produced locally, regionally and nationally is shown in Diagram 1, along with the authorities responsible for producing them. The local strategy is informed by regional and national flood strategies, including the national strategy, catchment flood management plans and shoreline management plans. In turn the local strategy will inform the delivery of flood risk management in Kent and local planning policies.

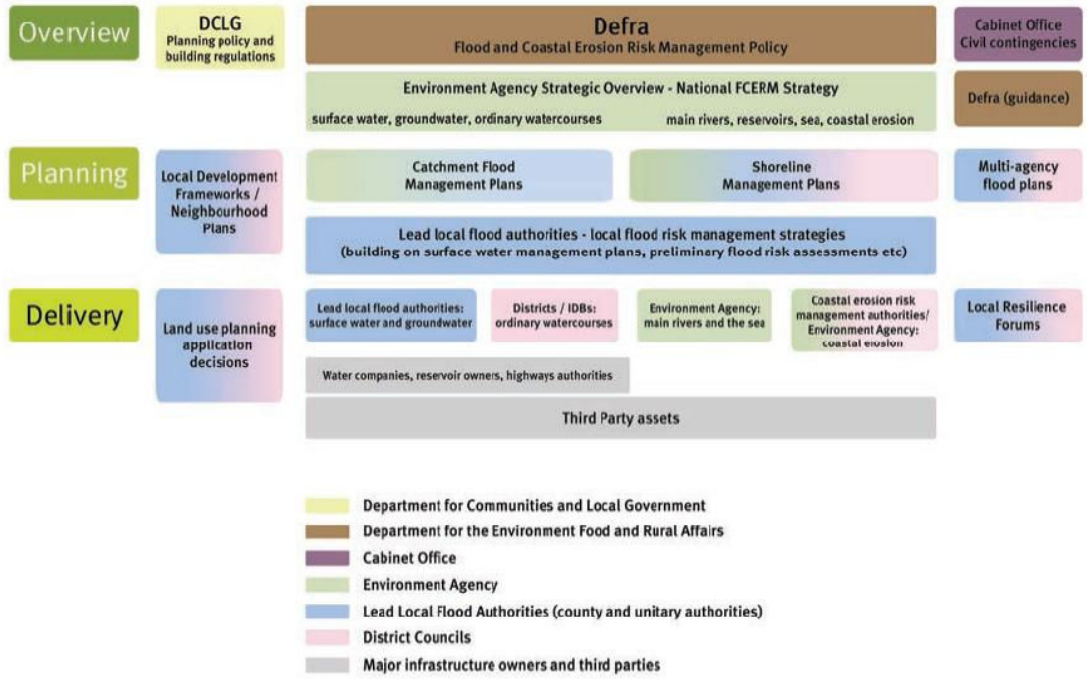

Diagram 1 Flood risk management overview

Given the large area of Kent the local strategy cannot specify what individual local flood risks are and what measures will be employed to manage them in each local area. The strategy will set objectives for local flood risk management in the county to achieve the aims. Specific local actions to manage local flooding will be delivered and managed through surface water management plans, which are assessments of local flood risks in a defined area. The local strategy uses the information gathered from surface water management plans to prioritise further work.

The local strategy is not a strategy for all flooding in Kent, only for local flooding. The Environment Agency prepares the strategies for river flooding, called catchment flood management plans. The Environment Agency and coastal districts and boroughs coordinate to prepare strategies for coastal flooding and coastal erosion, called shoreline management plans. More detail about these other plans and strategies can be found in Section 2.

These other flood risks can have an effect on local flooding and in such cases the local strategy will be relevant. Additionally, the strategy sets out some broad policies about information sharing, cooperation and sustainable development that apply to all risk management authorities in Kent irrespective of what flood risks they manage.

This local strategy will be of interest to all the flood risk management authorities that operate in Kent. The geographical areas that these organisations cover in Kent is shown in Figure 1, their main functions are set out in Section 3.

It will also be relevant to organisations with flood risk management roles, for instance Town and Parish Councils, Natural England, the National Farmers Union communities and businesses at risk of flooding and the general public.

1.4 How long will the local strategy be relevant?

As a lead local flood authority KCC must always have a local strategy, and it should be monitored and reviewed regularly to ensure that the objectives are being delivered and they are still relevant.

This is the first local strategy that KCC has produced since the Flood and Water Management Act 2010 and since being made a lead local flood authority. As such there are a number of new roles that have to be undertaken in order for KCC to meet its new legislative requirements, which are set out in Section 5, that are important for the strategic delivery of local flood risk management. Therefore, this first local strategy will be reviewed in three years time to assess the establishment of this new role. Future local strategies will have longer review periods, according to the measures identified in each.

The flood risk management actions identified to be delivered will be reviewed annually and new actions that have been identified will be added to the action plan. In this way newly identified actions can be delivered according their relative priority, without having to wait until the next version of the local strategy. This is set out in Section 9.

2 FLOOD RISKS IN KENT

Kent suffers from all forms of flooding, many to a significant degree. This section describes the various forms of flooding that are experienced in Kent, and provides pointers to further information about these risks and how they are being managed by the relevant risk management authorities.

Whilst the responsibilities for flooding are divided between different risk management authorities, it is important to understand that there is interaction between the different systems within a catchment that can lead to flooding. A rainstorm may bring rainfall to a catchment, the rain will soak into the soil and eventually may replenish groundwater. If the soil is saturated or the land is covered by impermeable surfaces, it will flow to local watercourses through land drains or sewers. The local watercourses will flow to the rivers, collecting rain from more drains and sewers on the way. The river will flow toward the sea, collecting water from more local watercourses on the way or from groundwater if the water table is high enough. A diagram of a catchment is shown in Diagram 2.

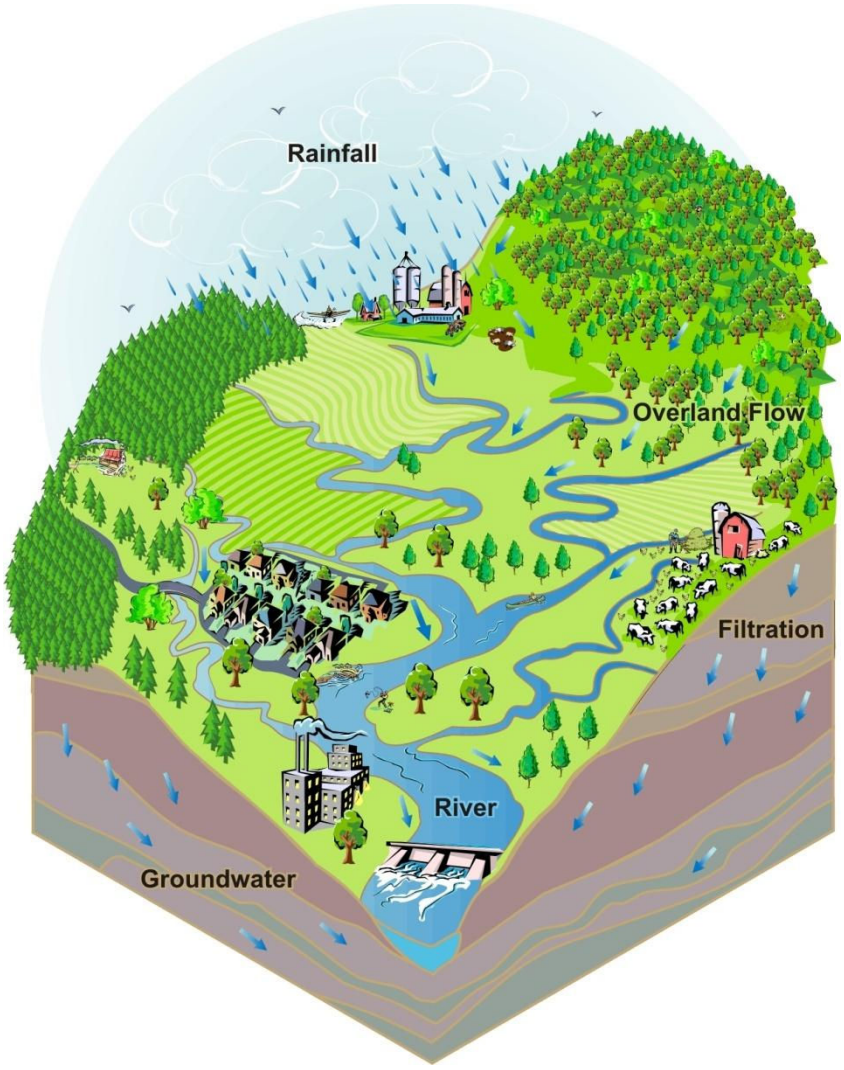

Diagram 2 Rainfall in a catchment (US EPA)

A flood could occur at any point in this system. If the amount of water collected by this system exceeds the capacity of the system at any point, flooding will occur at that point. This could be caused by extremely heavy rainfall that creates a flow of water greater than the capacity of the system at that point or because the system is blocked, which reduces the capacity of the system. If the area of impermeable surfacing increases, for instance through new development, the land will not be able to absorb as much rain, more rainfall will runoff and more flow will be created, which may cause flooding there or downstream. The way in which the land and drainage assets in this system are managed and maintained is important for flood risk management.

Different risk management authorities have powers and duties for the various forms for flooding that can occur. The different types of flooding are described below along with the appropriate risk management authorities. Due to the interaction of different forms of flooding, the solution to many flooding problems may be very complex and involve many forms of flooding and several risk management authorities.

2.1 Current flood risks

The Preliminary Flood Risk Assessment that Kent undertook in September 2011 found that surface water flooding is estimated to affect 76,000 properties in Kent, of which approximately 60,000 are residential properties. This makes Kent the most at risk Lead Local Flood Risk Authority in England from local flooding. The Preliminary Flood Risk Assessment is discussed in Section 2.1.3.

The Environment Agency produces maps of river and coastal that can be used to estimate risk. As these forms of flooding tend to interact, as high tides influence flood levels on rivers and high river flows influence water levels in tidal areas, there is no way to accurately separate these risks. Kent is currently estimated to have approximately 64,000 properties at risk of river and coastal flooding, of which approximately 46,000 are residential properties (some of these properties will also be at risk of surface water flooding, this number should not be added to the surface water figure to give a total).

Accurate information for the whole of Kent is not available for other forms of flooding so the risks from these cannot be quantified.

2.1.1 River flooding

River flooding (sometimes known as fluvial flooding) is caused when rivers do not have enough capacity in their natural channel to contain the water flowing in them. Periods of heavy rainfall can cause river levels to increase and rivers can overtop and flood low-lying areas around them. River flooding can also occur if a river gets blocked by obstructions such as fallen trees or rubbish which reduce the capacity of the river.

Rivers are divided into two categories: main rivers and ordinary watercourses. The Environment Agency permissive powers to manage flood risk from main rivers, which are rivers that can cause significant disruption if they flood and need special management to reduce the risks of flooding. Main rivers are identified on the Environment Agency Flood Map, which is available on their

website: www.environment-agency.gov.uk. Ordinary watercourses are discussed in Section 2.1.5.

The management of flood risk from main rivers is set out in Catchment Flood Management Plans produced by the Environment Agency. These plans give an overview of the flood risk in each river catchment and recommend high-level policies for managing those risks now and over the next 50-100 years.

There are four Catchment Flood Management Plans in Kent:

- North Kent Rivers
- River Medway
- Rother and Romney
- River Stour

The plans provide a long term policy framework, for managing the risk of flooding from main rivers in Kent. They do not determine how that policy will be delivered, the delivery mechanism is determined by specific flood management strategies. They also provide background information on local flood risks.

This local strategy does not include any specific measures to manage flooding from main rivers. However, there are impacts of main river flooding on local forms of flooding and these will be addressed by the local strategy.

2.1.2 Coastal flooding and erosion

Coastal flooding is caused by extreme weather conditions combined with high tides that can cause sea levels to rise forcing sea water onto the land. High tides and increased sea levels can also impede rivers and drains that flow into the sea, which can cause inland flooding. Coastal processes, tides and waves, can also cause coastal erosion, where the shoreline is worn away causing a loss of land and threatening properties. The Environment Agency manages flood risk from the sea. District and borough councils are responsible for managing coastal erosion, which is overseen by the Environment Agency. Coastal flooding and erosion management is coordinated through coastal groups.

The management of coastal flooding and coastal erosion risks is set out in Shoreline Management Plans produced by the Environment Agency and coastal districts working in partnership in the coastal group. There are four Shoreline Management Plans that cover the coastline of Kent:

- Medway Estuary and Swale
- Isle of Grain to South Foreland
- South Foreland to Beachy Head
- Thames Estuary 2100

The purpose of these plans is to provide a large-scale assessment of the risks associated with coastal processes and a policy framework to reduce these risks, both to people and the environment, in a sustainable way over the next

100 years. Whilst the Shoreline Management Plan provides a long term policy framework, it does not determine how that policy will be delivered. A coastal strategy is developed from a strategic assessment that presents the defence options for a specific management unit of the coastline.

This local strategy does not include any specific measures to manage flooding from the coast. However, there are impacts of coastal flooding on local forms of flooding and these will be addressed by the local strategy.

2.1.3 Surface water

Surface water flooding occurs when heavy rainfall exceeds the capacity of the ground and local drainage network to absorb it. This can lead to water flowing across the ground and ponding in low-lying areas, which may be a long way downstream and it may not be obvious that one area is contributing to flooding elsewhere. This sort of flooding is typically caused by short intense rainfall events.

KCC published the Preliminary Flood Risk Assessment in September 2011 which used surface water mapping data provided by the Environment Agency to assess the risks in Kent and where further investigations should be prioritised. The areas affected by surface water, according to the surface water mapping available, are shown in Figure 2.

The Preliminary Flood Risk Assessment also found that the data currently available to assess surface water flood risk, including the data used in Figure 2, is not always consistent with other data and may overestimate the risk of flooding from this source.

In order to improve our understanding of surface water flood risks (and other local sources of flooding) surface water management plans have been undertaken into areas identified as high risk in the Preliminary Flood Risk Assessment. Surface water management plans are studies into the local flood risks of an area which tell us what risks the area faces and provides a plan for managing any significant risks. The areas covered by surface water management plans are regularly being updated, they can be found on our website:
http://www.kent.gov.uk/environment_and_planning/flooding/how_we_manage_flood_risk/surface_water_management.aspx

This local strategy will identify areas where further surface water management plans are needed and how the risks that are identified will be managed.

2.1.4 Groundwater

Groundwater flooding occurs as a result of water rising up from the underlying aquifer or from water flowing from springs. This tends to occur after long periods of sustained high rainfall, and the areas at most risk are often low-lying where the water table is more likely to be at a shallow depth. Groundwater flooding is known to occur in areas underlain by major aquifers, although it is also being associated with more localised floodplain sands and gravels.

Groundwater flooding is very complex and is poorly understood. It is very difficult to assess the location, likelihood and volume of groundwater flooding. Consequently it is difficult to quantify the risk of groundwater flooding to Kent. The presence of major aquifers in Kent, the chalk of the North Downs and the sandstone of the High Weald, mean that there is a risk of groundwater flooding in some parts of Kent.

Due to the complexities and uncertainties of predicting and mapping groundwater flooding it is not proposed to actively improve our understanding of this form of flooding through this strategy. Our resources are better used to monitor events and build a picture of groundwater flooding prone areas and promote resistance and resilience measures in these areas. This will be reviewed in the next local strategy.

2.1.5 Ordinary watercourses

Ordinary watercourses are small watercourses that are not designated as main rivers (see Section 2.1.1). The powers to manage ordinary watercourses lie either with District or Borough councils or with Internal Drainage Boards where they operate. Enforcement powers for ordinary watercourses lie either with the lead local flood authority or with Internal Drainage Boards where they operate.

The flooding mechanism for ordinary watercourses is similar to flooding from rivers, but the small nature of these watercourses means that the flooding is often on a local scale. However, Internal Drainage Boards often cover areas with a high concentration of ordinary watercourses where drainage is difficult and one rainfall event can cause flooding on several ordinary watercourses simultaneously in such areas. Ordinary watercourse flooding is also often affected by water levels in nearby main rivers that the ordinary watercourses would otherwise discharge into.

Ordinary watercourses are generally low risk systems that do not pose a flood risk on the same scale as main rivers, however they still pose a local flood risk. There is not very much data about the risk of flooding from ordinary watercourses and as such it is not possible to quantify the risk for the whole of Kent. Due to the small nature of ordinary watercourses and the sometimes complex drainage mechanisms they may have (such as sluice gates, weirs and pumps), the risk can be expensive to assess.

The local strategy will identify where ordinary watercourse flooding may be a risk that needs further investigation and how this will be prioritised.

2.1.6 Sewer flooding

Sewer flooding is caused when the volume of surface water entering the drainage network that exceeds the capacity of the sewer network. The nature of the sewer network means that the flooding may occur away from the source of the surface water. This type of flooding is particularly severe when a combined sewer floods as it causes effluent to be discharged that can have health and environmental consequences.

Sewer flooding is the responsibility of the sewerage undertaker. They have statutory responsibilities to address internal flooding to properties that are monitored by Ofwat.

2.2 Future flood risks

Flood risk in Kent will change in the future as a consequence of the changing environment. It is important that any flood risk management measures make allowances for future changes to ensure that they deliver long term protection.

Climate change is an obvious cause of flood risk change. Current projections predict more intense storms, which is the sort of rainfall that leads to local flooding. The latest UK climate projections (UKCP09) are that by the 2080s there could be around three times as many days in winter with heavy rainfall and it is plausible that the amount of rain in extreme storms could increase locally by 40%. We have recently experienced wet summers, which may be more common with climate change. These sorts of increases need to be taken account of when designing drains and flood management infrastructure.

Other changes also have a significant impact on flooding in the short to medium term. New development and the increasing density of our settlements could increase flooding as there may be fewer areas available to absorb rainfall and store flood water. These factors are particularly important for local flooding. Planning policies already require new development to manage runoff sustainably, however, this does not mitigate all the effects of new development on runoff and they do not necessarily apply to permitted developments, which can increase the density of existing urban areas and increase the burden on local drainage infrastructure.

Ensuring that local flooding and future changes are considered in planning policies, development design and understood by landowners as they improve their property is essential to help manage local flooding.

3 FLOOD RISK MANAGEMENT ROLES IN KENT

The management of flood risk is shared by many different risk management authorities in Kent, each with different responsibilities, powers and duties. In order to adequately address the issues of flood risk management in times of austerity and where we face pressures from an increasing population and climate change, it is essential that we work together, coordinating activities and pooling resources.

This section explains who the main risk management authorities and partners in Kent are and summarises the functions they may exercise. It also gives an overview of partnerships that some or all risk management authorities are involved in to work together to deliver flood risk management functions. The areas that these organisations cover in Kent are shown in Figure 1.

3.1 Risk management authorities

Flood risk management authorities are defined by the Flood and Water Management Act 2010 as they have responsibilities for flood risk management. These authorities are required to act in accordance with this local strategy when undertaking activities that affect local flood risk management and the National Strategy when undertaking activities that affect all forms of flooding. The risk management authorities in Kent are described below, a fuller description is given in Annex A.

3.1.1 Kent County Council

Kent County Council is the lead local flood authority for Kent. The Flood and water management Act 2010 gives lead local flood authorities powers and duties for the strategic overview of local flooding and for some flood risk management functions. These include:

- A duty to investigate flooding;
- A duty to maintain a register of significant structures and features;
- Powers to regulate ordinary watercourses; and
- A role to promote sustainable drainage.

How these powers and duties are exercised and other functions we consider important to deliver our role as lead local flood authority are set out in Section 5.

As a highways authority, KCC has lead responsibility for providing and managing highway drainage under the Highways Act 1980.

KCC is a Category 1 Responder under the Civil Contingencies Act 2004 and is responsible for the preparation of contingency plans that detail how all emergency responders will respond to a disaster or major incident in Kent, including flooding. As part of this role, KCC coordinates the preparation of Multi-agency Flood Plans for each district and borough in Kent, which provide details of how to manage flooding incidents.

KCC is the planning authority for minerals and waste and for schools, roads, libraries and other developments that KCC is promoting. KCC has a duty to ensure that flood risk is taken account of in planning these. KCC also has responsibilities for some aspects of social services, education and health care provision. The impact of flooding should be considered in designing these services and opportunities to lessen the impacts.

3.1.2 District and borough councils

District and borough councils have responsibility as a local planning authority and for public open space. They have powers to adopt and maintain ordinary watercourses within their district.

Districts may also have responsibility for coastal erosion risk management if they have a coastline. As a coastal authority they have a responsibility for planning coastal erosion risk management schemes and contributing to Shoreline Management Plans.

Kent has 12 district and borough councils:

- Ashford Borough Council,
- Canterbury City Council,
- Dartford Borough Council,
- Dover District Council,
- Gravesham Borough Council,
- Maidstone Borough Council,
- Sevenoaks District Council,
- Shepway District Council,
- Swale Borough Council,
- Thanet District Council,
- Tonbridge and Malling Borough Council,
- Tunbridge Wells Borough Council.

3.1.3 As a unitary authority Medway Council are also a lead local flood authority and are responsible for preparing a local strategy for the Medway Council area.Environment Agency

The Environment Agency has a responsibility for main river and coastal flooding. It manages the assets on these waterbodies that reduce the risk of flooding. Its functions include bringing forward flood defence schemes, and it will work with lead local flood authorities and local communities to shape schemes which respond to local priorities.

The Environment Agency provides flood warnings for fluvial and coastal flooding and responds to flood incidents from main rivers and coastal flooding.

It is also a statutory consultee for the flood risk implications of planning applications and is the regulatory authority for reservoirs.

3.1.4 Internal Drainage Boards

Internal Drainage Boards are independent local public bodies, with members appointed by District Councils and elected by land drainage ratepayers. Internal Drainage Boards have permissive powers to undertake works within their drainage districts, which are areas of special drainage need and high flood risk.

Within their districts, Internal Drainage Boards carry out a number of functions, including the routine maintenance of adopted ordinary watercourses, management of water levels by the maintenance and operation of structures, the consenting of in-channel works, the enforcement of the free flow of watercourses, and providing advice on planning applications. These activities are carried out in order to reduce the risk of local flooding, to provide appropriate land drainage and to protect and enhance local biodiversity. There are four independent internal drainage boards in Kent:

- Lower Medway Internal Drainage Board,
- Upper Medway Internal Drainage Board,
- River Stour (Kent) Internal Drainage Board, and
- Romney Marshes Area Internal Drainage Board.

There are also two internal drainage districts that are managed by the Environment Agency:

- East of Gravesend Internal Drainage Board, and
- West of Gravesend Internal Drainage Board.

3.1.5 Sewerage Undertakers

Sewerage Undertakers (but not water supply companies) are responsible for the public sewer system and as such are responsible for managing the risks of flooding from surface water, foul or combined sewer systems. There are two such risk management authorities in Kent:

- Southern Water, and
- Thames Water.

3.2 Partners

These groups and organisations are not designated as risk management authorities in Kent, although they still have a role to play in the management of flood risk. Some of these functions are duties, for instance the maintenance of assets, or they may perform functions that help to manage flood risks.

3.2.1 Parish councils

Parish councils are involved in managing local issues that may include local flooding problems. They can be a source of local information about flood risks and know which areas are prone to flooding, particularly local flooding incidents that may not be recorded by other authorities.

Parish councils also have a consultation role in local planning applications and can influence how local developments are delivered.

3.2.2 Private individuals and land owners

Private property maybe in areas at risk of flooding or it may include flood defences or watercourses, which the owner may have a responsibility for maintaining. Members of the public have a responsibility to make themselves aware of flood risks they may face and to protect themselves from flooding and undertake any maintenance that maybe required.

Landowners should also be aware of their potential impact on flooding when undertaking works of their own as construction in the floodplain or a watercourse may increase flood risk. Paving of areas that were previously permeable may increase runoff and lead to local drainage problems or altering a ditch or watercourse near their land may impair its ability to drain effectively. Planning permission or land drainage consent may be required for works.

Large areas of Kent are farmed, the management of agricultural land has a significant impact on the runoff from rain storm events. It is important that farmers understand how agricultural practice can affect flooding and waterbodies downstream.

Information for owners of land adjoining a watercourse can be found in the Environment Agency's guide Living on the Edge.

3.2.3 Neighbouring lead local flood authorities

3.3 Kent borders with other lead local flood authorities. Medway Council, the London Borough of Bexley, the London Borough of Bromley, Surrey County Council, and East Sussex County Council are all lead local flood authorities that share a border with Kent. Along these borders flood risks may arise from land that is in another authority. KCC will work with these authorities to coordinate flood risk management across our borders.

Partnership working groups

There are a number of partnerships in Kent and the Southeast where risk management authorities and other agencies work together to deliver risk management functions.

3.3.1 Kent Flood Risk Management Committee

The Flood Risk Management Committee was established by KCC in 2009 following a recommendation of the KCC flooding select committee into the floods of 2009. Since the Flood and Water Management Act 2010 has been passed the committee has expanded to include members form the districts and boroughs and the Internal Drainage Boards of Kent. This provides a broad overview and countywide perspective of risk management as the county delivers its requirements under the Act.

The committee provides a forum for the members to understand the flood risks in Kent, discuss the implications of the Act, and communicate the issues to a local level. The committee also performs the role of scrutiny body for flood risk management in Kent, as required under the Act.

3.3.2 Kent Flood Partnership

The Kent Flood Partnership was established in 2010 following the passing of the Act to provide a forum for officers from risk management authorities to discuss the delivery of flood risk management in Kent. The officers represent all of the authorities in Kent with risk management functions: the district and borough councils (3 members), the Internal Drainage Boards (1 member), the Environment Agency (1 member), the Sewerage Undertakers (1 member) and KCC (3 members, from Flood Risk Management, Emergency Planning and Highways and Transportation, and 1 chairman).

The partnership discusses the operational aspects of delivering flood risk management in Kent, the implementation of the Act and how authorities can work together to tackle the challenges of flood risk in Kent.

3.3.3 Kent Resilience Forum

The Kent Resilience Forum was established in 2004 in response to the Civil Contingencies Act 2004 and is aligned to the local police district. The aim of the Forum is to ensure that relevant agencies and organisations plan and work together to ensure a co-ordinated response to emergencies that could have a significant impact on communities in Kent.

Kent Resilience Forum partners maintain a suite of generic and incident-specific emergency plans and undertake regular training and exercising to ensure effective emergency responses. A 24 hour 7 day a week 365 day a year response capability is maintained across the emergency responders operating in Kent for all emergencies, including flooding. One of the key aims of the forum is to engender greater community resilience through initiatives such as flood response emergency planning across the County, which the forum delivers through workshops and regular liaison with local communities.

3.3.4 Regional Flood and Coastal Committee

Regional Flood and Coastal Committees are committees approve the work of the Environment Agency in their region, it is also a forum to share the work and progress of the Environment Agency in the region with local partners and ensure that local needs are met by the Environment Agency. All lead local flood authorities in the region have representation on the committee, which is proportionate to the number of Band D properties in their district. The committees

Kent is in the Southern Region Regional Flood and Coastal Committee, which stretches along the south coast from Hampshire to Kent. KCC has three members on the Regional Flood and Coastal Committee, from a total membership of 14. There are also eight technical appointees on the committee, who do not have voting rights. KCC three Regional Flood and

Coastal Committee members also sit on the KCC Flood Risk Management Committee.

The committee is also responsible for administering the local levy, which is a fund paid into by each authority in the region according to the number of Band D properties in the authority. The local levy is described in Section 7.3.

3.3.5 Southeast Coastal Group

The South East Coastal Group is the Regional Coastal Group for South East England, it was formed in 2008 when the South Downs Coastal Group combined with the South East Coastal Group to create an expanded South East Coastal Group.

The group brings together coastal managers and planners from coastal local authorities, the Environment Agency and other maritime operating organisations to deliver co-ordinated strategic management of the shoreline between the Isle of Grain and Selsey Bill. The South East Coastal Group coordinates the preparation of the shoreline management plans for this stretch of coast.

4 LOCAL FLOOD RISK MANAGEMENT OBJECTIVES

The risks of local flooding in Kent are significant, many are not well understood and there are many risk management authorities to manage them. It is important to have clear objectives to manage local flooding in order that the risks can be understood, they can be managed in a coordinated way and it is clear who is responsible. This will ensure that the available resources are directed towards the most effective solutions and we can prevent flood risk from being exacerbated.

This section sets out the local flood risk management objectives and explains the supporting principles from relevant documents that help to shape them

4.1 Objectives

The following objectives have been developed for the local strategy. They have been developed to be consistent with the National Flood and Coastal Erosion Risk Management strategy and the Vision for Kent, discussed in Section 4.2, and to address the needs of local flood risk in Kent.

All risk management authorities are required by the Flood and Water Management Act to work together to help to deliver these, how this will be achieved in set out in Section 6. The proposed actions that emerge from these objectives are set out in Section 9.

1. **Improving the understanding of the risks of flooding from surface runoff, groundwater and ordinary watercourses in Kent.**

In order to plan for and mitigate local flooding information needs to be gathered to assess the risks, which can then be used by the risk management authorities to identify the areas most at risk, to target responses and investigate what options may be available to manage them.

The information currently available about local flooding is inconsistent, scant and sometimes unreliable. Data on historic local flooding may not be available in some parts of the county, or is only available for some not all local flooding risks (for instance ordinary watercourse data is available but not surface water flooding). There is very little data about predicted risk of local flooding from models.

This reflects the focus on the more life threatening flood risk from rivers and the sea that have been the focus of flood risk management in the past two decades and of the fragmented responsibilities for local flooding amongst several risk management authorities.

In order to be able to make robust plans for local flood risks and allocate flood risk management resources effectively better data needs to be gathered about the history of flooding and the predicted risks that is consistent, reliable and available to all risk management authorities.

2. **Reducing the risk of flooding on people and businesses in Kent.**

Flooding causes damage, disruption, uncertainty and loss of business. The ultimate objective of flood risk management should be to reduce the risk of flooding wherever possible.

This does not always mean constructing formal flood defence schemes. Maintenance of existing assets can be a very cost effective way to mange flood risk. Where an enhancement is required the most sustainable ways to manage flood risks may be a simple intervention that achieves a significant reduction in the likelihood or consequences of a flood, but may not remove the risk altogether.

Coordinating maintenance and flood risk management activities between risk management authorities within catchments, along with a shared understanding of the levels of risk each authority attributes to the catchment or sub-catchment, is important to ensure that flood risk is being managed in a holistic and cost-effective way.

Flood risk management should focus on the highest risk areas, be cost-effective, sensitive of the needs of the local community and seek multiple benefits. However, simple cost-effective solutions to lower risk flooding problems should also be considered. Local communities should be involved in the development of flood mitigation actions and encouraged to help fund them.

3. **Ensuring that development in Kent takes account of flood risk issues and plans to effectively manage any impacts.**

The best way to prevent flood risk from increasing is to build new developments in a flood sensitive way, which includes avoiding areas of existing flood risk where possible and managing runoff sustainably.

Development in areas at risk of flooding cannot always be avoided, especially as many towns and cities in Kent are at risk of flooding and it is appropriate to develop and regenerate these areas. Such development should be justified and sensitive to the risk of flooding as required by planning policy.

Sustainable development helps to provide homes and communities that are pleasant places to where flood risk is well managed and enhance the surrounding communities and environments.

4. **Providing clear information and guidance on the role of the public sector, private sector and individuals in flood risk management in Kent and how those roles will be delivered and how authorities will work together to manage flood risk.**

Given the number of authorities that exercise flood risk management functions and recent changes to these it is important that clear, effective information is provided about how, when and where risk management functions will be exercised. This will help to improve the awareness of public that risk management functions are being undertaken and will help to identify opportunities to coordinate risk management functions.

The need for this was identified in the Pitt Review 2007, which states:

> *"we firmly believe that the public interest is best served by closer cooperation and a presumption that information will be shared. We must be open, honest and direct about risk, including with the public. We must move from a culture of 'need to know' to one of 'need to share'"*.

Sharing information and cooperation go hand-in-hand, only by knowing what roles and how we plan to deliver them can we work effectively together.

Everybody has a role to play in managing flood risk, by understanding our roles and how each of us will deliver them we can work together to effectively manage the risks.

5. **Ensuring that emergency plans and responses to flood incidents in Kent are effective and that communities understand the risks and their role in an emergency.**

Flooding cannot be prevented entirely. It is important to recognise and plan for eventualities that cannot be mitigated. Even with the collation of data and mapping of flood risk some risks are too expensive or technically unfeasible to remove the flood risk entirely. Even in cases where the flood risk can be managed there will remain a residual risk that the mitigation measure may fail. In all these cases the flood risks that remain must be managed through appropriate emergency responses.

These responses should use the best available information and be clear about what has to be done to respond to an emergency for all stakeholders, including the public.

4.2 Supporting documents

The following documents set out guiding principles that have been used to develop the objectives for this strategy and determine how they will be delivered.

4.2.1 Vision for Kent

The Vision for Kent sets out three Countywide Ambitions that will guide the direction of public services in Kent for the next ten years, these will also be ambitions of the local strategy. The three ambitions are shown below along with an explanation of how the local strategy can help to achieve them.

<u>To grow the economy</u>

Flooding causes disruption, damage and uncertainty. It can impact business and recovery from flooding has an impact on the economy. Even local flooding, which may not flood properties, can effect transport infrastructure and close roads impacting on the local economy. Reducing local flooding through this strategy can reduce this impact.

<u>To put the citizen in control</u>

Flooding affects the citizens of Kent, who can often feel powerless to prevent it. Providing a clear plan for flooding risk management, identifying the bodies responsible for flood risk management and telling them how they can protect

themselves can help citizens to understand what is happening in their community to manage flooding and how to identify who can help them tackle flooding issues. Giving the communities of Kent the opportunity to contribute to flood risk management schemes will allow them to have a say in how they are undertaken.

To tackle disadvantage

Flooding causes disadvantage and disproportionately effects disadvantaged areas. Reducing flood risk and prioritising flood management in disadvantaged areas will help people in Kent to feel optimistic and secure about their communities and futures.

4.2.2 National Strategy

The National Strategy sets out six guiding principles. These are also used as the guiding principles of the local strategy in Kent to ensure consistency between the two. These guiding principles provide guidance on how flood risk management should be delivered to ensure that all aspects of schemes are considered. As such they influence the objectives and also how the objectives will be delivered, which is considered primarily in Sections 5, 6 and 8.

The six guiding principles are:

Community focus and partnership working

Risk management authorities need to engage with communities to help them understand the risks, and encourage them to have direct involvement in decision-making and risk management actions. Working in partnership to develop and implement local strategies will enable better sharing of information and expertise, and the identification of efficiencies in managing risk.

A catchment and coastal “cell” based approach

In understanding and managing risk, it is essential to consider the impacts on other parts of the catchment or coast. Activities must seek to avoid passing risk on to others within the catchment or along the coast without prior agreement.

Sustainability

We should aim to support communities by managing risks in ways that take account of all impacts of flooding (for instance on people, properties, cultural heritage, infrastructure and the local economy) and the whole-life costs of investment in risk management. Where possible, opportunities should be taken to enhance the environment and work with natural processes. Risk management measures should also be forward looking, taking account of potential risks that may arise in the future and being adaptable to climate change. Government guidance has been developed to set out the link between sustainable development and risk management to support the implementation of the strategy, which can be found here: www.defra.gov.uk/publications/files/pb13640-sdg-guidance.pdf

Proportionate, risk-based approaches

It is not technically, economically or environmentally feasible to prevent all flooding and coastal erosion altogether. A risk-based management approach targets resources to those areas where they have greatest effect. All aspects of risk management, including the preparation and implementation of local strategies, should be carried out in a proportionate way that reflects the size and complexity of risk. The assessment of risk should identify where the highest risks are and therefore the priorities for taking action.

Multiple benefits

As well as reducing the risks to people and property flood risk management can bring significant economic, environmental and social benefits. In developing and implementing flood risk management plans we should help deliver broader benefits by working with natural processes where possible and seeking to provide environmental benefit as required by the Habitats, Birds and Water Framework Directive. Measures such as the use of SuDS to manage risk should be considered as they can also deliver benefits for amenity, recreation, pollution reduction and water quality.

Beneficiaries should be allowed and encouraged to invest in local risk management

The benefits achieved when flood and coastal erosion risks are managed can be both localised and private, through the protection of specific individuals, communities and businesses. In developing flood risk management plans opportunities to seek alternative sources of funding, rather than relying on Government funds, should be considered. This will enable more risk management activity to take place overall.

5 STRATEGIC OVERVIEW OF LOCAL FLOOD RISK MANAGEMENT

National policy for flood risk management is set by Defra. The strategy for the management of all sources of flooding is given by the National Strategy for Flooding and Coastal Erosion Risk Management (the National Strategy), which is prepared by the Environment Agency. The Environment Agency also has a strategic overview role for all forms of flooding and coastal erosion risk management.

As lead local flood authority Kent County Council has a strategic overview of the management of local flooding in Kent and is responsible for preparing this Local Flood Risk Management Strategy.

This section sets out how KCC will exercise the powers and duties that we have under the Flood and Water Management Act 2010 and how we will undertake risk management activities that will help to deliver the objectives of this strategy and perform the role of providing a strategic overview of local flooding.

5.1 Definition of significant flooding

The Flood and Water Management Act 2010 gives lead local flood authorities and other risk management authorities various duties where the risk of a flood is considered significant. The Flood and Water Management Act 2010 defines a flood as:

> *"any case where land not normally covered by water becomes covered by water."*

According to this definition a puddle could be considered a flood. In order to provide some consistency and clarity as to how and when these duties will be exercised KCC has developed a definition of a significant flood in consultation with other risk management authorities in Kent.

Position 1

A significant flood event in Kent is defined as one that causes:

- internal flooding to one or more properties;
- external flooding of five or more properties;
- flooding of roads, rail and other transport infrastructure to an extent that they become impassable by vehicles;
- flooding of or near locally important services or infrastructure, for example health centres and electricity substations, to an extent that they cannot function normally.

This definition will be kept under review and will be adapted as required in future versions of the local strategy.

5.2 Register and record of structures and features

KCC has a duty to maintain a register of features and structures that in the opinion of the authority are likely to have a significant effect on a local flood risks in its area. The register must be available to the public at reasonable times. The purpose of the register is to allow for quicker identification of the responsible authority in incidences of flooding and to identify who is responsible for maintenance of assets.

KCC also has a duty to maintain a record of structures and features that will contain the ownership details of the structures and features in the register. The record does not have to be made available to the public.

The sorts of structures and features that are likely to be included in the register include trash screens, weirs, sluice gates, manmade watercourses etc., which if they were to fail might cause flooding.

The responsibility for proposing structures for the register falls to the relevant risk management authority for the water feature that the structure is part of or for the flooding that the structure would prevent. For instance a reinforced watercourse bank would be proposed by the body responsible for the watercourse, which could be the local authority, Internal Drainage Board or the Environment Agency; a drainage ditch would be proposed by the either the local authority, Internal Drainage Board or the lead local flood authority.

Risk management authorities have the power to designate third party structures and features that in the opinion of the authority perform a flood defence role. Once designated these structures and features cannot be altered or removed without the permission of the designating authority. The owners of the structure or feature will be notified that it has been designated and will have the right to appeal. The designated features will also be listed on the register.

Each risk management authority may choose which structures and features it considers are significant. However, through consultation with the risk management authorities in Kent, we have developed the following guidelines:

Position 2

Features and structures that have a significant effect on local flood risk will be ones which, if compromised in any way, may contribute to a risk of a significant flood event, as defined in Section 5.1 of the Local Flood Risk Management Strategy for Kent.

5.3 Flood investigations

As lead local flood authority KCC has the power to undertake flood investigations into floods in Kent. The purpose of the investigation is to determine which risk management authorities have relevant flood risk management functions and whether those risk management authorities have exercised those functions in response to the flood. Having carried out an investigation KCC must publish the results and notify the relevant risk management authorities.

A flood investigation is only required when no risk management authority has exercised or is proposing to exercise its functions in respect of the flood. A flood investigation does not necessarily require a thorough investigation of the flood and its mechanisms, only the determination of the risk management authorities who have the relevant functions. However, we may choose to undertake a more detailed investigation into a flood incident in order to better deliver the objectives of this strategy, for instance to improve the understanding of flood risk.

KCC will undertake flood investigations in the following circumstances:

Position 3

Flood investigations will be undertaken where no other risk management authority is exercising or is proposing to exercise its functions in respect of the flood and where the flood is significant, as defined by Section 5.1 of the Local Flood Risk Management Strategy for Kent.

5.4 Regulation of ordinary watercourses

The Flood and Water Management Act 2010 has transferred existing powers to regulate the proper function of ordinary watercourses to KCC. These powers consist of two parts:

- The enforcement obligations to maintain flow in a watercourse and repair watercourses, bridges and other structures in a watercourse; and
- The power to give consent for structures in the watercourse and changes to the alignment of the watercourse.

These functions only relate to ordinary watercourses that are outside of Internal Drainage Districts. Within Internal Drainage Districts it is the responsibility of the Internal Drainage Board to exercise these powers. Similarly the Environment Agency is responsible for exercising these powers in relation to main rivers.

The enforcement powers have been transferred from local authorities and the consenting powers have been transferred from the Environment Agency.

These are permissive powers, not duties, KCC can choose to exercise them.

Position 4

KCC will provide resources to exercise its ordinary watercourse regulation powers.

Details of how to apply for consent for works is published on our website:

www.kent.gov.uk/land_drainage_consent

It is advised that anyone considering any works in or near a watercourse contact the relevant authority to discuss the need for consent. KCC also has powers to undertake enforcement of structures that are constructed in a watercourse but have not been given consent. KCC will consult with local risk

management authorities about consent applications that we receive or enforcement action we will take for works that do not have consent.

5.5 Recording flood incidents

In order to improve the data regarding flooding and help to understand which areas are at risk of local flooding, as part of delivering Objective 1 of this local strategy, KCC will maintain a record of local flood incidents in Kent.

Fluvial and coastal flooding events are generally well documented by the Environment Agency, however the records of local flood events is less consistent. This is partly due to the number of different authorities that have responsibility for aspects of local flooding and the difficultly sometimes in differentiating one type of local flood from another.

Position 5

KCC will develop a flood incident recording database and work with risk management authorities to determine the best ways to ensure that all authorities that receive notification of a flood incident can record it using this database.

It is not intended at this stage to develop a common reporting database (that is, a database to report an incident that requires a risk management response, rather than simply recording the incident as flood intelligence). This is due to the complexities in integrating different software platforms used by the various authorities. In future it may be possible for a common reporting database to be developed, this will be reviewed in future local strategies.

5.6 Drainage approval and adoption of SuDS

Sustainable Drainage Systems (SuDS) are a means of managing rainwater using and mimicking natural processes so that the volume and flow rate of water from developments is similar to natural land. SuDS can have a significant role in preventing local flooding by managing the amount of rainwater that is discharged. Additionally, they also provide water quality improvements, open space that can also be used as public amenity and they can provide wildlife habitat.

The Pitt review into the summer 2007 floods proposed that the government find a way to increase the use of SuDS as this key tool in managing local flooding was not being used as widely as it could. The lack of defined responsibility for adoption of SuDS was identified as a barrier to their development and implementation.

The Flood and Water Management Act 2010 proposes to give the responsibility for SuDS maintenance to lead local flood authorities. This responsibility includes the duty of approving all new drainage and ensuring the proposed drainage meets certain national standards. In exercising these duties, lead local flood authorities will be known as the drainage Approving Body (sometimes SuDS Approving Body or the SAB).

As of May 2013, the relevant parts of the Flood and Water Management Act 2010 have not yet been implemented and a commencement date has not been indicated. The government has consulted on the national standards and the secondary legislation that is required for Approving Bodies to exercise their duties. Until these are published it is not possible to anticipate what is expected or how KCC will deliver this role.

Position 6

In the interim KCC's position on SuDS is as follows:

- KCC will prepare for its role as the SAB for Kent by developing a protocol for approval and adoption to be implemented once its SAB role commences;
- After the government has published its response to the national standards consultation, KCC will publish local guidance on our SuDS requirements;
- KCC will provide advice in the interim for developments that are likely to be affected by these new requirements; and
- KCC promotes the adoption of sustainable drainage within the highway boundary.

Any local guidance that KCC offers will be in addition to and will not supersede or replace the national standards.

For the latest advice on drainage approval and SuDS in Kent can be found at: http://www.kent.gov.uk/environment_and_planning/flooding/how_we_manage_flood_risk/sustainable_drainage_systems.aspx

5.7 Local flood risk management plans

5.7.1 Local Flood Risk Management Policies

In order to set a direction for the management of local flood risks in Kent the county has been divided into the Local Flood Risk Policy Areas and a Local Flood Risk Management Policy has been assigned to each of these.

The policy areas are shown in Figure 3. These areas have been determined according to their potential for local flooding, as described in Annex B. The Local Flood Risk Management Policies and the Policy Areas have been developed as part of the Kent local strategy.

The local flood risk management policies are:

Local Flood Risk Management Policies

Policy 1 Areas with complex local flood problems

This policy will be applied to areas where we are aware of flood risk issues that are complex. These are the problems which are technically challenging to understand or where a number of different risk management authorities may be involved in their resolution. These areas will typically have local flood risks that affect large areas, for instance a town centre or suburb. An action plan of feasible options to manage the identified risks will be developed and delivered by the relevant risk management authorities

Policy 2 Areas with moderate local flood problems

This policy will be applied to areas where there are known local flood problems which need to be investigated but are relatively straight-forward. These areas will typically have local flood risks that affect localised areas, for instance one or two roads, that require more indepth assessment and interventions than have been used in the past. These areas may not need an in depth assessment of the risks and may be dealt with by ensuring the relevant risk management authorities work together effectively to investigate the problems although in some instances these may be necessary.

Policy 3 Areas with low local flood risk which are being managed effectively

This policy will be applied to areas where local flooding risks are currently not significant. That does not mean that these areas are not at risk of local flooding, but the risks can be managed by each risk management authority undertaking its duties effectively.

Figure 4 shows the policies that have been assigned to the policy areas These policies have been assigned to the policy areas based on available information. For some areas this is from previous studies that have been undertaken to collect data or assess the local flood risk, in other areas it based on available information. The information used is given in Annex B. As more information is gathered about the local flood risks in Kent the policy areas and the policies will be reviewed and adjusted as necessary.

Position 7a

KCC will undertake studies into the local flood risks in the Local Flood Risk Policy Areas as follows:

Policy 1 - The flood risks in these areas will be investigated by KCC as a priority.

Policy 2 - Opportunities will be identified to investigate and manage these issues over the medium term, three to five years, lead by the relevant risk management authority with support from KCC.

Policy 3 - Flooding in these areas will be monitored and problems will be dealt with reactively by the appropriate risk management authority.

5.7.2 Surface Water Management Plans

Where risks are identified further studies may need to be undertaken to determine the best way of managing these. These studies are known as surface water management plans (the name came before the publication of

the Flood and Water Management Act 2010, which defined local flooding. These plans include all local flood risk sources, not just surface water flooding).

Surface water management plans are studies into the local flood risks of an area which tell us what risks the area faces and provides an action plan for managing any significant risks. It is important to understand that undertaking a surface water management plan does not mean that there is necessarily a local flood risk problem in that area, only that we need further information in these areas in order to understand the risks.

Given the size of Kent, the large number of areas that are at risk of local flooding and the time it will take to deliver the surface water management plans, it is unrealistic to record local flood risk management actions in the local strategy.

Position 7b

Specific actions to manage local flood risk will be identified and planned through the surface water management plans.

In this way the actions that are identified can be targeted at the local area and specific to the needs of that local community rather than determined through a countywide strategy. The surface water management plans will allow more engagement with local partners and all relevant stakeholders can share in determining the local priorities and best options to resolve them.

The findings of the surface water management plans will be used to prioritise further investigations and, where appropriate, flood risk management schemes. How these schemes are prioritised is discussed in Section 5.8.

5.8 Local flood risk management measures

KCC will undertake the preliminary study of local flood risks in Kent, as outlined in Section 5.7, and gather data on flood risks reported to us and other risk management authorities as outlined in Section 6.1. This will identify where there are local flood risks that need to be managed. The type of flood risk management that is required in the areas identified as at risk will vary according to the specific flood risks, but they are likely to fall into one of two categories described below.

5.8.1 Schemes of national importance

These are likely to be large scale schemes that deliver flood risk management benefits of national significance and will be eligible for grant in aid (how grant in aid is allocated in discussed in Section 7.2).

The limited resources available to KCC and the cost of taking schemes through the planning development process mean that KCC is unable to fund schemes from initial identification all the way through to their delivery. Where there are viable schemes identified the appropriate risk management authority (which may be KCC, but could also be another authority) will need to apply for

grant aid to support the next stage of their development. KCC and the Environment Agency will assist with this application.

Position 8a

Beyond the preliminary study stage, KCC will promote projects that are likely to attract grant in aid funding. Where schemes will require partnership contributions, KCC will try to identify any potential sources of funding that may be available to deliver them. These schemes will be prioritised according to the flood risk and disadvantage in the area.

KCC may use the Defra grant to provide partnership contributions for schemes that require it, however this can only be done where funds are available from the flood risk management budget.

5.8.2 Schemes of local importance

These schemes are to manage flood risk that is more localised and require works that are small, therefore they may not be eligible for grant in aid these, but they are still locally important.

Position 8b

KCC will work with local communities and other risk management authorities to identify minor schemes and potential sources of funding for them.

Other sources of funding are discussed in Section 7. These schemes will be prioritised according to the flood risk, other factors that will be considered in prioritising schemes include:

- disadvantage in the area;
- additional funding opportunities are available;
- critical infrastructure at risk;
- simple, cost-effective solutions are identifiable;
- opportunities to work with other risk management authorities to develop an integrated flood risk management solution;
- opportunities to develop or retrofit sustainable management practices;
- opportunities to protect or enhance the natural or historic environment;
- opportunities to improve safety and the effectiveness of emergency responses.

6 WORKING TOGETHER TO DELIVER THE LOCAL FLOOD RISK MANAGEMENT STRATEGY

Risk management authorities have a duty to cooperate with one another in undertaking flood risk management functions. This is required by the Flood and Water Management Act 2010.

Through cooperation organisations and individuals can achieve more effective results than they could achieve through working alone. Cooperation requires trust, good communication, sharing information and resources, and an improved understanding of the mutual benefits it can bring. Cooperation respects the interests of those concerned, while at the same time promoting the wider interests of the group and its stakeholders.

This section describes how all risk management authorities will work together to achieve the objectives of this local strategy. These objectives do not relate solely to local flood risks. Other forms of flood risk and coastal erosion also need to be considered as it is important that all flooding is managed consistently as one form of flooding can cause or worsen other forms.

6.1 Improving the understanding of the risks of flooding from surface runoff, groundwater and ordinary watercourses in Kent

6.1.1 Recording flood incidents

All risk management authorities receive reports of flood incidents. It is important that all of this information is collated in a consistent way and stored so that it is easily available to all risk management authorities. KCC will develop a flood incident record for local flooding that can be accessed by all risk management authorities. All risk management authorities are encouraged to record all incidences of local flooding that they are aware of in this record, even if it is not a form of flooding they have responsibility for. Fluvial and coastal flooding should be reported to the Environment Agency.

This record will be available to all risk management authorities to assist them in identifying flood prone areas that they may need to focus on or to use in studies of flooding.

6.1.2 Registering flood assets

Registering assets in the features and structures register (Section 5.2) that have a potentially significant impact on flooding is the responsibility of individual risk management authorities. KCC will maintain the register, as outlined in Section 5.2, but it is the duty of all risk management authorities to register assets in the register. KCC will provide guidance on how to do this. The register is intended to be a useful tool to identify the ownership of important flood risk management assets, it is not intended to be a regulatory burden. Risk management authorities may use the register as they see fit,

there is no specific duty to register assets or a timetable to complete the register.

6.1.3 Surface water management plans

Surface water management plans are an important tool to understand where local flood risks are and how they may arise. KCC will undertake these plans as set out in Section 5.7. All risk management authorities in these areas are encouraged to take part in these plans to share knowledge and expertise to ensure that they deliver the best possible plan. Where appropriate these plans may assign actions to the risk management authorities to deliver. Risk management authorities will be consulted about any actions they may be assigned before the plan is published. Once the actions are agreed the risk management authorities should deliver them within the specified timeframe. These plans will be published by KCC for anyone interested to view them.

Risk management authorities are encouraged to undertake their own plans into flood risks that they may be responsible for. Surface water management plans do not have to be undertaken by KCC, other risk management authorities may undertake them if they consider them useful. KCC will work with risk management authorities who undertake their own flood risk investigation if they are invited. Risk management authorities are encouraged to publish any findings of plans or investigations they undertake for any interested parties to view.

6.2 Reducing the impact of flooding on people and businesses in Kent

6.2.1 Surface water management plans

Areas at greatest risk of local flooding will be identified through the work KCC is doing to deliver surface water management plans, as described in Section 5.7. Actions to deliver flood risk benefits will be given by the management plans and agreed by the partners involved. Risk management authorities are encouraged to work together to identify mitigation opportunities and to deliver flood risk management schemes, sharing resources, expertise and maintenance.

6.2.2 Asset management

Reducing the risk of flooding also includes the ongoing maintenance and management of flood risk management infrastructure. Risk management authorities are encouraged to ensure that the management of their assets is the most effective available, that it takes account of the impacts up- and downstream and that other risk management authorities affected by their assets understand how they manage them.

KCC will work with risk management authorities to develop an integrated drainage asset management strategy for the county, which will identify the key drainage assets and agree between all relevant partners how these will be managed.

6.2.3 Coordinated flood risk planning and delivery

Flood risk mitigation should be risk based, focussing on the areas that are at the greatest risk and most badly affected by flooding, disadvantaged areas at risk of flooding should also be prioritised in determining where to allocate resources.

Flood risk mitigation should be planned effectively for the long term and provide a clear picture of how the risks will be managed and by whom. All relevant studies and plans that relate to the flooding should be considered and relevant partners involved in the planning to ensure that all risks can be considered and planned together where feasible. In this way opportunities for multiple benefits can be identified, for instance including amenity space or providing habitat for wildlife.

Planning flood management schemes should include the local community to ensure that they understand the risks, how they can be managed and what their role will be in managing them.

Not all flood risks can be mitigated and investment should be focussed where it can make the most difference. In order to determine this, assessments of flood risk mitigation schemes will develop benefit-cost assessments that indicate the value of a scheme. More details on how flood defence projects are prioritised and funded can be found in Section 7.

6.2.4 Flood defence financing

Risk management authorities and local communities also have a role to play in the financing of flood management schemes, which may now only be partly financed by government grant. By contributing to flood management schemes partnership contributors can have more say in how the risks are managed and delivered.

6.3 Ensuring that development in Kent takes account of flood risk issues and plans to effectively manage any impacts

6.3.1 Flood risk and planning

Planning authorities have to undertake Strategic Flood Risk Assessments as a requirement of the National Planning Policy Framework to assess the impact of proposed developments on flood risk. These assessments should include a thorough assessment of all flood risks, however historically they have often focussed on fluvial and coastal flood risks and not adequately dealt with local flooding.

The Strategic Flood Risk Assessment should help to develop policies to manage flood risk from all sources that can be adopted in Local Plans. These policies should promote the strategic allocation of land and of buildings within the development boundary to reduce flood risk and sustainable drainage to reduce flood risk and improve water quality.

In undertaking Strategic Flood Risk Assessments, making planning policy and planning decisions planning authorities should consult with the Environment

Agency, the lead local flood authority, emergency responders and internal drainage boards as appropriate.

6.3.2 Development and flood risk

Development may need to be located in areas at risk of flooding. This should only occur where it is justified, having been through all the relevant tests required by the National Planning Policy Framework, supported by a Strategic Flood Risk Assessment, if the flood risk can be managed safely and if it does not increase flood risk elsewhere.

Any development that is proposed in the floodplain or that would be isolated in a flood event should be considered by the emergency planners and the emergency services as they will have to respond in the event of a flood. They should be satisfied that the new development will not compromise the safety of any inhabitants of the development, the response they offer to existing properties or the safety of the responders.

Planning authorities should bear in mind that any new development constructed after January 2012 will no longer be considered in allocating government grants for flood defences. Therefore if the area benefits from flood defences or will need flood defences in future (taking into account climate change) these new developments will not be considered in the benefit calculation (grant in aid for flood defences is discussed in Section 7.2). The potential impact of new development on the financial viability of flood defences, that will be needed or need refurbishment, should be considered in Strategic Flood Risk Assessments along with any options to mitigate the impact.

6.3.3 Sustainable drainage and planning

New development should manage runoff in a sustainable manner, where possible using natural processes. Local plans and strategies should adopt policies that encourage new developments to use these techniques. Some planning authorities in Kent have developed specific policies and local guidance to encourage the use of SuDS that has proven to be very effective as it provides a clear picture to potential developers of what is required for all developments in the authority. KCC will work with any planning authorities that would like to develop such guidance.

KCC will issue guidance for other risk management authorities, developers and other interested parties how it will undertake the role of drainage approving body and how to apply for drainage approval once Defra has published details of how this role will be undertaken. In the meantime KCC will provide advice to any prospective developer about how to implement sustainable drainage.

6.4 Providing clear information and guidance on the role of the public sector, private sector and individuals in flood risk management in Kent and how those roles will be delivered and how authorities will work together to manage flood risk

6.4.1 Communication

Annex A provides a summary of the main flood risk management functions each risk management authority has. Each risk management authority should make clear how they intend to carry out their functions. The information provided should include the area and features they have responsibility for, schedules for routine maintenance, records of maintenance having been undertaken, plans for improvement works, plans for new flood management measures and relevant contact details.

Members of the public are often unaware of which risk management authority is responsible for the type of flooding they are experiencing. If an inappropriate authority is contacted regarding a flood event they are encouraged to take the details to pass them on to the appropriate authority and let the customer know the details of the report that has been made. In this way members of the public need only contact one authority.

6.4.2 Cooperation

All risk management authorities have a duty to cooperate and share information with another risk management authority that is exercising a risk management function (as required by the Flood and Water Management Act 2010). Risk management authorities should refer to the Environment Agency's guidance on appropriate practice for sharing information and cooperating, Cooperation and requesting information in flood and coastal erosion risk management (Environment Agency, 2011). As part of this risk management authorities must share information that is requested of them for flood risk management purposes in a timely manner. They may remove personal information but this is not a reason not to share the information. Risk management authorities should also make it clear how other authorities can cooperate with them to achieve risk management benefits. This can include authorising another risk management authority to undertake risk management functions on their behalf.

6.4.3 Private land

Members of the public and land owners often assume that the responsibility for maintaining watercourses lies exclusively with a formal risk management authority. Even if an authority does undertake maintenance on a watercourse this is only as a permissive power, not a duty. Land owners adjacent to a watercourse are responsible for the maintenance of that watercourse. This is set out in the Environment Agency's guide Living on the Edge:

It is important that members of the public understand the role they play in flood risk management and how they can protect themselves from flooding. Risk management authorities should make clear to members of the public and

land owners what their obligations are to manage flood risks within the authority's area and what relevant risk management functions they perform.

6.5 Ensuring that emergency plans and responses to flood incidents in Kent are effective and that communities understand the risks and their role in an emergency

It is the duty of a range of agencies to plan for and respond to flood events. Emergency responders include the emergency services, Kent County Council, district councils, Highways Agency and water utilities. The Environment Agency has a role to warn and inform of flooding from rivers and the sea. Responders coordinate their planning and responses to flood emergencies under the umbrella of the Kent Resilience Forum (see Section 3.2.3).

Planning and response to flood emergencies is informed by Multi-Agency Flood Plans, Rapid Response Catchment Emergency Plans and relevant generic and specific contingency plans, maintained by Kent Resilience Forum partners. It is important that these plans continue to use the latest flood information available and are updated as new information becomes available.

KCC will share the outputs of the surface water management with the Kent Resilience Forum partners to be used in planning emergency responses. The other risk management authorities are recommended to provide any data on flood risks, including local flood risks, to the Kent Resilience Forum. Close inter-agency working, sharing data and resources, is vital for the emergency responders in Kent to maintain and continue to build resilience to local flooding and other flood risks within the County.

7 FLOOD RISK MANAGEMENT PLANNING AND RESOURCES

The way that flood risk management schemes are funded has recently changed. Government grants will not fully fund all schemes, local contributions will have to be found for many schemes to proceed. This change provides an opportunity for local communities to have more influence on how flood defences are delivered in their communities. However it also means that local communities may have to find funds to contribute to flood risk management schemes.

This section explains how government grants for flood defences are allocated and how flood defence projects are prioritised.

7.1 Defra grant

In order to support the delivery of the Flood and Water Management Act 2010 Defra provides a grant to lead local flood authorities for the duration of the current spending review period (2011/12-2014/15). Kent County Council received £260,000 in 2011/12 and will receive £750,000 for the further three years of the spending review period (2012/13-2014/15).

This money will be used by KCC to fund the new responsibilities we have under the Act, as outlined in Section 5. This includes hiring staff to undertake these new responsibilities and financing investigations into local flooding. Where possible KCC will seek to find savings in how these duties and powers are undertaken. We already work in partnership with other neighbouring lead local flood authorities on a number of areas, including the delivery of the drainage approving role and we are working the Environment Agency on a number surface water management plans where they are undertaking other related assessments.

7.2 Flood defence grant in aid

Flood defences and coastal erosion risk management schemes are funded from a government grant called Flood Defence Grant in Aid (grant in aid) which is administered by the Environment Agency on behalf of Defra. Until recently schemes would receive full grant in aid funding if they met a certain cost-benefit ratio, while schemes that did not achieve this ratio would receive no grant. Under this mechanism many schemes never achieved the required cost-benefit ration and could never be delivered.

Defra has changed to the way grant in aid will work from April 2012. The new partnership funding approach determines what proportion of the cost of a scheme can be funded by grant in aid. Some schemes will be fully funded, others only partly funded, according to how much public benefit they will give, for example by reducing flood risk to homes and vital infrastructure, such as power stations and water treatment works Any shortfall in the amount of grant in aid required to construct the scheme will need to be found from elsewhere. This could be from local levy funding from the local levy, from local businesses or other parties who will benefit from the scheme.

Diagram 1 illustrates how the scheme will work compared to the previous mechanism.

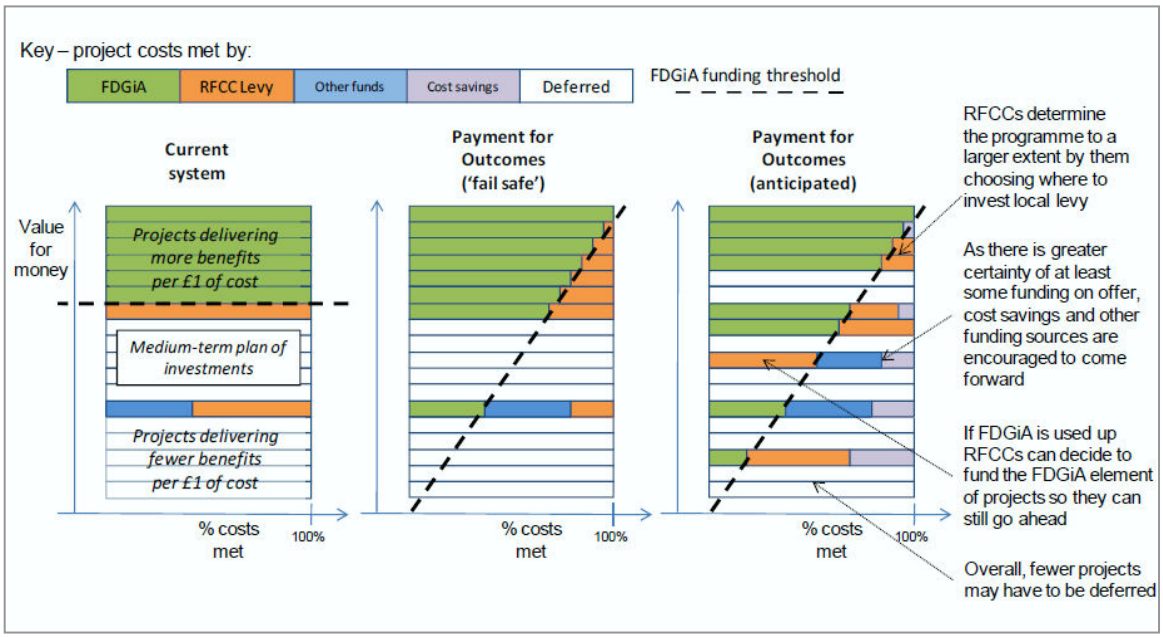

Diagram 3 Comparison of old and new grant in aid funding mechanisms

In this way all schemes can receive some grant in aid so long as they can find the necessary partnership funds to cover the costs of the scheme. This means that a scheme that may not have received any grant in aid under the old mechanism may now receive some with the additional of local funds. By requiring local contributions for many schemes there will be more local involvement in determining how the schemes are developed.

To assess the value for money the 'Outcome Measure', of a scheme is used to calculate the benefits (according to specific criteria) and divided by the cost of the scheme. Any scheme with an outcome measure above 100% represents value for money. However, in the financial year 2012/13 due to the competition for grant in aid the threshold to qualify for government assistance was set at 120%. This means that even schemes whose outcome measure score is below this threshold must secure partnership funding that gives a score above 120% in order to receive grant in aid. The lower the score the larger the proportion of partnership funding that is required. In order to qualify for any grant in aid funds under this mechanism any necessary partnership funding must be secure before an application can be made. The threshold score changes every year, according to the competition for grant in aid.

In deprived areas, Defra will pay higher amounts of grant in aid, up to 225% more in the 20% most deprived areas. This means that flood risk management measures that in disadvantaged areas are prioritised.

This new funding mechanism applies to schemes that refurbish existing defences as well as constructing new ones. Further, the grant in aid benefit calculation will not take account of any benefit to properties built since January 2012, as the government does not want to increase the number of properties at risk, even if the risk is residual. This will include properties built in

areas that already benefit from flood defences, even if they replace existing stock. Therefore the construction of new homes in place of existing ones on a defended flood plain may make existing flood defences financially non-viable, as the new properties will not be used in calculating the outcome measure in the way the old ones would have.

More details about the grant in aid scheme can be found on the Environment Agency's website: http://www.environment-agency.gov.uk/research/planning/134732.aspx

7.3 Local levy

The local levy is administered by the Southern Region Regional Flood and Coastal Committee (RFCC). The Southern Region local levy is currently approximately £1.177m, which is one of the lowest in the country. KCC currently makes the largest contribution to the southern region local levy, approximately £330k annually.

The local levy can be distributed to flood defence schemes at the discretion of the RFCC. It is often used to fund locally important schemes which would otherwise not receive funding or to provide partnership contributions for grant in aid funding.

7.4 Water company planning

Water company investment in infrastructure they manage has to be agreed by the water company regulator, Ofwat, this is done on a five-year cycle called and Asset Management Plan (AMP). We are currently in the fifth AMP period, AMP5, which runs from 2010 to 2015. AMP6 will begin in 2016. The work that water companies undertake in each AMP period is determined by plans they submit to Ofwat prior to each AMP period, this is called the 'Periodic Review'. The next periodic review submissions will be made in 2014.

In order to ensure sewerage improvement works can be carried out they must be identified in time to be included in the periodic review.

KCC does not have a responsibility to oversee the management of water company assets or the performance of sewerage undertakers. Similarly sewerage undertakers only have a duty to manage their assets and ensure they perform to the appropriate criteria. They do not have a duty to manage or prevent other flooding. However, there are clearly common areas of concern for many risk management authorities and sewerage undertakers where a joint approach may be mutually beneficial.

KCC will work with the sewerage undertakers in Kent to identify any opportunities to jointly fund projects, using all available funding sources, to be put forward into the appropriate periodic review.

7.5 Other sources of funding

Due to the nature of the grant in aid scheme, any source of funding can be used as the partnership contribution. Flood risk management schemes may have many benefits, including helping to protect property, providing amenity space, wildlife habitat and more. These other benefits may provide sources of

funding through local investment funds, new developments, habitat grants and local landowners that can contribute to the costs of flood risk management.

7.6 Planning flood risk management schemes

There are a number of steps that have to be taken to deliver a flood management scheme from identifying the need for a scheme, through designing it and construction/delivery. Table 7.1 shows an outline of the steps that can be taken to deliver a flood risk management project.

Table 7.1 Stages in the development of a flood management scheme

Project Stage	Description
Preliminary Study	Assessment of flood risks
Initial Assessment	Study to scope potential flood defence options
Business case	Feasibility study of preferred flood defence option(s)
Detailed design and contract award	Detailed design of flood mitigation scheme
Project Implementation	Delivery of flood mitigation scheme

Each step in this process generally requires more funds as more detailed investigations are required. Not all stages are always required and some stages can be combined, for instance the initial assessment could be combined with the business case, especially for smaller schemes. The identification of a flood risk does not inevitably lead to a flood defence scheme being delivered, as the mitigation options identified may not be feasible for a number of reasons (including cost, availability of land, effectiveness of the available solutions and negative consequences that outweigh the benefits).

All of these stages can receive support from grant in aid, but the potential benefits of the investment must be justified at each stage and each stage will require a separate request for grant in aid, which will be measured against national priorities.

Grant in aid funding is allocated to projects annually by the Environment Agency. In order to receive grant in aid a submission to the Environment Agency must be made that provides the appropriate details. It will then be assessed against the other schemes put forward for that year and if it meets the criteria it will be placed on the medium-term plan. The medium term plan outlines which projects will receive money, how much partnership funding they require and how the funding will be spread over the time span of the project (as many projects take a number of years to actually deliver).

Some schemes will not provide enough benefits to raise them high enough up the nationally prioritised list to attract grant in aid. These sorts of schemes may be local improvement works or schemes that only improve the standard of protection by a small amount . Other sources of funding will be needed to fund these.

8 FLOOD RISK MANAGEMENT DELIVERY

Flood risk management schemes, infrastructure or improvement works used to prevent or reduce flood risk, offer opportunities to deliver more benefits than simply protection from flooding, through careful planning there are also opportunities to enhance our communities and environment and to ensure that all local users are taken account of in developing schemes. The section sets out how the process of delivering flood risk management schemes in Kent will be managed to ensure that the best outcomes are achieved.

8.1 Environment, heritage and landscape

Water is an intrinsic part of the natural the environment, it is essential for life and a fundamental feature of our landscape. Through the mitigation of the worst aspects of the water cycle we may be able to use it productively to enhance our environment through the provision of habitat and amenity. However, flood mitigation measures may also change the local environment and potentially have negative impacts on other features by disturbing the natural flow of water or through construction activities. Below are areas that must be considered in delivering any flood risk management schemes in order to preserve the environment of Kent.

8.1.1 Environment

Opportunities to enhance the environment and provide habitat and amenity should be sort where possible in the delivery of flood risk management schemes, especially if they could help to achieve the aims of other action plans, for instance the Kent Environment Strategy and the Kent Biodiversity Action Plan. Where environmental enhancements can be achieved they should be in keeping with the local environment and provide habitat for locally indigenous species.

Altering the flow of water may have an impact on sites downstream that rely on water. There are many designated sites in Kent and many of these are water sensitive. Any alteration to the amount of water they receive can disrupt the ecosystem. The impact of flood risk management schemes needs to be assessed thoroughly if there is any potential impact downstream. The mitigation for any such impact may be incorporated into the design of the schemes themselves.

Environmental impacts should be assessed at an early stage of the design of schemes and appropriate consultation should be undertaken with relevant stakeholders to scope any potential effects. The Kent Wildlife Trust and Natural England are principle consultees for environmental effects.

8.1.2 Heritage

Flood risk management schemes may have both direct and indirect impacts on the historic environment. Direct impacts could include damage to known heritage assets - for example if a historic drainage ditch is widened and deepened as part of the scheme. Alternatively they may directly impact on

unknown assets such as when a scheme affects presently unrecorded buried archaeological remains. Indirect impacts occur when the ground conditions are changed by flood risk management schemes, thereby impacting on heritage assets. For example, using an area for water storage, or improving an area's drainage can change the moisture level in the local environment. Archaeological remains in particular are highly vulnerable to changing moisture levels which can accelerate the decay of organic remains and alter the chemical 'composition' of the soils. Historic buildings are also often more vulnerable than modern buildings to flood damage to their foundations, as are historic bridges and other historic water management structures.

When flood risk management schemes are planned it is important that the potential impact on the historic environment is fully considered and any unavoidable damage is mitigated. This is best secured by early consideration of the local historic environment following consultation with the Kent Historic Environment Record and by taking relevant expert advice. Kent County Council maintains the County Historic 'Environment' Record and can offer guidance on avoiding damage to the County's heritage.

8.1.3 Landscape

The local landscape character and context of the proposed site must be respected in the design of new works. The inclusion of landscape appraisal in the design process will help to conserve and enhance the distinctive characteristics and quality of the landscape.

There may be opportunities to provide local high quality open spaces with the flood risk management schemes and enhance the amenity of the space. Opportunities to deliver local targets for amenity, blue/green infrastructure and the movement of people should be sought. Consultation with the local planning authority and other stakeholders should be undertaken in the design of any scheme.

8.2 Equality

Flood risk management schemes must benefit everyone in the community they serve. Similarly the passive consequences of the scheme must be considered for all stakeholders that may be affected. For instance changing the height of paths to provide a flood barrier may make them less accessible.

Generally reducing flood risk helps to equalise the impact of flooding on diversity groups, as certain diversity groups, particularly the elderly and disabled, are less able to help themselves in a flood event. However, flood risk management schemes must be sensitive to the needs of all stakeholders and must be appropriate for them, for instance manual handling of flood defence apparatus may not be appropriate for some diversity groups. Additionally, where flood risk management schemes are proposed the consultation exercises undertaken must be accessible to all diversity groups, for instance those with poor eyesight may not be able to understand plans and maps of the proposed scheme, where this occurs alternative means of communication must be considered.

An equality impact assessment should be undertaken at an early stage in the design of any flood risk management scheme. All stakeholders should be identified and their needs considered in order that they can be designed into the scheme at an early stage. Specific consultation with any impacted diversity groups is also encouraged to ensure that their needs are properly understood.

9 NEXT STEPS TO MANAGE LOCAL FLOOD RISK

This section provides a summary of the actions the risk management authorities in Kent will be undertaking over the next year and beyond to deliver the objectives of the local strategy. This list will be updated annually with progress on previous actions noted and new actions that have been identified added.

The action plan will contain a range of different actions that are planned to achieve the objectives of the local strategy. These include broad scale strategic policies that are required to provide better management and/or coordination of flood risk information in the county. They could include more geographically specific actions such as a surface water management plan in one of the policy areas to provide more information. Or they could be very localised actions that will provide a specific scheme to manage flooding. At this stage of undertaking local flood risk management our understanding of local flood risk is at a high level and the actions tend to fall into the first two of these categories. As we develop our understanding of local flood risk we hope to plan for more localised schemes to deliver flood management.

The action plan is divided into three tables, Table 9.1, 9.2 and 9.3. Table 9.1 is a list of actions that will be lead by KCC to meet the objectives of the Flood and Water Management Act and the local strategy and have countywide implications, or do not have specific local effects. Table 9.2 is a list of the actions that will be undertaken by KCC to deliver local flood risk actions, in this first local strategy these are largely surface water management plans and other assessments of flood risk. As the surface water management plans and assessments are developed so further actions will be identified and be added to this list.

Table 9.3 provides a summary of the actions that other risk management authorities can undertake within their existing risk management functions to help cooperate with each other and deliver objectives of the local strategy. KCC will monitor and support the delivery of these actions. Table 4 also includes which KCC lead actions (from Tables 9.1 and 9.2) link to the risk management authority measures, which may assist the risk management authorities with the delivery of the actions.

Table 9.1 Countywide flood risk management steps

No.	Action	Local strategy objective	Driver	Responsible Body	Supporting Bodies	Funding source	Date added	Timeframe for delivery	Comments
Actions for KCC to deliver									
C1	Establish register of structures and features	1; 4	Flood and Water Management Act	KCC	All risk management authorities	Defra grant	2012	2014	
C2	Establish a record of flood incidents	1; 4	Local strategy	KCC	All risk management authorities	Defra grant	2012	2014	
C3	Develop an integrated drainage asset management strategy	2, 4	Local Strategy	KCC	All risk management authorities	Defra grant, Highways grant	2012	2014	
C4	Establish SuDS approving role	2; 3; 4	Flood and Water Management Act	Defra; KCC	All risk management authorities	Defra grant	2012	Dependant on Defra timeframes to be published	
C5	Produce SuDS guidance to help integrate it with new developments	2; 3	Local strategy	KCC	Planning authorities	Defra grant	2012	On going	
C6	Identify opportunities to retro fit SuDS into existing developments	2	Local strategy	KCC	Planning authorities	Defra grant	2012	On going	

No.	Action	Local strategy objective	Driver	Responsible Body	Supporting Bodies	Funding source	Date added	Timeframe for delivery	Comments
C7	Organise training of call centre staff in risk management authorities to harmonise recording of flood reportsto move towards a single point of contact	4, 5	Local strategy	KCC	All risk management authorities	Defra grant	2012	2014	
Actions for KCC to coordinate with other authorities									
C8	Raise awareness of flood risk and local flooding issues for the public and how they can reduce the risks	1	Local strategy	KCC, EA, SW	All risk management authorities	Defra grant	2012	On going	
C9	Hold workshops with risk management authorities to develop guidance and best practice on how authorities can work together to provide clear information to each other and the public	1; 4	Local strategy	KCC; EA	All risk management authorities	Defra grant	2012	2014	
C10	Update Local Multi-Agency Flood Plans with the latest data	5	Local strategy	KCC	Environment Agency	?	2012	On going	
C11	Support and monitor risk management authorities in delivering the local strategy, Flood and Water Management Act 2010 and other flood risk management duties	1, 2, 3, 4, 5	Local strategy	KCC	Planning authorities		2012	On going	

Table 9.2 Local flood risk management steps (to be completed)

No.	Action	Local strategy objective	Driver	Responsible Body	Supporting Bodies	Funding source	Date added	Timeframe for delivery	Comments
L1	Canterbury City Centre SWMP	1	Canterbury Stage 1 SWMP	KCC	CCC, EA; Southern Water	Defra grant	2012	2013	
L2	Paddock Wood FAS Initial Assessment	1; 2	Paddock Wood SWMP	EA, KCC	TWBC; EA	FDGiA/Defra grant	2012	2013	
L3	Deal Town FAS	1; 2	Deal SWMP	KCC	DCC; EA; Southern Water	FDGiA/Defra grant	2012	2013	
L4	Folkestone FAS	1; 2	Folkestone and Hythe SWMP	EA; KCC	ShDC; EA, Southern Water	FDGiA/Defra grant	2012	2013	
L5	Dartford SWMP	1	Thameside SWMP	KCC	DBC, EA, Thames Water	Defra Grant	2012	2013	
L6	Margate SWMP	1	Thanet SWMP	KCC	TDC, EA, Southern Water	Defra Grant	2012	2013	
L7	Ramsgate SWMP	1	Thanet SWMP	KCC	TDC, EA, Southern Water	Defra Grant	2012	2013	
L8	Isle of Sheppey pilot asset management plan	1	Swale SWMP	KCC	SBC, EA, Southern Water	Defra Grant	2012	2013	

Table 9.3 Measures for all risk management authorities in Kent

No.	Action	Local strategy objective	KCC linked measures
R1	Registering flood assets, as defined in Section 5.2	1	C1
R2	Reporting all local flooding incidents they are aware of to Kent County Council	1	C2
R3	Assist with development and implementation of integrated asset management strategy	2, 4	C3
R4	Provide local knowledge to the SAB regarding developments in their area	2; 3	C4
R5	Encourage the use of SuDS through policy and use in own projects	3	C5
R6	Take details of all flood events from members of the public and pass them on to the appropriate authority, giving the customer the details of the report that has been logged	4	C8
R7	Provide clear, publicly accessible information about risk management functions, including: • the area and features they have responsibility for • schedules for routine maintenance and records of maintenance having been undertaken • plans for improvement works • plans for new flood management measures and • relevant contact details	4	C9
R8	Ensure Strategic Flood Risk Assessments consider the impact of new development on the finances of flood defences in light of the new way of allocating grant in aid for flood defences	3	C11
R9	Assist with development and delivery of flood investigations and surface water management plans where appropriate	1	All local measures
R10	Provide flood risk information in a timely manner	1; 2; 3; 4	All local measures

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Kent County Council (2011) Preliminary Flood Risk Assessment

Kent Forum (2011) Vision for Kent County Council

Kent Thameside Delivery Board (2009) Water Cycle Strategy (incl. Strategic Flood Risk Assessment)

Maidstone Borough Council (2008) Strategic Flood Risk Assessment

Parliament (2010) The Flood and Water Management Act

Sevenoaks District Council (2008) Strategic Flood Risk Assessment for Local Development Framework

Shepway District Council (2009) Strategic Flood Risk Assessment

South East Coastal Group (2006) South Foreland to Beachy Head Shoreline Management Plan

South East Coastal Group (2008) Isle of Grain to South Foreland Shoreline Management Plan

South East Coastal Group (2008) Medway Estuary and Swale Shoreline Management Plan

Thanet District Council (2009) Strategic Flood Risk Assessment

Tonbridge and Malling Borough Council (2006) Strategic Flood Risk Assessment Stage 2 Report

Tunbridge Wells Borough Council (2009) Strategic Flood Risk Assessment Level 2

FIGURES

ANNEXES

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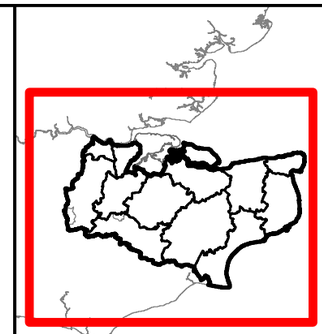
N

Thames Water

Southern Water



Legend

- Sewerage Undertaker
- EA Main River

Kent Internal Drainage Boards

- Lower Medway IDB
- Upper Medway IDB
- River Stour IDB
- Romney Marsh IDB
- Gravesend IDBs (EA)

River Catchments

- Darent
- Upper Medway
- Lower Medway
- River Stour
- Romney Marshes

Local Authorities

- Kent County Council
- District Authorities

Drawing Title:

Kent Flood Risk Management Authorities

Drawing Number:

Figure 1

0 2.5 5 10

Kilometers

Kent County Council
kent.gov.uk

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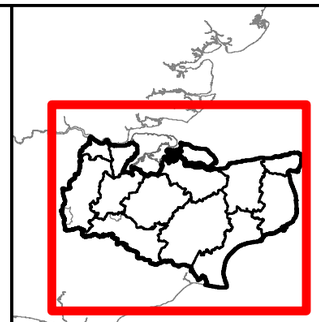

Legend

Dwellings predicted to be flooded by 1 in 200 year rain storm event
Flooded dwellings per sq. km

- 0 - 4
- 5 - 7
- 8 - 21
- 22 - 50
- 51 - 83
- 84 - 210

Drawing Title:

Surface Water Flood Risk to Settlements

Drawing Number:

Figure 2

0 2.5 5 10

Kilometers

Kent County Council
kent.gov.uk

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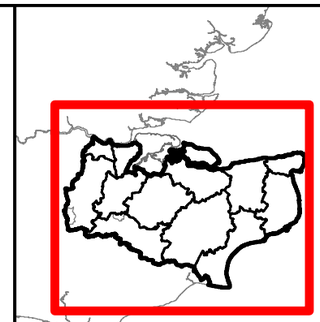

Legend

- Rural - Not Chalk
- Rural - Chalk
- Urban

Drawing Title:

Local Flood Risk Management - Policy Areas

Drawing Number:

Figure 3

0 2.5 5 10

Kilometers

Kent County Council
kent.gov.uk

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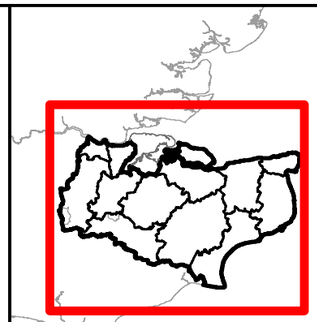

Legend

Policies

- Policy 1 Complex Flood Risk
- Policy 2 Moderate Flood Risk
- Policy 3 Low Flood Risk

Drawing Title:

Local Flood Risk Management Policies

Drawing Number:

Figure 4

0 2.5 5 10

Kilometers

Kent County Council kent.gov.uk

ANNEX A: POWERS AND DUTIES OF FLOOD RISK MANAGEMENT AUTHORITIES AND OTHER RESPONSIBLE BODIES

The Flood and Water Management Act 2010 identifies certain organisations as risk management authorities which have flood risk management powers and duties. These may be new functions from the Act or longstanding functions from previous legislation. This Annex is a short summary of most of these powers and duties for the risk management authorities in Kent.

The risk management authorities in Kent are:

- Kent County Council
- District and Borough Councils
- Highways Agency
- Water Companies
- Environment Agency
- Internal Drainage Boards

All of these risk management authorities have the following powers and duties:

- Duty to be subject to scrutiny by the lead local flood authorities' democratic processes.
- Duty to co-operate with other risk management authorities in the exercise of their flood and coastal erosion risk management functions.
- Power to take on flood and coastal erosion functions from another risk management authority when agreed by both sides.
- Duty to act consistently with the National Flood and Coastal Erosion Risk Management Strategy and the Local Flood Risk Management Strategy.

The powers and duties of land owners are also included in this Annex. Land owners are not risk management authorities but they do have responsibilities for any watercourses on their land.

Powers and responsibilities of Kent County Council

Kent County Council has a range of flood risk management functions, including:

- Lead Local Flood Authority
- Highways Authority
- Strategic Planning Authority
- Powers to designate structures and features
- Emergency Planning

Lead Local Flood Authority

The Flood and Water Management Act 2010 identified Kent County Council (KCC) as the Lead Local Flood Authority for the administrative county of Kent. This gives KCC a strategic role in overseeing the management of local flood risk. The role involves developing this Local Flood Risk Management Strategy and ensuring that all organisations involved in flood risk management are aware of their responsibilities.

The other powers and duties of KCC as lead local flood authority are given in Section 5 of this strategy. They include:

- A duty to maintain a register and record of structures and features
- A duty to undertake flood investigations
- Powers for the regulation of ordinary watercourses
- Drainage approval and adoption of SuDS (once commenced)

Meeting the Flood Risk Regulations (2009)

This requires all Lead Local Flood Authorities to produce a Preliminary Flood Risk Assessment of local flooding for their administrative area every five years. KCC produced the first Preliminary Flood Risk Assessment for Kent in 2010, the next one will be completed in 2015.

Highways authority

KCC is the Highways Authority for all public highways in Kent apart from those managed by the Highways Agency. Highways Authorities are risk management authorities in their own right according to the Flood and Water Management Act and must adhere to all the responsibilities of risk management authorities.

Under the Highways Act, the Highway Authority has a duty to maintain the highway, i.e. ensuring that highway drainage systems are clear and that blockages are removed, where reasonably practicable.

Highways Authorities currently have the power to adopt SuDS that serve the highway but are under no obligation to do so. Under the Flood and Water Management Act, Highways Authorities will be required to adopt any SuDS approved by the SAB which exist within the highway boundary.

The Highway Authority can deliver works that they consider necessary to protect the highway from flooding. These can be on the highway or on land which has been acquired by the highway authority.

Planning authority

KCC ‘s responsibilities as a Planning Authority are similar to district and borough Councils planning functions, albeit restricted to strategic county matters, that is Minerals & Waste related developments and the determination of county council planning applications.

Designating structures and features

KCC has powers to designate structures and features if they are considered to affect flooding for which we have other powers and duties. These may include (but are not restricted to) things such as embankments and walls. The powers are designed to overcome the risk of a person damaging or removing a structure or feature that is on private land and which is relied on for flood or coastal erosion risk management.

Emergency planning

KCC is a Category 1 responder under the Civil Contingencies Act 2004. This gives us a responsibility for planning for and responding to emergency events, including flooding events.

KCC works with partners in the county to develop various flood response plans.

Powers and duties of District and Borough Councils

District and borough councils have functions that are important for flood risk management. These include:

- Functions under the Land Drainage Act 1991
- Planning authority
- Maintenance of public spaces
- Coastal erosion risk management authority
- Emergency planning

Land drainage

District and borough councils have the powers under the Land Drainage Act 1991 to carry out flood risk management work provided that it is consistent with the local flood risk management strategy and is either to manage flood risk from an ordinary watercourse or to maintain or operate existing works to deal with flood risk from the sea. They also have a responsibility to advise the Lead Local Flood Authority on any land drainage consent applications in their areas.

District and borough councils also have the responsibilities of a riparian owner for any land they own and as such should maintain all ordinary watercourses and assets in their ownership.

District and borough authorities have powers to designate structures and features if they are considered to affect flooding for which they have powers and duties, for instance ordinary watercourses or coastal flooding. These may include (but are not restricted to) things such as embankments and walls. The powers are designed to overcome the risk of a person damaging or removing a structure or feature that is on private land but which is relied on for flood or coastal erosion risk management beyond that site.

Planning authority

District and borough authorities planning functions affect Flood Risk Management in four key ways:

- Considering flooding concerns in developing local plans;
- Working with the SuDS Approval Body in ensuring that planning applications and drainage applications are complementary;
- Considering flood risk assessments submitted in support of applications on which the Environment Agency does not require to be consulted;
- Developing proactive strategies to mitigate and adapt to climate change which take full account of flood risk;

Maintenance of public spaces

District and borough councils maintain some parks and public spaces within their administrative area. Good maintenance practices can help to reduce flood risk. For new public spaces which are under the control of a management company, these activities should be included in the management contract.

Coastal erosion risk management authority

Coastal erosion risk management authorities are identified by the Act as those districts or unitary councils that have a coastal erosion risk management function. The responsibilities of such authorities include:

- Working alongside the Environment Agency to develop and maintain coastal flood and erosion risk information in order to deliver effective coastal erosion risk management activities.
- Maintain a register of assets and other features that help to manage coastal risks.
- Implement, manage, maintain and monitor shoreline management plans to understand and manage coastal flood and erosion risks.
- Assist communities in planning for the future and taking appropriate steps to adapt to changing flood and coastal erosion risks.

Emergency planning

District and borough councils are ‘Category 1’ responders to emergencies and members of the Kent Resilience Forum. This means that they have duties to:

- undertake risk assessments.
- manage business continuity.
- carry out emergency planning.
- share information and cooperate with other responders.
- warn and advise the public during times of emergency.

During and after an emergency, district and borough councils have the following roles and responsibilities:

- Coordinate emergency support within their own functions.
- Respond to requests for assistance from local flood risk
- Work with the other Category 1 and 2 responders as part of the multi-agency response to floods.
- Liaise with central government departments.
- Liaise with essential service providers.
- Open rest centres.
- Liaise with the relevant transport authorities

- Liaise with Kent County Council social care around mobilising trained emergency workers.
- Provide emergency assistance.
- Deal with environmental health issues, such as contamination and pollution.
- Coordinate the recovery process.
- Liaise with public health organisations
- Provide advice and management of public health.
- Provide support and advice to individuals.
- Assist with business continuity.

Powers and duties of the Environment Agency

The Environment Agency has a national strategic role as well as local operational roles for flood risk management.

National strategic overview

The Environment Agency is required to publish a National Flood Risk Management Strategy which seeks to provide a clear national framework for all forms of flood and coastal erosion risk management. As with the local strategy, the National Strategy defines the roles and responsibilities of risk management authorities and sets objectives for flood risk management nationally.

The National Strategy identifies the following actions for the Environment Agency:

- Use strategic plans like the Catchment Flood Management Plans and the Shoreline Management Plans to set the direction for Flood Risk Management;
- Support the creation of Flood Risk Regulations by collating and reviewing the assessments, plans and maps that Lead Local Flood Authorities produce;
- Providing the data, information and tools to inform government policy and aid risk management authorities in delivering their responsibilities;
- Support collaboration, knowledge-building and sharing of good practice including provision of capacity-building schemes;
- Manage the Regional Flood and Coastal Committees and support their decisions in allocating funding for flood defence and flood resilience schemes;
- Report and monitor on flood and coastal erosion risk management;
- Provide grants to risk management authorities to support the implementation of their incidental flooding or environmental powers.

Managing flood risk from main rivers, reservoirs and the sea

The Environment Agency has permissive powers to carry out works on Main Rivers although the overall responsibility for maintenance of Main Rivers lies with the riparian owner.

The Environment Agency can bring forward flood defence schemes through the Regional Flood and Coastal Committee, and it will work with lead local flood authorities and local communities to shape schemes which respond to local priorities.

The Environment Agency has a regulatory role with regard to consenting works carried out by others in, under, over or within 9 metres of a main river or within 9 metres of a main river flood defence to ensure that those works do not adversely affect the operation of the drainage system or cause

unnecessary environmental damage. It has also produced statutory byelaws which apply to operations in and around the main river.

The Environment Agency enforces the Reservoirs Act 1975 and is responsible as the Enforcement Authority in England and Wales for reservoirs that are greater than 10,000m^3. Therefore, the Environment Agency is responsible for ensuring flood plans are produced for specified reservoirs and establishing and maintaining a register of reservoirs. Responsibility for carrying out work to manage reservoir safety lies with the reservoir owner/operator.

The Environment Agency is the lead organisation responsible for all flood and erosion risk management around the coastline of England, including tidal flood risk. The Environment Agency is developing a coastal management plan with partner organisations that works at local, regional and national level. The Environment Agency supports this by giving Grant-in-Aid funding for coastal defence schemes and overseeing the work carried out.

The Environment Agency also has a regulatory role with regard to consenting works carried out by others, on or in the immediate vicinity of coastal flood defences and has produced statutory byelaws specifying the range of operations that are precluded from occurring or that require the Environment Agency's formal consent.

Coastal erosion risk management authority

The Environment Agency is a coastal erosion risk management authority with the power to protect land against coastal erosion and to control third party activities on the coast. The Environment Agency liaises with district and borough authorities with coastal erosion risk management functions to deliver effective coastal erosion risk management.

Planning guidance

The Environment Agency in England is a statutory consultee for all planning applications in areas where there is a risk of flooding and for any site greater than 1 hectare in size. Local Planning Authorities must consult the Environment Agency before making any significant decisions on new development in flood risk areas. The Environment Agency will provide advice on Flood Risk and help the local planning authority to technically interpret developer's flood risk assessments that have been submitted as part of the evidence base in support of a planning application.

Emergency planning

The Environment Agency contributes to the development of local multi-agency flood plans, which have been developed by the Kent Resilience Forum to help the organisations involved in responding to a flood. They also work with the Met Office to provide forecasts of flooding from rivers and the sea in England as they have a duty to communicate flood warnings to the public, the media and to professional partner organisations. The Environment Agency and other asset operating authorities also have a role in proactive operational management of their assets and systems to reduce risk during a flood incident.

Powers and duties of Internal Drainage Boards

There are four independent Internal Drainage Boards (River Stour, Romney Marshes Area, Upper Medway and Lower Medway) and two Environment Agency administered Internal Drainage boards (East and West Gravesend) covering areas of special drainage need in Kent.

Internal Drainage Boards are the operating drainage authority within these drainage districts and undertake routine maintenance of adopted ordinary watercourses, pumping stations, and other critical water control infrastructure under permissive powers, the overall responsibility for maintenance being with the riparian owner.

As risk management authorities, Internal Drainage Boards have the following powers and responsibilities for flood risk management within their administrative boundaries:

Development control

Internal Drainage Boards have consenting and enforcement powers for works carried out by others in or adjacent to ordinary watercourses within their operational district. This is done by reasonable application of the board's byelaws and the Land Drainage Act 1991, to ensure that any development has regard to secure the efficient working of the drainage system now and in the future and does not cause unnecessary adverse environmental impact as a consequence, including increased risk of flooding.

Planning guidance

Internal Drainage Boards have a responsibility to provide comments to local planning authorities on developments in their district when requested and to make recommendations on measures required to manage flood risk.

Statutory consultees to the SuDS Approval Body

Internal Drainage Boards are statutory consultees to the SAB in appropriate circumstances. The approving body must consult the relevant drainage board if it thinks that a proposed drainage system may directly or indirectly involve the discharge of water into an ordinary watercourse within that Internal Drainage District.

Designating structures and features

Internal Drainage Boards have powers to designate structures and features if they are considered to affect flooding for which we have other powers and duties. These may include (but are not restricted to) things such as embankments and walls. The powers are designed to overcome the risk of a person damaging or removing a structure or feature that is on private land and which is relied on for flood or coastal erosion risk management.

Emergency planning

Internal Drainage Boards contribute to the development of local multi-agency flood plans, which have been developed by the Kent Resilience Forum to help the organisations involved in responding to a flood.

Powers and duties of the Highways Agency

The Highways Agency is an Executive Agency of the Department for Transport and is responsible for operating, maintaining and improving the strategic road network in England on behalf of the Secretary of State for Transport. It acts as the Highways Authority for seven major highways in Kent: M25, M26, M20, M2, A2, A20 and A21.

As a Highways Authority, the Highways Agency has the same obligation to co-operate on flood risk issues as the other risk management authorities. It also has the following responsibilities under other legislation:

Highways maintenance

Under the Highways Act, the Highway Authority has a duty to maintain the highway, i.e. ensuring that highway drainage systems are clear and that blockages are removed, where reasonably practicable.

Delivery of works

The Highway Authority can deliver works that they consider necessary to protect the highway from flooding. These can be on the highway or on land which has been acquired by the highway authority.

Adoption of SuDS

The SuDS Approval Body has no obligation to adopt any part of a drainage system which is a publicly-maintained road. If it is on a Highways Agency road, the Highways Agency is expected to adopt and maintain the part of the drainage system on its property in accordance with the approved proposals and the National Standards for sustainable drainage.

Powers and duties of water companies

There are two types of water companies serving Kent. South East Water and Veolia Water (South East) are water supply companies only. Southern Water and Thames Water are provide both water supply and wastewater services, although not all there customers receive both services from them.

Water supply companies

Water supply companies are not risk management authorities and do not have the same obligations to co-operate and be subject to scrutiny by Lead Local Flood Authority committees. However, they will be required to provide information related to flood risk to Kent County Council and the Environment Agency.

They will also be affected by the change to the Reservoirs Act 1975 which has been amended to state that all undertakers with reservoirs over 10,000 m^3 must register their reservoirs with the Environment Agency as they are subject to regulation. Reservoir undertakers must prepare a reservoir flood plan and all incidents at reservoirs must be reported.

Sewerage undertakers

Sewerage undertakers are considered a risk management authority and therefore have the following flood risk management functions:

- To respond to flooding incidents involving their assets;
- To maintain a register of properties at risk of flooding due to a hydraulic overload in the sewerage network;
- To undertake capacity improvements to alleviate sewer flooding problems;
- To provide, maintain and operate systems of public sewers and works for the purpose of effectually draining their operative area;
- To co-operate with other relevant authorities in the exercise of their flood and coastal erosion risk management functions.
- To have a regard to national and local flood and coastal erosion risk management strategies.
- To act as a statutory consultee to the SAB when appropriate.

Powers and duties of land owners

It is the responsibility of land owners to look after their land in order to protect it from flooding. Therefore, land owners should seek to:

- Check whether their land is at risk from flooding;
- Ensure that preparations have been made for a flood event;
- Ensure that any property on their land is protected from flooding, either through permanent measures or temporary measures;
- Make sure that any property on their land is resilient to flooding so that if a flood event does occur the damage is minimised.

Information on whether land is at risk from coastal or fluvial flooding is provided by the Environment Agency, which can be found at www.environment-agency.gov.uk/flood. the Environment Agency can provide advice on what to do to prepare a household for emergencies. This includes how to make a flood plan which will help land owners decide what practical actions to take before and after a flood.

Kent County Council is gathering information on land at risk from local flooding sources. This information can be found within the Preliminary Flood Risk Assessment and relevant Surface Water Management Plans, which can be downloaded from www.kent.gov.uk/flooding.

The Environment Agency can also provide information and advice on property level flood defences (permanent or temporary) and how to make properties more resilient to flooding.

Riparian owners

Land owners who own land adjacent to a river, stream or channel are likely to be riparian owners with responsibilities under the Flood and Water Management Act 2010. If a property is bordered by a river or stream then it is likely that the land owner is also the riparian owner and therefore owns the land up to the centre of the watercourse. Land registry details should confirm this but it may need to be discussed with the local authority to ensure it matches their details.

Riparian owners have a right to protect property on their land from flooding and erosion. They also have responsibility for maintaining the bed and banks of the watercourse and ensuring there is no obstruction, diversion or pollution to the flow of the watercourse.

Reservoirs

Under the Flood and Water Management Act 2010 the Reservoirs Act 1975 has been updated to reflect a more risk-based approach to reservoir regulation. As a result, the capacity at which a reservoir will be regulated will be reduced from 25,000m³ to 10,000m³. This will require all undertakers with reservoirs over 10,000m³ to register their reservoirs with the Environment Agency. This ensures that only those reservoirs assessed as high risk are subject to full regulation requiring all incidents at reservoirs to be reported.

Therefore, land owners with regulated reservoirs on their land will be responsible for carrying out regular maintenance and works to manage reservoir safety.

ANNEX B: DEVELOPMENT OF LOCAL FLOOD POLICIES

Local flood policy areas

In order to provide a simple overview of the local flood risks in Kent and where resources will be focus through this local strategy the county has been divided in to local flood policy areas.

At this stage of undertaking our responsibilities for local flood risk management there is only a limited amount of data available to assess risk, therefore the county has been divided into areas where there is similar local flood potential. This has been based on simple geographical characteristics that indicate a similar risk of local flooding and known history of local flooding.

There are three different areas: the first group are urban areas, the large towns in Kent, where there is a concentration of impermeable surfaces. There is no specific size limit that has been applied to distinguish a large town from the rest, in some cases a known flood history has been used to demarcate a town where other towns of a similar size are not demarcated. As more flood history is gathered other towns may be demarcated separately. Similarly areas with a concentration of small or medium sized towns that have a similar risk may be grouped together.

The other two groups come from the rest of Kent, predominately the rural areas. The rural areas have been split into two groups: areas with a predominance of chalk soils and areas with other soil types. Chalk has a high permeability and consequently there is low runoff and few watercourses, therefore there is a low likelihood of flooding directly from rainfall, though there is an increased potential for groundwater flooding, as chalk formations are significant aquifers.

The non-chalk rural areas are not geographically homogenous, they vary from the sandstone of the High Weald to the clays of the Low Weald, the permeability and concentration of watercourses varies, and consequently they do not necessarily have similar flood potential. Each is assigned a policy according to the potential for local flooding within in.

These policy areas are not fixed, as new information about local flooding becomes available they will be reviewed and where appropriate they will be changed to allow the most appropriate policies to be applied.

The policy areas for Kent are shown in Figure 3.

Local flood policies

Each of the local flood risk policy areas has been given a local flood risk management policy. Data gathered on local flood risks used to determine the local flood policies,. Much of these has been gathered from surface water management plans that we have undertaken, some has been gathered from local risk management practitioners.

Areas considered to be at highest risk of local flooding are or have been the subject of in depth surface water management plans, these are in areas where there is a clear history of local flooding. These areas are:

- Dover,
- Paddock Wood,
- Folkestone,
- Whitstable, and
- Deal.

Other areas in the county have been the subject of Stage 1 surface water management plans. These plans are strategic in scope generally covering a larger area than the in depth surface water management plans above. They are intended to determine the scale of risk and whether further, more in depth plans are needed. This strategic scope is a reflection of the uncertainty of local flood risk for these areas and whether an in depth surface water management plan is appropriate. These areas are:

- Ashford Borough,
- Kent Thameside (comprising Dartford and Gravesham Boroughs),
- Swale Borough,
- Maidstone Borough
- Tonbridge and Malling Borough,
- Tunbridge Wells Borough,
- Sevenoaks District,
- Folkestone and Hythe,
- Canterbury City (the whole district), and
- Thanet District.

Some areas have not been covered by a surface water management plan. This is either because they are considered low risk areas as they may have a low susceptibility to local flooding, for instance the north downs, or local flood risks are currently being managed effectively, for instance the Romney Marshes or because in depth work in these areas is due to commence soon, for instance the Nailbourne and Little Stour valley.

Table B1 summarises the local flood risk policies for each policy area and the evidence that has been used to determine that policy.

Table B1 Local flood risk policy evidence

Policy Area	Policy	Description	Reasons
Ashford Rural Mid	3	A rural area in clay of the Low Weald with a number of small towns	The Ashford Stage 1 SWMP does not indicate any significant risks that need further investigation

Policy Area	Policy	Description	Reasons
Ashford Rural North	3	A predominantly rural area in the chalk of the north downs	A low susceptibility to local flooding due to the chalk. The Ashford Stage 1 SWMP does not indicate any significant risks that need further investigation
Ashford Rural South	3	A predominantly rural area that straddles the High Weald in the south and Low Weald in the centre-west	The Ashford Stage 1 SWMP does not indicate any significant risks that need further investigation
Ashford Town	3	An urban area with ageing drainage.	The Ashford Stage 1 SWMP does not indicate any significant risks that need further investigation
Broadstairs Town	3	An urban area on the Thanet coast	The Thanet Stage 1 SWMP did not show any significant risks
Canterbury City	2	An urban area with ageing drainage.	The Canterbury Stage 1 SWMP has shown that there is a susceptibility to local flooding in Canterbury City, however there is no history of local flooding. A small scale investigation should be undertaken to understand the potential for local flooding in the city centre
Canterbury Rural North	3	A predominantly rural area in the coastal deposits of north Kent	The Canterbury Stage 1 SWMP did not show any significant risks
Canterbury Rural South	3	A predominantly rural area in the chalk of the north downs	The Canterbury Stage 1 SWMP has highlighted some issues with ephemeral streams that need further investigation
Dartford Rural	3	A predominantly rural area in the chalk of the north downs	The Thameside Stage1 SWMP does not indicate any significant risks that need further investigation
Dartford Town	1	An urban area on the Thames Estuary	The Thameside Stage1 SWMP shows a number of issues that need further investigation
Deal and Walmer Towns	1	A predominantly urban area with ageing drainage infrastructure.	Deal SWMP currently ongoing to investigate a number of issues
Dover Rural North	3	A predominantly rural area in the tidal deposits and sands of north Kent	The area does appear to have some susceptibility to local flooding, but the network of ordinary watercourses is well managed by the River Stour Internal Drainage Board. Therefore this area is not considered to be at risk of local flooding or need investigation

Policy Area	Policy	Description	Reasons
Dover Rural South	3	A predominantly rural area in the chalk of the north downs	A low susceptibility to local flooding due to the chalk
Dover Town	1	An urban area with a small river that has limited capacity	The Dover SWMP shows a number of issues that need further investigation
Edenbridge	2	A town and surrounding rural area on the weald clay	The Sevenoaks Stage 1 SWMP indicates some local flooding risks that require further investigation
Faversham Town	2	An urban area on the chalk and sand deposits of north Kent with a tidal creek	The Swale Stage 1 SWMP shows some localised issues that need further investigation.
Folkestone Town	1	An urban area with a small river that has limited capacity	The Folkestone and Hythe SWMP has shown a number of issues that need further investigation.
Gravesend Town	2	An urban area on the Thames Estuary	The Thameside Stage 1 SWMP indicates some local flooding risks that require further investigation
Gravesham Rural	3	A predominantly rural area in the chalk of the north downs	The Thameside Stage1 SWMP did not show any significant risks that need further investigation
Hamstreet	2	A small rural settlement on a steep escarpment on the edge of the Romney Marsh	The Ashford Stage 1 SWMP indicates some local flooding risks that require further investigation
Herne Bay Town	3	A predominantly urban area with reasonable drainage capacity	The Canterbury Stage1 SWMP does not indicate any significant risks that need further investigation
Hythe Town	2	A predominantly urban area on the south coast of Kent	The Folkestone and Hythe SWMP indicates some local flooding risks that require further investigation
Isle of Sheppey	1	An area with mixed urban and rural character	The Swale Stage 1 SWMP shown a number of issues that need further investigation
Maidstone Rural Mid	2	A rural area with a number of small towns along the River Len	The Maidstone Stage 1 SWMP indicates some local flooding risks that require further investigation
Maidstone Rural North	3	A predominantly rural area in the chalk of the north downs	A low susceptibility to local flooding due to the chalk. The Maidstone Stage 1 SWMP does not indicate any significant local flood risks that need further investigation
Maidstone Rural Southeast	1	A rural area in clay of the Low Weald with a number of small towns	The Maidstone Stage 1 SWMP indicates that there are some potentially significant local flood risks that need further investigation.

Policy Area	Policy	Description	Reasons
Maidstone Rural Southwest	3	A predominantly rural area in clay of the Low Weald	There are many significant flood risks in this area, but they are predominantly from the main river. The Maidstone Stage 1 SWMP does not indicate any significant local flood risks that need further investigation
Maidstone Town	3	An urban area with a large river running through it	The Maidstone and Malling Stage 1 SWMP does not indicate any significant risks that need further investigation
Malling Towns	3	A mixed urban and rural area	The Maidstone and Malling Stage 1 SWMP does not indicate any significant risks that need further investigation
Margate and Birchington Towns	1	An urban area on the Thanet coast	The Thanet Stage 1 SWMP has shown a number of issues that need further investigation
Nailbourne and Little Stour Valley North	2	The valley of an ephemeral river in the north downs that has a history of flowing when groundwater levels are high.	There ongoing issues with groundwater levels effecting villages along the valley. A multiagency approach is required to deliver the necessary solutions
Nailbourne and Little Stour Valley South	2	The valley of an ephemeral river in the north downs that has a history of flowing when groundwater levels are high.	There ongoing issues with groundwater levels effecting villages along the valley. A multiagency approach is required to deliver the necessary solutions
Paddock Wood Town	1	A predominantly urban area with a culverted watercourse with little capacity	The Paddock Wood SWMP has shown a number of issues that need further investigation
Ramsgate Town	1	An urban area on the Thanet coast	The Thanet Stage 1 SWMP has shown a number of issues that need further investigation
Sevenoaks Rural North	3	A predominantly rural area in the chalk of the north downs	The Sevenoaks Stage 1 SWMP does not indicate any significant risks that need further investigation
Sevenoaks Rural South	3	A predominantly rural area that straddles the High Weald in the south and Low Weald in the centre	The Sevenoaks Stage 1 SWMP does not indicate any significant risks that need further investigation
Sevenoaks Town	3	An urban area with ageing drainage.	The Sevenoaks Stage 1 SWMP does not indicate any significant risks that need further investigation
Shepway Rural North	3	A predominantly rural area in the chalk of the north downs	A low susceptibility to local flooding due to the chalk. Outside the Nailbourne valley there are few reports of local flooding risks.

Policy Area	Policy	Description	Reasons
Shepway Rural South	3	A predominantly rural area in the Romney Marshes	The area does appear to have some susceptibility to local flooding, but the network of ordinary watercourses is well managed by the Romney Marshes Area Internal Drainage Board. Therefore this area is not considered to be at risk of local flooding or need investigation
Sittingbourne Town	2	An urban area on the chalk and sand deposits of north Kent with a tidal creek	The Swale Stage 1 SWMP shows some localised issues that need further investigation.
Swale Rural North	3	A predominantly rural area on the chalk, sand and alluvium deposits of north Kent	The Swale Stage 1 SWMP does not indicate any significant risks that need further investigation
Swale Rural South	3	A predominantly rural area in the chalk of the north downs	The Swale Stage 1 SWMP does not indicate any significant risks that need further investigation
Swanley and Hextable Towns	2	An urban area on the chalk of the North Downs	The Thameside Stage 1 SWMP shows some localised issues that need further investigation.
Thanet Rural	3	An urban area on the chalk of the Thanet peninsula	The Thanet Stage 1 SWMP does not indicate any significant risks that need further investigation
Tonbridge and Malling Rural North	3	A predominantly rural area in the chalk of the north downs	The Tonbridge and Malling Stage 1 SWMP does not indicate any significant risks that need further investigation
Tonbridge and Malling Rural South	3	A predominantly rural area in clay of the Low Weald	The Tonbridge and Malling Stage 1 SWMP does not indicate any significant risks that need further investigation
Tonbridge Town	3	An urban area with a large river running through it	The Tonbridge and Malling Stage 1 SWMP does not indicate any significant risks that need further investigation
Tunbridge Wells Rural	3	A predominantly rural area that straddles the High Weald in the south and Low Weald in the north	The Tunbridge Wells Stage 1 SWMP does not indicate any significant risks that need further investigation
Tunbridge Wells Town	3	An urban area within the high weald	The Tunbridge Wells Stage 1 SWMP does not indicate any significant risks that need further investigation
Whitstable Town	1	An urban area with a culverted watercourse that has little capacity	The Canterbury Stage 1 SWMP has shown a number of potentially significant issues that need further investigation

Decision No: 13/00031

From: Bryan Sweetland, Cabinet Member – Environment, Highways & Waste
John Burr, Director - Highways & Transportation

To: Environment, Highways & Waste Cabinet Committee

Date: 23 April 2013

Subject: North Farm Link Road (Longfield Road) Improvement, Tunbridge Wells

Classification: Unrestricted

Summary:

Approval to take the highway improvement scheme through the next stages of development including authority to progress statutory orders and to enter into land and funding agreements.

Introduction

North Farm is the main commercial, shopping and strategic employment area within the Borough. Primary access is from the A21 along Longfield Road – a single carriageway link road that was built in the late 1970's. The expansion and popularity of North Farm has put Longfield Road under considerable pressure with considerable congestion and delays during peak periods and at weekends. Some 300 businesses are losing trade and future development opportunities are at risk. A scheme to improve Longfield Road to a dual carriageway standard together with improved junctions has been developed and this has the support of the local business community. See plan attached.

Following a successful bid to the Department for Transport (DfT) for Local Pinch Point funding, under which the Transport Secretary has awarded £3.5m towards the overall cost of the scheme estimated at £5m, KCC is proceeding rapidly to negotiate with landowners to secure the necessary land.

A condition of DfT funding is that the scheme must be completed by 31 March 2015 and hence there is considerable urgency to progress the scheme through the next stages to see if its delivery remains a viable, albeit challenging, proposition.

Critical Aspects

Land owners will be required to dedicate or transfer land required for the scheme and to make no claims against KCC for any disruption that may result from construction of the scheme. This must now be translated swiftly into binding

obligations to minimise abortive costs that will start to be rapidly incurred in progressing the design of the scheme and achieving statutory approvals. Landowners have been advised and this will be further discussed at the next regular liaison meeting with the North Farm business/landowner community on 19 April. Officers consider that binding commitments on land dedication and on the disruption issue must be secured by mid June and I would expect to report accordingly on this key 'make or break' milestone to the 19 June meeting of this Committee.

Some land is unregistered or in unknown ownership and while unhelpful this is not an unusual situation with major highway improvements. The procedural solution is to promote a Compulsory Purchase Order (CPO) limited to these areas of land. Assuming there were no objections, the Secretary of State would then be invited to confirm the CPO, thereby securing this land for the scheme.

An environmental screening opinion is under consideration that will determine whether a planning application and an Environmental Impact Assessment will be required for the scheme. Completing the seasonally dependent environmental surveys over the coming summer and autumn will be critical to when a planning application can be submitted. Making a planning application, obtaining consent and satisfying reserved matters will be the main influence on the ability to deliver the scheme within the Pinch Point funding time constraints.

Scheme cost, construction procurement and construction period are key factors in affordability and target end date delivery and these aspects will be considered in detail in the coming months as the detailed design is progressed by Amey – our new engineering and transportation term consultant. In addition to the DfT Pinch Point funding and KCC's funding commitment, Tunbridge Wells Borough Council has agreed to underwrite £0.5m of scheme costs, and this will need to be formalised within an Agreement.

Recommendations

Subject to the views of this Committee, the Cabinet Member for Environment, Highways & Waste will be recommended to:

i. approve the scheme for the improvement of Longfield Road, shown as an outline design on Drg B2500600/04 Rev0 for land charge disclosures and development control.

ii. give approval to progress the scheme for the improvement of Longfield Road, shown as an outline design on Drg B2500600/04 Rev0, including any ancillary works such as drainage and environmental mitigation, with the intention of submitting a planning application if required.

iii. give approval for Legal Services to take a dedication, transfer or by some other appropriate legal mechanism to secure the land required to deliver the Longfield Road scheme, shown in outline on Drg B2500600/04 Rev0, including but not limited to any ancillary works such as drainage and environmental mitigation.

iv. give authority for Legal Services to promote a Compulsory Purchase Order in respect of unregistered land or land in unknown ownership, and any other Orders deemed necessary, required to deliver the Longfield Road scheme, shown in outline on Drg B2500600/04 Rev0, including but not limited to any ancillary works such as drainage and environmental mitigation.

v. give authority for Legal Services to enter into a funding Agreement with Tunbridge Wells Borough Council.

vi. give authority for Legal Services or S151 Officer, as required, to formally accept the DfT Pinch Point funding offer when received and subject to being satisfied with the terms and conditions.

Background Documents

Local Pinch Point Funding Application – February 2013
Scheme Plan – Drg. No. B2500600/04 Rev0

Contact details

John Farmer, Major Capital Projects Manager
john.farmer@kent.gov.uk
07740 185252

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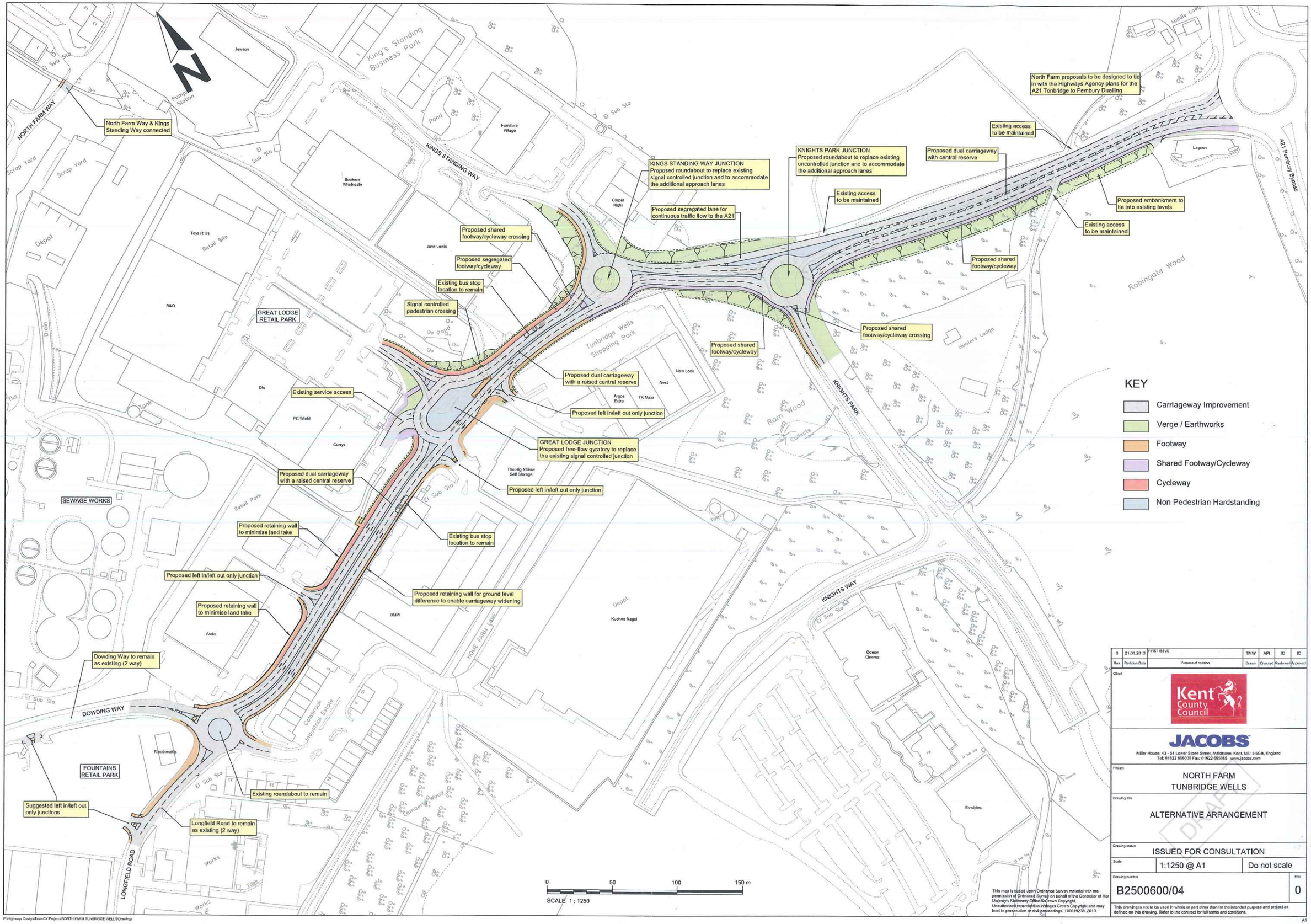

Rev	Revision Date	Purpose of revision	Drawn	Checked	Reviewed	Approved
0	21.01.2013	FIRST ISSUE	TMW	API	IC	IC

Client: Kent County Council

JACOBS
Miller House, 43 - 51 Lower Stone Street, Maidstone, Kent, ME15 6GB, England
Tel: 01622 696000 Fax: 01622 695085 www.jacobs.com

Project: NORTH FARM TUNBRIDGE WELLS

Drawing title: ALTERNATIVE ARRANGEMENT

Drawing status: ISSUED FOR CONSULTATION

Scale	1:1250 @ A1	Do not scale

Drawing number: B2500600/04 Rev: 0

DRAFT

P:\Highways Design\Team\CY Projects\NORTH FARM TUNBRIDGE WELLS\Drawings

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FORTHCOMING EXECUTIVE DECISIONS

W/c 15 April 2013
Environment, Highways and waste

This edition of the list of Forthcoming Executive Decisions supersedes ALL previous Editions

Published by Democratic Services

This list of Forthcoming Executive Decisions publicises all known decisions which Kent County Council intends to take over the next six months. It gives information on the projects that will be coming forward and who will be involved with them. Key decisions are marked clearly as such within the list.

Please use the contact details given to let us know your views.

LIST OF FORTHCOMING EXECUTIVE DECISIONS

Each week the list of Forthcoming Executive Decisions is updated where there are additions, deletions or amendments to be made. Although Kent County Council aims to include all known decisions, statute requires that all Key decisions must be publicised in this way.

A "Key Decision" is an Executive-side Decision which is likely to:

(a) result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function to which the decision relates; or

(b) be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the area of the local authority.

Key Decisions can only be taken by the Cabinet, the Leader or an individual Cabinet Member.

Decisions which should be regarded as Key Decisions because they are likely to have a significant effect either in financial terms or on the Council's services to the community include:

(a) Decisions about expenditure or savings over £1,000,000 which are not provided for within the approved budget or Medium Term Financial Plan

(b) Adoption of major new policies not already included in the Policy Framework (Constitution Appendix 3) or changes to established policies

(c) Approval of management and business plans

(d) Decisions that involve significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality. For example, closure of a school, approval of a major project (such as a highway scheme) or programme of works, major changes in the eligibility criteria for provision of a service, major changes in the fees charged for a service, or proposals that would result in a service currently provided in-house being outsourced.

(e) Decisions where the consequences are likely to result in compulsory redundancies or major changes in the terms and conditions of employment of a significant number of employees in any of the Council's functions.

Preparation of the list helps the Council to programme its work and ensures compliance with the 'Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) regulations 2012.

The list outlines the consultation that is proposed in respect of future decisions and who members of the public and the Council should contact to make comments on any particular item. Anyone is entitled to obtain copies of the documents that will be relied upon when a decision is taken, unless those documents are 'Exempt' within the meaning of the relevant sections of the Local Government Act 1972 (as amended).

Reports related to decisions will be published on the Council's web site at www.kent.gov.uk at least five days before the decision it is due to be taken. Once the decision has been taken, a copy of the Record of Decision will also be published on the Council's website. Paper copies will be made available by contacting Louise Whitaker (telephone 01622 694433 or email louise.whitaker@kent.gov.uk)

The Kent County Council Cabinet Members are:	
Mr Paul Carter	Leader of the Council
Mr Alex King	Deputy Leader & Cabinet Member for Democracy and Partnerships
Mr Roger Gough	Cabinet Member for Business Strategy, Performance & Health Reform
Mr John Simmonds	Cabinet Member for Finance & Business Support
Mr Graham Gibbens	Cabinet Member for Adult Social Care & Public Health
Mr Bryan Sweetland	Cabinet Member for Environment, Highways & Waste
Mr M Dance	Cabinet Member for Regeneration & Economic Development
Mr M Whiting	Cabinet Member for Education, Learning & Skills
Mr Mike Hill	Cabinet Member for Communities, Customer Services & Improvement
Mrs Jenny Whittle	Cabinet Member for Specialist Children's Services

All Members can be contacted by writing to Kent County Council, Sessions House, County Hall, Maidstone, Kent, ME14 1XQ or by email via the Council's website.

April 2013 by Cabinet Member

Joint Transportation Boards - Agreement and Governance

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: Not before 1st Apr 2013

Lead officer: David Hall

Notice of decision published: 16/02/2013

Reason for urgency:
N/a

Anticipated restriction: Open

A20 Corridor Statutory Quality Bus Partnership Scheme - 12/01924

Decision maker: Cabinet Member for Environment, Highways and Waste
Decision due: Not before 1st Apr 2013
Originally due: 3 Dec 2012
Lead officer: Paul Lulham
Notice of decision published: 31/12/2012

Kent Minerals and Waste Development Framework (MWDF) Core Strategy at Pre-Submission (Draft Plan) Stage - 12/01879

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: Not before 1st Apr 2013

Originally due: 3 Sep 2012

Lead officer: Lillian Harrison

13/00031 North Farm Link Road (Longfield Road), Tunbridge Wells

Decision maker: Cabinet Member for Environment, Highways & Waste

May 2013 by Cabinet

12/01945 - Kent Local Flood Risk Management Strategy (local strategy)

Decision maker: Cabinet

Decision due: 24 May 2013

Originally due: 18 Mar 2013

Lead officer: Max Tant

Notice of decision published: 17/07/2012

Reason for urgency:
N/a

Anticipated restriction: Open

June 2013 by Cabinet Member

Canterbury City Council Local Plan (Reg 18) Consultation - 12/01994

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: Not before 1st Jun 2013

Notice of decision published: 31/12/2012

Bold Steps for Aviation

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: Not before 1st Jun 2013

Lead officer: Ann Carruthers

Notice of decision published: 01/03/2013

September 2013 by Cabinet Member

Swale Borough Council Local Plan (Reg 19) pre submission publication - 12/01993

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: Not before 1st Sep 2013

Notice of decision published: 31/12/2012

Thanet District Council Local Plan (Reg 18) Consultation - 12/01992

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: Not before 1st Sep 2013

Notice of decision published: 31/12/2012

November 2013 by Cabinet Member

Maidstone Borough Council Core Strategy Submission (Regulation 27) consultation - 12/01828

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: Not before 1st Nov 2013

Originally due: 1 Mar 2012

Lead officer: Katherine Dove

Notice of decision published: 31/12/2012

Cabinet Member Decisions for 2013 - dates to be confirmed

Local Transport Strategies - Various

Decision maker: Cabinet Member for Environment, Highways and Waste

Decision due: Between 3 Dec 2012 and 3 Dec 2013

Lead officer: Sally Benge, Chad Nwanosike, Peter Rosevear, Ruth Goudie, Paul Lulham

Notice of decision published: 31/12/2012

From: Bryan Sweetland, Cabinet Member – Environment, Highways & Waste
Mike Austerberry, Corporate Director for Enterprise & Environment

To: Environment, Highways & Waste Cabinet Committee

Date: 23 April 2013

Subject: Enterprise & Environment performance dashboard

Classification: Unrestricted

Summary:

The Enterprise & Environment performance dashboard provides members with progress against targets set in business plans for key performance and activity indicators.

Recommendation:

Members are asked to REVIEW the Enterprise & Environment performance dashboard.

Introduction

1. The third performance dashboard for the Enterprise & Environment Directorate for 2012/13 is attached at Appendix 1. This covers results up to the end of February 2013 and, where available, an estimate for the end of March 2013.

2. The second full dashboard report was reviewed at the November 2012 meeting of the Cabinet Committee and this covered results up to the end of September 2012.

3. As an outcome of their Performance Review, Members may make reports and recommendations to the Leader, Cabinet Members, the Cabinet or Officers.

Enterprise & Environment performance dashboard

4. The Enterprise & Environment performance dashboard, attached at Appendix 1, includes latest available results up to the end of February 2013 and, where available, an estimate for the end of March 2013 for the Key Performance

Indicators (KPIs) and Activity Indicators included in this year's divisional business plans for the Enterprise & Environment Directorate.

5. Indicators for Highways & Transportation are shown with the latest available month results (February 2013). For Waste Management, where data is more appropriately monitored with a rolling 12 month figure to remove seasonality, the data is provided with quarterly updates, which, in this instance, are estimated results for the quarter ending March 2013.

6. Key Performance Indicators are presented with RAG (Red/Amber/Green) alerts to show progress against business plan targets. Details of how the alerts are generated are outlined in the Guidance Notes, included with the dashboard in Appendix 1.

7. Activity Indicators generally relate to external demand and are not shown with alerts in the same way that the Key Performance Indicators are. Activity indicators tend to help answer the question of how much are we dealing with and results are compared to previous year activity.

Recommendations

Members are asked to REVIEW the Enterprise & Environment performance dashboard.

Background Documents

Enterprise & Environment Divisional Business Plans available on KCC website:
http://www.kent.gov.uk/your_council/council_spending/financial_publications/business_plans_2012-13.aspx

Contact Information

Richard Fitzgerald, Corporate Performance Manager
richard.fitzgerald@kent.gov.uk
01622 221985

Enterprise & Environment Performance Dashboard

February 2013

Produced by Business Intelligence, Business Strategy

Publication Date: 28th March 2013

Kent County Council
kent.gov.uk

Guidance Notes

RAG RATINGS

GREEN	Performance has met or exceeded the current target
AMBER	Performance is below the target but above the floor standard
RED	Performance is below the floor standard

Floor standards are pre-defined minimum standards set in Business Plans and represent levels of performance where management action should be taken.

DOT (Direction of Travel)

⇧	Performance has improved in the latest reporting period (month or quarter)
⇩	Performance has fallen in the latest reporting period (month or quarter)
⇔	Performance is unchanged in the latest reporting period (month or quarter)

Please note:

For some indicators where improvement is expected to be delivered steadily over the course of the year, this has been reflected in phased targets. Year End Targets are shown in this dashboard, but full details of the phasing of targets where appropriate can be found in the Cabinet approved business plans.

Separate tables have been provided showing the raw data (denominator) used to calculate the percentages for the Performance Indicators.

Highways and Transportation
Accountable Manager: John Burr, Director of Highways and Transportation

Data is for the month of February 2013.

Performance Indicator	Latest Month Result	Month RAG	DOT	Year to date Result	Year to date RAG	Year end Target	Floor Standard	Previous year
Average number of calendar days to repair a pothole	14.3	GREEN	⇩	13.2	GREEN	28	35	20
Percentage of routine enquiries reported by the public, completed within 28 calendar days	95%	GREEN	⇩	96%	GREEN	90%	80%	90%
Percentage of potholes due to be repaired in the month, completed within 28 calendar days	89%	AMBER	⇩	96%	GREEN	90%	80%	89%
Percentage of streetlights repaired in 28 calendar days (KCC Control)	98%	GREEN	⇧	90%	GREEN	90%	80%	84%
Percentage of streetlights working	99%	GREEN	⇔	99%	GREEN	98%	90%	98%

Activity (supporting figures for Performance Indicator results above)	Monthly Count	Year to date	Previous Year
Number of pothole repairs completed	2,515	11,487	11,645
Number of routine enquiries reported by the public which have reached completion due date (28 calendar days after initial enquiry)	6,884	33,836	61,248
Number of streetlight repairs which have reached completion due date (28 calendar days after initial enquiry) (KCC Control)	2,504	31,062	33,893
Number of streetlights	126,301	N/A	126,056

Waste Management
Accountable Manager: Roger Wilkin, Head of Waste Services

Results are reported as rolling 12 month figures, to remove seasonality. Data is for the year to end of March 2013.

Note that data for month of March is on an estimated basis, so the results represent the best forecast at time of writing.

Direction of travel is based on comparison results for the 12 months to December 2012.

Performance Indicator	Latest result	RAG	DOT	Year end Target	Floor Standard	Previous year
Percentage of municipal waste not taken to landfill (waste recycled, composted or converted to energy)	79.1%	GREEN	⇩	75.4%	72.8%	78.1%
Percentage of municipal waste recycled or composted	44.4%	GREEN	⇩	44.4%	42.9%	45.2%
Percentage of municipal waste converted to energy	34.7%	GREEN	⇧	30.9%	29.8%	32.9%
Percentage of waste recycled and composted at Household Waste Recycling Centres (HWRC) including soil and hardcore	72.1%	GREEN	⇩	70.0%	68.1%	71.8%

Activity (supporting figures for Performance Indicator results above)	Rolling 12 month Tonnage	Business Plan forecast	Previous year
Total Municipal waste tonnage collected	689,302	694,200	716,000
Municipal waste tonnage collected by district councils	522,244	526,000	525,000
HWRC waste tonnage collected	167,058	168,000	191,000

From: Bryan Sweetland, Cabinet Member – Environment, Highways & Waste
Mike Austerberry, Corporate Director – Enterprise & Environment

To: Environment, Highways & Waste Cabinet Committee

Date: 23 April 2013

Subject: Enterprise and Environment Directorate (Environment, Highways and Waste Portfolio) Financial Monitoring 2012/13

Classification: Unrestricted

Summary:

Members of the Cabinet Committee are asked to note the third quarter's full budget monitoring report for 2012/13 reported to Cabinet on 18 March 2013.

Recommendation:

Members are asked to note the revenue and capital forecast variances from budget for 2012/13 for the Enterprise & Environment Directorate (Environment, Highways & Waste Portfolio) based on the third quarter's full monitoring to Cabinet.

FOR INFORMATION

1. Introduction

1.1 This is a regular report to this Committee on the forecast outturn for Enterprise & Environment Directorate (Environment, Highways and Waste Portfolio).

2. Background

2.1 A detailed quarterly monitoring report is presented to Cabinet, usually in September, December, and March and a draft final outturn report in either June or July. These reports outline the full financial position for each portfolio and will be reported to Cabinet Committees after they have been considered by Cabinet. In the intervening months an exception report is made to Cabinet outlining any significant variations from the quarterly report. The third quarter's monitoring report for 2012/13 is attached.

3. Enterprise & Environment Directorate 2012/13 Financial Forecast – Revenue

3.1 There are no exceptional revenue changes since the writing of the attached quarter 3 report.

4. Enterprise & Environment Directorate 2012/13 Financial Forecast - Capital

4.1 There are no capital movements from the attached quarter 3 report.

Recommendations

Members of the Environment, Highways and Waste Cabinet Committee are asked to note the revenue and capital forecast variances from budget for 2012/13 for the Enterprise & Environment Directorate (Environment, Highways & Waste Portfolio) based on the third quarter's full monitoring to Cabinet.

Contact details

Anthony Kamps, Enterprise and Environment Finance Business Partner
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01622 694035

ENTERPRISE & ENVIRONMENT DIRECTORATE SUMMARY DECEMBER 2012-13 FULL MONITORING REPORT

1. FINANCE

1.1 REVENUE

1.1.1 All changes to cash limits are in accordance with the virement rules contained within the constitution, with the exception of those cash limit adjustments which are considered "technical adjustments" ie where there is no change in policy, including:

- Allocation of grants and previously unallocated budgets where further information regarding allocations and spending plans has become available since the budget setting process.
- Cash limits for the A-Z service analysis have been adjusted since the quarter 2 monitoring report to reflect the transfer or the Transport Integration Unit to E&E directorate from Commercial Services, together with the Service Level Agreements for transport related services from ELS and FSC (see annexes 1, 2 and 3). A new Transport Operations A-Z budget line has been established within the Transport Services section of the A-Z and this is reflected in table 1 below. The cash limit for General Maintenance and Emergency Response includes a virement of £300k from the underspend on Net Debt Charges in the Finance and Business Support Portfolio together with a virement of £850k from the Initiatives to Boost the Economy budget within the Other Financing Items budget also within the Finance and Business Support Portfolio; this funding is to cover the cost of pothole repairs resulting from the January/February snow. There have also been a number of other technical adjustments to budget, including the centralisation of the ICT budgets to BSS directorate (see annex 6).
- The inclusion of a number of 100% grants (ie grants which fully fund the additional costs) awarded since the budget was set. These are detailed in Appendix 1 of the executive summary.

1.1.2 **Table 1** below details the revenue position by A-Z budget:

Budget Book Heading	Cash Limit			Variance			Comment
	G	I	N	G	I	N	
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	
Environment, Highways & Waste portfolio							
E&E Strategic Management & Directorate Support Budgets	8,085	-408	7,677	-341	-136	-477	ICT development costs; saving on feasibility studies; Cyclopark revenue contribution to capital; savings on uncommitted directorate budgets
Environment:							
- Environment Management	4,132	-1,526	2,606	-4	-10	-14	
Highways:							
Highways Maintenance:							
- Adverse Weather	3,238	0	3,238	1,033	0	1,033	Additional salting runs and snow clearance
- Bridges & Other Structures	2,683	-239	2,444	-130	150	20	Reduced maintenance and associated developer income
- General maintenance & emergency response	14,359	-487	13,872	914	-494	420	Dual carriageway maintenance; office relocation; depot savings; emergency response; barrier replacement and associated drawdown of funds from the balance sheet

Budget Book Heading	Cash Limit			Variance			Comment
	G	I	N	G	I	N	
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	
- Highway drainage	3,242	-82	3,160	692	0	692	Backlog of scheduled cleaning; additional drainage costs due to exceptional adverse weather
- Streetlight maintenance	3,970	-167	3,803	591	-591	0	Streetlight column replacement; drawdown of funds held in the balance sheet
	27,492	-975	26,517	3,100	-935	2,165	
Highways Safety & Management:							
- Development Planning	2,128	-1,283	845	-100	-18	-118	Staffing vacancies and other small variances
- Highways Improvements	7,709	-50	7,659	766	-972	-206	Savings from procurement exercise on resurfacing budget; Ashford Drovers roundabout scheme costs and income
- Road Safety	3,246	-2,234	1,012	28	79	107	Increase in speed awareness training & reduction in bicycle training costs & income
- Streetlight energy	5,845	0	5,845	-540	0	-540	Energy savings
- Traffic management	5,527	-2,622	2,905	-310	-551	-861	Contract saving; s74 fees and permit scheme income
- Tree maintenance, grass cutting & weed control	3,331	-78	3,253	637	-19	618	Increased weed control activity and shrub maintenance due to exceptional rainy weather; Tree stump removal
	27,786	-6,267	21,519	481	-1,481	-1,000	
Planning & Transport Strategy:							
- Planning & Transport Policy	1,251	-15	1,236	-73	-13	-86	
- Planning Applications	1,128	-550	578	-161	190	29	Staffing vacancies held to offset reduced income
	2,379	-565	1,814	-234	177	-57	
Transport Services:							
- Concessionary Fares	16,307	-27	16,280	-165	0	-165	Reduced usage
- Freedom Pass	13,648	-2,459	11,189	354	-26	328	Increased usage; education transport policy changes
- Subsidised Bus Routes	8,643	-1,454	7,189	-179	133	-46	Retendering/changing contracts
- Transport Operations	871	-170	701	45	15	60	
- Transport Planning	456	-219	237	13	0	13	
	39,925	-4,329	35,596	68	122	190	
Waste Management							
Recycling & Diversion from Landfill:							
- Household Waste Recycling Centres	8,620	-1,482	7,138	-220	-407	-627	Reduced waste tonnage; income from recyclables
- Partnership & Waste Co-ordination	722	-168	554	1	-32	-31	

Budget Book Heading	Cash Limit			Variance			Comment
	G	I	N	G	I	N	
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	
- Payments to Waste Collection Authorities (DCs)	5,473	-102	5,371	-441	0	-441	Reduced waste tonnage
- Recycling Contracts & Composting	10,516	-601	9,915	101	46	147	reduced waste tonnage; increase in prices / impact of landfill tax
	25,331	-2,353	22,978	-559	-393	-952	
Waste Disposal:							
- Closed Landfill Sites & Abandoned Vehicles	764	-180	584	25	52	77	
- Disposal Contracts	29,297	-156	29,141	-2,977	26	-2,951	Reduced waste processed by the Allington WtE plant; waste sent for landfill instead
- Haulage & Transfer Stations	8,575	-75	8,500	-236	8	-228	Reduced waste tonnage
- Landfill Tax	7,165	0	7,165	1,435	0	1,435	Increased landfill due to extended planned maintenance of Allington WtE plant
	45,801	-411	45,390	-1,753	86	-1,667	
Commercial Services	0	-6,879	-6,879	0	1,220	1,220	Reduced contribution
Total E, H & W portfolio	**180,931**	**-23,713**	**157,218**	**758**	**-1,350**	**-592**	
Regeneration & Enterprise portfolio							
Development Staff & Projects	662	-662	0	-48	48	0	
Total E&E controllable	**181,593**	**-24,375**	**157,218**	**710**	**-1,302**	**-592**	
Assumed Management Action							
- EHW portfolio						0	
- R&E portfolio						0	
Forecast after Mgmt Action				**710**	**-1,302**	**-592**	

The Commercial Services *and* Development Staff & Projects *lines are shaded out as these are within the remit of the* Policy and Resources *Cabinet Committee* and Economic Development *Cabinet Committee respectively and not the* Environment, Highways & Waste *Cabinet Committee*

1.1.3 **Major Reasons for Variance**: *[provides an explanation of the 'headings' in table 2]*

Table 2, at the end of this section, details all forecast revenue variances over £100k. Each of these variances is explained further below:

Environment, Highways & Waste portfolio:

1.1.3.1 E&E Strategic Management & Directorate Support Budgets: Gross -£341k, Income -£136k, Net -£477k

Although there is a forecast gross underspend of -£341k, this includes a pressure of £89k for ICT development costs associated with system contracts being brought back in house from an external contractor. There is a forecast underspend on the Head of Transportation budget of -£175k due to a reduction in spend on feasibility studies for major transportation projects to cover the pressures elsewhere in the division. There is a forecast pressure of +£201k due to a revenue contribution to capital for the Cyclopark scheme which is being covered by an underspend of -£201k from within the Strategic Management where a number of uncommitted balances have been identified. There are a number of other gross underspends all less than £100k which total -

£255k including underspends on project development and an annual management charge from an external contractor. The increased income of -£136k results from small variances over a number of lines.

1.1.3.2 **Highways:**

Overall the Highways Division is forecasting a net pressure of £1,165k, which includes an estimate of £1m for the costs of the snow in January and early February. All variances over £100k are detailed below:

1.1.3.2.1 **Highways Maintenance**

a. Adverse Weather: Gross +£1,033k, Income Nil, Net +£1,033k
There is a gross pressure of £1,033k forecast on this line of which £1,000k relates to the cost of the additional salting runs and snow clearance in January and early February.

b. Bridges & Other Structures: Gross -£130k, Income +£150k, Net +£20k
There is a gross underspend of -£130k of which -£100k relates to a reduction in maintenance fees to an external contractor. There is a corresponding reduction in income from developers of +£100k, as these maintenance costs are recharged to developers who benefit from these structures e.g. to gain access to their land. The remaining gross underspend of -£30k and reduction in income of +£50k are all due the small variances all under £100k.

c. General Maintenance & Emergency Response: Gross +£914k, Income -£494k, Net +£420k
The £414k gross pressure on this budget includes a forecast pressure of +£282k for dual carriageway maintenance together with a pressure of +£160k for emergency overnight response to incidents reported by Kent Police. In addition there is a £120k pressure for relocating the Transport Integration team to the Aylesford Highways dept. There is a forecast underspend of -£234k relating to Highways Depots including underspends on both depot maintenance and energy costs. There is a forecast pressure of +£500k for the replacement of barriers which will be made as a revenue contribution to capital and is to be funded from a drawdown of funds held in the revenue balance sheet of -£500k. There are other minor variances all less than £100k in value which total +£86k.

d. Highway Drainage: Gross +£692k, Income Nil, Net +£692k
There is a gross pressure of £500k for additional drainage costs due to the exceptional wet weather and £200k to cover the costs of a backlog in scheduled gully cleaning. There are other minor underspends of -£8k.

e. Streetlight maintenance: Gross +£591k, Income -£591k, Net Nil
There is a pressure of +£600k in capital expenditure due to the replacement of street light columns but as there is insufficient capital budget for this, it is being funded by a revenue contribution to capital, which is in turn being funded by a drawdown of funds held in the revenue balance sheet of -£600k. There are other minor gross and income variances of £9k.

1.1.3.2.2 **Highways Safety & Management**

a. Development Planning: Gross -£100k, Income -£18k, Net -£118k
The gross underspend of -£100k on this budget line is made up of a number of small variances all under £100k which includes staff vacancies.

b. Highway Improvements: Gross +£766k, Income -£972k, Net -£206k
There is a forecast pressure on this budget of £980k due to a revenue contribution to capital for the Ashford Drovers roundabout scheme. This is being funded by drawing down income of -£980k from the revenue balance sheet from a number of sources including developer contributions and performance securities. The remaining gross underspend of -£214k includes savings from a procurement exercise of -£179k on the resurfacing budget to ease the pressure on the drainage budget (section 1.1.3.2.1.d above).

c. Road Safety: Gross +£28k, Income +£79k, Net +£107k
The gross pressure on this budget includes +£258k of additional costs relating to speed awareness courses which are offset by increased income of -£153k. The approved budget

assumes that income will exceed the costs to the authority but as courses are currently running under full capacity the reduction in income is not matched by an exact reduction in expenditure. There has been a reduction in expenditure on bicycle training of -£140k together with a corresponding reduction in income from schools and the Department of Transport of +£130k. There are a number of other minor gross and income variances all less than £100k in value including reduced expenditure and income for the National Driver Improvement Scheme.

d. Streetlight energy: Gross -£540k, Income Nil, Net -£540k
There is a forecast underspend on streetlight energy of -£540k as the funding awarded for prices in the 2012-13 budget build has proved to be in excess of what has been required. A saving has been reflected in this 2013-14 budget for this.

e. Traffic Management: Gross -£310k, Income -£551k, Net -£861k
The new lane rental scheme where companies will pay to rent lanes whilst undertaking work on the most critical/busiest roads of our network has now been approved by the Department of Transport. This scheme will yield income for future years. Under the terms of the scheme the Council will retain revenues obtained from charges to meet the costs incurred for operating the Kent Lane Rental Scheme (KLRS), with any surplus revenue used for initiatives associated with the objectives of the KLRS within the areas of transportation, enabling infrastructure and industry practices and research and development. A Board including representatives from each utility area (i.e. gas, communications, water and electricity) and from Kent County Council will oversee the administration of the surplus revenues. Cabinet agreed at the December meeting that future surplus funds be transferred to a new earmarked reserve and drawn down as expenditure is incurred in line with initiatives agreed by the Board. A gross pressure on this budget of £145k, forecast in the last monitoring report, for development costs in respect of the new KLRS, which is a one-off cost for 2012-13, has now been removed as it will be transferred to this new earmarked reserve to be offset against future income streams.

There is a forecast underspend of -£263k as a result of the transfer of staff and contracts back to the Council from an external contractor.

The forecast additional income of -£551k has resulted from a combination of section 74/road closure fees (-£226k) and income from Permit Schemes (-£325k). Section 74 fees are recovered from works promoters (utility companies etc) who have taken an unreasonably prolonged occupation of the highway and the additional Permit fee income reflects the recovery of the full costs incurred, including the Directorate and Corporate overheads, which are not charged directly to this budget line.

f. Tree maintenance, grass cutting & weed control: Gross +£637k, Income -£19k, Net +£618k
The forecast pressure on this budget, due to additional activity on weed control that has arisen as a result of the particularly rainy spring and summer months, is +£216k and these weather conditions have also impacted on shrub maintenance activity leading to a further pressure of +£150k. There is also a pressure of +£252k due to the removal of tree stumps.

1.1.3.3 **Planning & Transport Strategy:**

a. Planning Applications: Gross -£161k, Income +£190k, Net +£29k
There is a gross variance of -£161k which primarily results from -£107k of staffing vacancies which are being held to offset an under-recovery in income of +£190k, which largely relates to reduced income from planning applications.

1.1.3.4 **Transport Services:**

a. Concessionary Fares: Gross -£165k, Income Nil, Net -£165k
The reduction in usage, probably due to the poor summer weather, has led to a forecast underspend on this budget line of -£232k due to fewer journeys travelled. There are other overspends, all less than £100k in value totalling +£67k.

b. Freedom Pass: Gross +£354k, Income -£26k, Net +£328k
There is a pressure forecast for the freedom pass budget of £354k due to an increase in the number of passes in issue and the number of journeys travelled. £246k of this pressure is

estimated to be as a result of changes in education transport policy, namely the withdrawal of free home to school transport for new entrants to selective and denominational schools.

c. Subsidised Bus routes: Gross -£179k, Income +£133k, Net -£46k
A gross underspend of -£133k and similar corresponding shortfall in income comprises of a number of small variances all under £100k, including reduced costs and income due to the re-tendering of local bus services, reduced costs and income following the transfer of services to a voluntary organisation and reduced costs and income due to the number of entitled scholars using the subsidised bus network. In addition there is a gross underspend of -£46k due mainly to part year staff vacancies.

1.1.3.5 **Waste Management:**
Overall the Waste Management Division is forecasting a net underspend of £2,619k.

The waste tonnage for the first nine months of 2012-13 is approximately 18,900 tonnes under the affordable level to the end of December. This indicates that waste tonnage will be below the affordable level for the year and an estimated overall tonnage of 702,000 tonnes is predicted, which is 28,000 tonnes below the affordable level. This contributes to an overall forecast underspend on the waste budgets of £2,619k. The levels of waste tonnage will continue to be carefully reviewed as part of the regular monitoring process to Cabinet. Waste tonnage trends are shown in section 2.4 of this annex.

1.1.3.5.1 **Recycling & Diversion from Landfill**

a. Household Waste Recycling Centres: Gross -£220k, Income -£407k, Net -£627k
An underspend of -£220k on gross expenditure is primarily due to the lower volumes of tonnage which has resulted in reduced haulage fees of -£264k. Despite the reduction in volumes there has still been a significant over-recovery in income of -£514k. The new contract for textiles agreed last December, is generating an additional -£407k, and income on lead acid batteries is adding a further -£110k. There are also small variances in income totalling +£3k relating to glass, paper and card, waste containers, and metals, which reflects a reduction in income from previous forecasts following a drop in the prices for recycled metals. Debts of +£107k for the sale of paper and card have had to be written off after the company concerned went into liquidation.

b. Payments to Waste Collection Authorities (District Councils): Gross -£441k, Income Nil, Net -£441k
A gross underspend of -£441k is forecast due to a decrease in waste and recyclables being managed by the District Councils of approximately 7,000 tonnes.

c. Recycling Contracts & Composting: Gross +£101k, Income +£46k, Net +£147k
The tonnage for recycling and composting is approximately 9,600 tonnes under budget and this has resulted in a gross saving of -£134k. However changes in prices, particularly the impact from changes to legislation earlier in the year, in respect of the landfill tax applied to the processing of inert waste, has resulted in a +£235k pressure. Inert or inactive waste is largely water insoluble and non or very slowly biodegradable; for example, sand, subsoil, concrete, bricks, mineral fibres, fibreglass and so on.

1.1.3.5.2 **Waste Disposal**

a. Disposal Contracts: Gross -£2,977k, Income +£26k, Net -£2,951k
A gross underspend of £2,977k is forecast for this budget as a result of reduced contractual payments of -£3,281k to the operators of the Allington Waste to Energy Plant due to extended planned maintenance, which has resulted in less tonnage being processed at the plant than previously forecast. However, for the same reason part of this underspend has been offset by an increase in spend of +£375k on Landfill Disposal Contracts due to more waste being diverted to landfill; this has also resulted in a corresponding increase in landfill tax referred to in section c) below. Overall the final tonnage figure is expected to be 11,400 tonnes under the affordable level. The remaining gross underspend of -£71k relates to a reduction in the specialist disposal of hazardous material.

b. Haulage & Transfer Stations: Gross -£236k, Income +£8k, Net -£228k

This line is forecasting a gross underspend of -£236k as a result of the overall forecast reduction in waste tonnage.

c. Landfill Tax: Gross +£1,435k, Income Nil, Net +£1,435k
The increased level of waste sent for landfill referred to in section 1.1.3.5.2a above generates a forecast pressure of +£1,435k.

Table 2: REVENUE VARIANCES OVER £100K IN SIZE ORDER
(shading denotes that a pressure has an offsetting saving, which is directly related, or vice versa)

Pressures (+)			Underspends (-)		
portfolio		£000's	portfolio		£000's
EHW	Landfill Tax - Additional waste (approx. 22,000 tonnes) sent to landfill due to extended planned maintenance at the Allington WtE Plant. Offset by reduced contractual payments in Disposal Contracts.	+1,435	EHW	Disposal Contracts - reduced level of residual waste being processed at the Allington Waste to Energy plant and sent to landfill due to extended planned maintenance	-3,281
EHW	Highways: Adverse Weather - Additional salting runs and snow clearance	+1,000	EHW	Highways: Highways Improvements - Drawdown of revenue balance sheet income to fund revenue contribution to capital	-980
EHW	Highways: Highways Improvements - Revenue contribution to capital for Ashford Drovers roundabout scheme	+980	EHW	Highways: Streetlight maintenance - drawdown of funds held in the revenue balance sheet for streetlight column replacement	-600
EHW	Commercial Services - shortfall in contribution due to approved costs of restructure and reorganisation	+640	EHW	Highways: Streetlight energy	-540
EHW	Highways: Streetlight maintenance - revenue contribution to capital for streetlight column replacement	+600	EHW	Highways General Maintenance and Emergency Response: drawdown of funds held in the revenue balance sheet to fund replacement barriers	-500
EHW	Highways: Highways Drainage - additional costs due to exceptional wet weather conditions	+500	EHW	Payments to Waste Collection Authorities (District Councils) - reduced tonnage meaning reduced level of recycling credits paid to Districts	-441
EHW	Highways General Maintenance and Emergency Response: RCCO for replacement of barriers	+500	EHW	Household Waste Recycling Centres - additional income from textiles contract	-407
EHW	Commercial Services - rephasing of delivery of increased income target into 2013-14	+430	EHW	Highways: Traffic Management - Permit Scheme income	-325
EHW	Disposal Contracts - additional volumes of waste (approx 22,000 tonnes) sent to landfill as a result of the extended planned maintenance at the Allington WtE Plant. Offset by reduced contractual payments in Disposal Contracts.	+375	EHW	Household Waste Recycling Centres - reduced haulage fees as waste tonnage below affordable level	-264

Pressures (+)			Underspends (-)		
portfolio		£000's	portfolio		£000's
EHW	Highways: General maintenance and emergency response - dual carriageway maintenance	+282	EHW	Highways: Traffic Management - contract saving	-263
EHW	Highways: Road Safety - increased speed awareness costs offset by increased income	+258	EHW	Haulage & Transfer Stations - waste tonnage below affordable level	-236
EHW	Highways: Tree maintenance, grass cutting and weed control - Tree stump removal	+252	EHW	Highways: General maintenance and emergency response - depots maintenance and energy	-234
EHW	Transport Services: Freedom Pass - change of education transport policy	+246	EHW	Transport Services: Concessionary Fares - reduced usage	-232
EHW	Recycling Contracts and Composting - increase in prices	+235	EHW	Highways: Traffic Management - s74 and road closure income	-226
EHW	Highways: Tree maintenance, grass cutting and weed control - Additional weed control activity due to exceptional rainy weather	+216	EHW	Strategic Management & Directorate Support - strategic management uncommitted balances	-201
EHW	Strategic Management & Directorate Support - revenue contribution to capital for Cyclopark scheme	+201	EHW	Highways: Highways Improvements - savings from procurement exercise on resurfacing budget to offset drainage pressures	-179
EHW	Highways: Highways Drainage - backlog of scheduled cleaning	+200	EHW	Strategic Management & Directorate Support - saving on feasibility studies for major Transportation projects	-175
EHW	Planning Applications - under recovery of income due to reduced number of planning applications; offset by vacancies within staffing	+190	EHW	Highways: Road Safety - increased income for speed awareness courses to offset increased costs	-153
EHW	Highways: General maintenance and emergency response - increased overnight emergency response costs	+160	EHW	Highways: Road Safety - bicycle training reduced costs	-140
EHW	Highways: Tree maintenance, grass cutting and weed control - Shrub maintenance due to exceptional rainy weather	+150	EHW	Recycling Contracts and composting is approximately 9,600 tonnes under budget	-134
EHW	Commercial Services - shortfall in contribution due to one off restructuring costs	+150	EHW	Household Waste Recycling Centres - income from lead acid batteries	-110
EHW	Highways: Road Safety - bicycle training reduced income offset by reduced costs	+130	EHW	Planning Applications - staffing vacancies offsetting reduced income from planning applications	-107
EHW	Highways: General maintenance and emergency response - relocation of Transport Integration Team	+120	EHW	Highways: Bridges & Other Structures - reduction in maintenance fees from external contractors	-100
EHW	Transport Services: Freedom Pass - increased usage	+108			
EHW	Household Waste Recycling Centres - bad debts written off	+107			
EHW	Highways: Bridges & Other Structures - reduction in income from external contractors for maintenance fees	+100			
		+9,565			**-9,828**

1.1.4 **Actions required to achieve this position**:

None

1.1.5 **Implications for MTFP**:

Highways Safety and Management:
The underspend on street light energy reported in 1.1.3.2.2.d has been included as a saving in the 2013-15 MTFP.

Waste Management:
The extra income from sale of recyclable materials reported in 1.1.3.5.1.a is forecast to continue in future years and so the income budget has been increased in the 2013-15 MTFP for this.

Commercial Services
The re-phasing of the income target and full year effect of agreed costs of restructuring and reorganisation have been reflected in the 2013-15 MTFP.

1.1.6 **Details of re-phasing of revenue projects**:

None

1.1.7 **Details of proposals for residual variance**: *[eg roll forward proposals; mgmt action outstanding]*

The forecast underspend for the directorate is £592k as shown in Table 1, which contributes to the £5m underspend from 2012-13 to be used to support the overall 2013-14 KCC budget, as approved by County Council on 14 February.

1.2 CAPITAL

1.2.1 All changes to cash limits are in accordance with the virement rules contained within the constitution and have received the appropriate approval via the Leader, or relevant delegated authority.

1.2.2 The Enterprise & Environment Directorate has an approved budget for 2012-15 of £180.201m (see table 1 below). The forecast outturn against this budget is £180.680m, giving a variance of £0.479m. After adjustments for funded variances and reductions in funding, the revised variance comes to -£15.845m. This is made up of an unfunded variance of +£0.060m, project underspends of -£7.775m and re-phasing to later years of -£8.130m (see table 3).

1.2.3 Tables 1 to 3 summaries the Directorate's approved budget and forecast.

1.2.4 Table 1 – Revised approved budget

	£m
Approved budget last reported to Cabinet	180.201
Approvals made since last reported to Cabinet	0.000
Revised approved budget	180.201

1.2.5 Table 2 – Funded and revenue funded variances

	Portfolio	Amount	Reason
Scheme		£m	
Cabinet to agree cash limit changes:			
Highway Major Enhancement	E,H&W	6.723	Transferring DfT grant (£0.450m) from IT budget to major enhancement to deal with the drainage pressure; Additional Dft grant (£6.273m) received through LTP settlement
Integrated Transport Schemes	E,H&W	-0.450	Under spend to fund drainage pressure
Total Funded Variances		**6.273**	
No cash limit changes to be made:			
Highway Major Enhancement	E,H&W	1.368	
Integrated Transport Schemes	E,H&W	1.396	Contribution from Developer and other to carry out IT schemes.
Member Highway Fund	E,H&W	0.217	Previous year's works to be funded from revenue.
Non TSG Land and Part 1 claims	E,H&W	0.040	Developer contributions for part 1 claims
Energy Water Efficiency KCC/External	E,H&W	0.097	Recycled Initial loan for Enegy efficiency projects through revenue contribution
Coldharbour Gypsy site	E,H&W	0.060	Additional funds from HCA
Ashford Drovers Roundabout	E,H&W	3.023	GAF and Receipt in advance/capital developer contribution to fund the additional expenditure
Cyclo Park	E,H&W	0.250	Funded from revenue contribution (£0.232m) and the balance of £0.018m from Member Highway Fund
A28 Chart Road	E,H&W	3.600	Funded from developer contribution
Total		16.324	

1.2.6 Table 3 – Summary of Variance

Unfunded variance	0.060
Funded variance (from table 2)	13.648
Variance funded from revenue	2.676
Underspend	-7.775
Rephasing (beyond 2012-15)	**-8.130**
Total variance	0.479

Main reasons for variance

1.2.7 Table 4 below details each scheme, indicating all variances and the status of the scheme. Each scheme with a Red or Amber status will be explained including what is being done to get the scheme back to budget/on time.

Table 4 – Scheme Progress

Scheme name	Total cost	Previous spend	2012-15 approved budget	Later Years approved budget	2012-15 Forecast spend	Later Years Forecast spend	2012-15 Variance	Total project variance	Status Red/amber/green
	£m	£m	£m	£m	£m	£m	£m	£m	
	(a) = b+c+d	(b)	(c)	(d)	(e)	(f)	(g) = (e-c)	(h)=(b+e+f)-a	
Major Scheme- Preliminary Design Fees	0.900	0.000	0.900	0.000	0.350	0.150	-0.550	-0.400	Green
Highway Major Maintenance	155.823	0.000	96.157	59.666	104.048	57.366	7.891	5.591	Green
Member Highway Fund	6.898	0.000	6.898	0.000	7.084	2.200	0.186	2.386	Green
Integrated Transport Scheme	17.294	0.000	11.178	6.116	12.124	6.116	0.946	0.946	Green
A2 slip Road	0.056	0.000	0.056	0.000	0.056	0.000	0.000	0.000	Green
Commercial Services Vehicle Plant & Equipment	5.100	0.000	3.800	1.300	3.800	1.300	0.000	0.000	Green
Non TSG Land ,Compensation Claims and Blight	2.967	0.000	2.967	0.000	3.007	0.000	0.040	0.040	Green
Energy & Water Investment Funds-External	0.734	0.445	0.289	0.000	0.700	0.087	0.411	0.498	Green
Energy and Water Efficiency Investment	1.989	1.173	0.736	0.080	0.359	0.010	-0.377	-0.447	Green
Coldharbour Gypsy site	1.861	0.314	1.547	0.000	1.667	0.000	0.120	0.120	Amber - Overspend
Sandwich Sea Defences	3.640	0.000	3.640	0.000	2.624	1.016	-1.016	0.000	Amber - Delayed
Hernebay Site Improvement	1.595	0.306	1.289	0.000	1.289	0.000	0.000	0.000	Green
East Kent Waste Facilities	4.597	3.021	1.576	0.000	1.576	0.000	0.000	0.000	Green
East Kent Waste Facilities-Ashford TS	5.000	0.287	4.713	0.000	4.713	0.000	0.000	0.000	Green
LTP- A228 Leybourne and West Malling Imp	28.579	28.560	0.019	0.000	0.019	0.000	0.000	0.000	Green
Ashford Ring Road	15.554	15.457	0.097	0.000	0.097	0.000	0.000	0.000	Green
Sittingbourne Northern Relief Road	31.705	28.356	3.312	0.037	2.740	0.450	-0.572	-0.159	Green
East Kent Access PH2	87.001	81.317	5.684	0.000	3.210	2.022	-2.474	-0.452	Green
Rushenden Link Road	11.468	10.655	0.813	0.000	0.813	0.000	0.000	0.000	Green
Re-shaping Kent Highways Accommodation	22.073	21.928	0.145	0.000	0.145	0.000	0.000	0.000	Green
A2 Cyclo Park	8.748	7.569	1.179	0.000	1.429	0.000	0.250	0.250	Green
Victoria Way Ph 1	18.552	17.843	0.709	0.000	0.499	0.000	-0.210	-0.210	Green
Ashford-Drover's Roundabout junct.	20.543	20.393	0.150	0.000	3.173	0.000	3.023	3.023	Green
Swale Transfer Station	3.630	0.000	3.630	0.000	3.630	0.000	0.000	0.000	Green

Annex 4

Scheme name	Total cost	Previous spend	2012-15 approved budget	Later Years approved budget	2012-15 Forecast spend	Later Years Forecast spend	2012-15 Variance	Total project variance	Status Red/amber/green
	£m	£m	£m	£m	£m	£m	£m	£m	
	(a) = b+c+d	(b)	(c)	(d)	(e)	(f)	(g) = (e-c)	(h)=(b+e+f)-a	
HWRC-Ton & Malling	2.300	0.000	2.300	0.000	0.300	1.000	-2.000	-1.000	Green
HWRC-West Kent	2.600	0.000	0.000	2.600	0.000	2.600	0.000	0.000	Green
Mid Kent Joint Waste Project	4.440	0.000	4.440	0.000	4.440	0.000	0.000	0.000	Green
Growth without Gridlock	10.000	0.000	10.000	0.000	2.500	2.500	-7.500	-5.000	Green
Kent Thameside Strategic Transport Programme	145.331	0.670	9.071	135.590	7.781	107.748	-1.290	-29.132	Amber - Delayed
Street Lighting Timing	2.906	0.000	2.906	0.000	2.906	0.000	0.000	0.000	Green
Orchard Way Railway Bridge	15.000	0.000	0.000	15.000	0.000	15.000	0.000	0.000	Green
A28 Chart Road	15.000	0.000	0.000	15.000	3.600	13.000	3.600	1.600	Amber - Overspend
A228 Colts Hill Strategic Link	25.000	0.000	0.000	25.000	0.000	25.000	0.000	0.000	Green
South East Maidstone Strategic Route	35.000	0.000	0.000	35.000	0.000	35.000	0.000	0.000	Green
									Green
TOTAL	**713.884**	**238.294**	**180.201**	**295.389**	**180.680**	**272.566**	0.479	-22.344	

1.2.8 Status:

Green – Projects on time and budget
Amber – Projects either delayed or over budget
Red – Projects both delayed and over budget

1.2.9 Assignment of Green/Amber/Red Status

1.2.10 Projects with variances to budget will only show as amber if the variance is unfunded, i.e. there is no additional grant, external or other funding available to fund.

1.2.11 Projects are deemed to be delayed if the forecast completion date is later than what is in the current project plan.

Amber and Red Projects – variances to cost/delivery date and why

1.2.12 **Coldharbour Gypsy site: Amber (Real overspend +£0.120m)**

The main reason for the overspend is that unplanned works needed to be carried out by utility companies to avoid any damage to the existing cable and pipes. Part of the overspend (£0.060m) is to be funded from the Homes & Communities Agency (HCA).
Action is still being taken to confirm the remaining £0.060m.

1.2.13 **Sandwich Sea Defence: Amber (Re-phased beyond 2012-15 -£1.016m)**

The project has been re phased to reflect the agreed schedule of planned contribution from KCC to the Environment Agency.

1.2.14 **A28 Chart Road (Amber overspend +£1.600m)**

This project is likely to be delivered in phases, as funding streams are confirmed. The initial phase has funding approval in principle from the Growing Places fund. It is unlikely to require planning consent on land and should therefore be able to deliver soon. Other phases are likely to be related to the rate of development in South Ashford. The forecast overspend is anticipated to be funded from developer contributions.

1.2.15 **Kent Thameside Strategic Programme: Amber (Re-phased -£0.966m underspend £0.323m)**

With continued uncertainty over future public sector funding commitment to this programme a review has been carried out. As a result, the delivery of the programme has been re-phased beyond 2012-15 by £0.966m. There is a reduction of forecast spend by £0.323m within the 3 year period to reflect reduced external funding available for this scheme.

Other Significant Variances

1.2.16 **Highways Major Enhancements: (Real overspend +£7.891m- (2012-2015))**

There is an anticipated over spend of +£0.450m in 2012-13 to deal with urgent capital repair works to drainage system resulting from the scheduled cleansing programme. This additional work will be funded from the Integrated Transport programme grant under spend.
In addition to the drainage issues, another £0.500m will be spent on high risk safety barrier repairs and replacement following county wide condition survey.

Structural testing of street lighting columns has identified urgent need for replacing high risk columns. Estimated cost for this work would be £0.600m. Both of these high risk Street lighting and drainage capital works will be funded from commuted sum receipt in advance. £0.050m revenue contribution was used for footway kerbing works related to Paralympic site.
There were some other maintenance works (£0.215m) carried out as part of the enhancement programme and these are expected to be funded from external other and developers.

Additional funding from DfT (£6.273m) was allocated to this programme in 13-14 and 14-15 as the result of the Chancellor's Autumn Statement on the 5 December 2012.

1.2.17 **Member Highway Fund: (Real overspend +£0.186m)**

The additional expenditure relates to implementing schemes related to previous year's Member High fund allocations and is funded from revenue.

1.2.18 **Integrated Transport Schemes (IT): (Real overspend +£0.946m)**

The three year programme (2012-15) now includes schemes that are expected to be funded (£1.233m) from developer contributions. A review of current year's programme has resulted in an under spend of £0.450m that will be used to fund the extra drainage pressure in maintenance. There is an additional over spend of £0.163m in the 2012-13 IT programme for a cycle scheme which is partly funded from Sustrans.

1.2.19 **Sittingbourne Northern Relief Road: (Underspend -£0.160m and re-phasing -£0.413m)**

Overall predicted scheme outturn has been reduced. This follows the completion of wider signing works with actual cost less than originally estimated together with a further reduction in residual risk provision. The part 1 compensation claims have been re-phased to beyond 2012-15.

1.2.20 **East Kent Access Road Phase 2: (Underspend -£0.452m and re-phasing -£2.022m)**

The underspend reflects the agreement on the main contract final account, revised estimates for land acquisition based on progress with land negotiations and revised LCA part 1 claim estimates based on a review with the completed scheme now operational. Part 1 claims have now been re-phased beyond 2012-15 as the result of the above mentioned review.

1.2.21 **Victoria Way: (Underspend -£0.210m)**

Reduced forecast reflects the agreement on the main contract final account and associated risk.

1.2.22 **A2 Cyclopark: (Real overspend +£0.250m)**

There is a predicted real overspend of £0.250m mainly due to activity since opening that will ensure sustainable operation and development of the facility into the future. This includes additional and final landscaping, acoustic dressing for two community rooms, acquisition of the wider land parcels as per the original overall plan, and installation of CCTV. This overspend will be funded from revenue underspends within the directorate and £0.018m from Member Highway Fund.

1.2.23 **Ashford Drovers Roundabout and M20 J9 and Foot Bridge: (Real overspend +£3.023m)**

The main contract final account has been successfully agreed after extensive assessment of major complex claims, by negotiation. This overspend will be funded from additional Growth Area Fund, unused receipt in advance, and capital contributions.

1.2.24 **Growth Without Gridlock: (underspend -£5.000m)**

The whole programme has been reviewed in light of the achievability of schemes within the timescale and as part of the capital budget process for 2013-16 the programme has been reduced by £5.000m.

1.2.25 **HWRC- Ton & Malling; (Real underspend -£1.000m and Re-phased -£1.000m)**

Based on a review of the project as part of the 2013-16 budget process, the cost of this scheme has been reduced by £1.000m. A land search for a suitable site is currently under way and the delivery of the project is now being re-phased by £1.000m.

Key issues and Risks

1.2.26 **Cyclopark:**

There is a further anticipated overspend relating to the primary engineering contract at the park and the contract for the professional management. Negotiations are underway to determine final contract costs in both respects now that works are largely completed. Details will be clearer in March once the negotiations should have been completed and will be reported once the final costs are known.

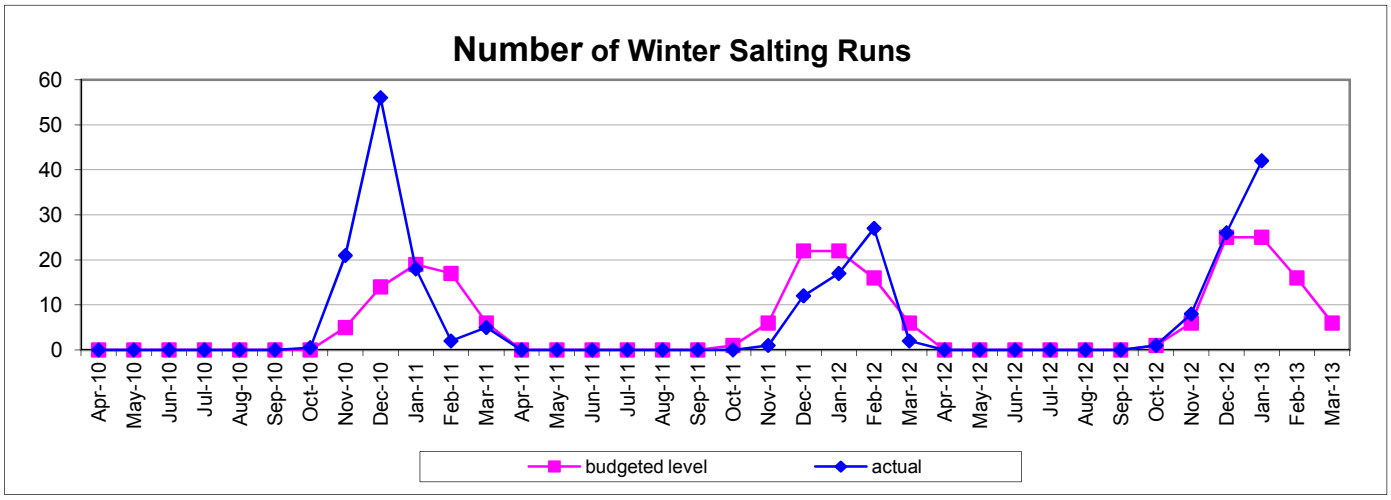
1.2.27 **Integrated Transport Schemes:**

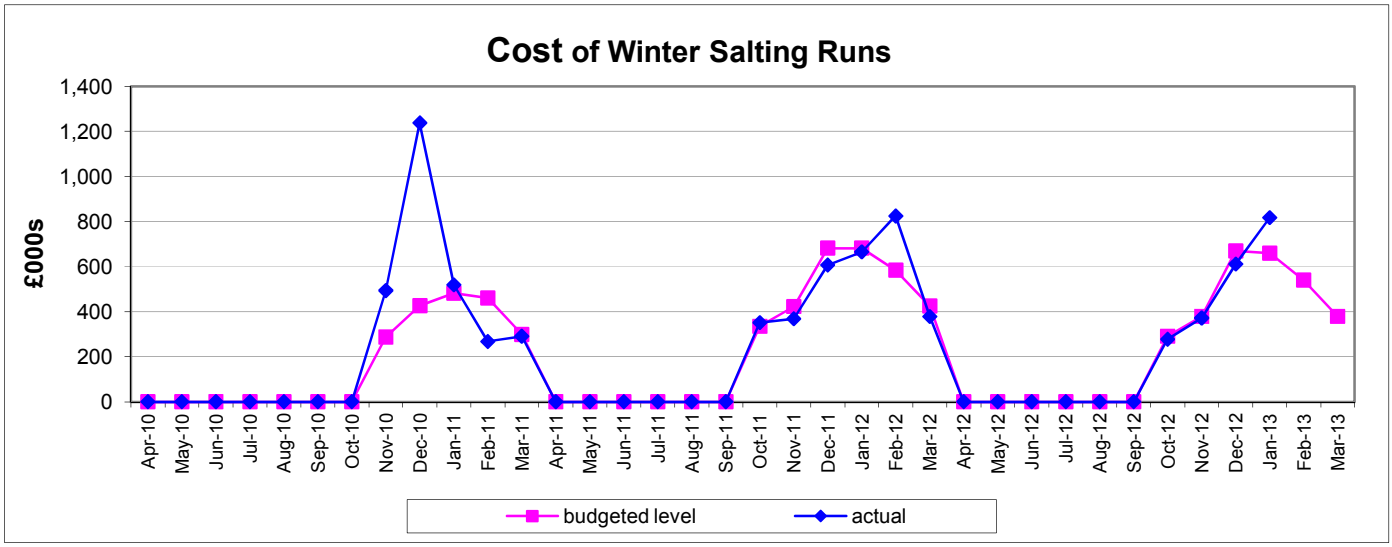
River Dour is one of the IT schemes partly (£0.450m) funded from Sustrans and the agreement with them is that the cycleway is available for use by 1 April 2013. This was thought possible at the time of signing the agreement. Recently a part of the project has been delayed due to technical reasons.
At present the likelihood for the scheme to be completed by 31 March is low with the worst case being that KCC needs to fund the £0.450m from the LTP allocation.

2. KEY ACTIVITY INDICATORS AND BUDGET RISK ASSESSMENT MONITORING

2.1 Number and Cost of winter salting runs:

	2010-11				2011-12				2012-13			
	Number of salting runs		Cost of salting runs		Number of salting runs		Cost of salting runs		Number of salting runs		Cost of salting runs	
	Actual	Budgeted Level	Actual £000s	Budgeted Level £000s	Actual	Budgeted Level	Actual £000s	Budgeted Level £000s	Actual	Budgeted level	Actual £000s	Budgeted Level £000s
April	-	-	-	-	-	-	-	-	-	-	-	-
May	-	-	-	-	-	-	-	-	-	-	-	-
June	-	-	-	-	-	-	-	-	-	-	-	-
July	-	-	-	-	-	-	-	-	-	-	-	-
August	-	-	-	-	-	-	-	-	-	-	-	-
September	-	-	-	-	-	-	-	-	-	-	-	-
October	0.5	-	6	-	0	1	351	335	1	1	278	291
November	21	5	494	288	1	6	368	423	8	6	372	379
December	56	14	1,238	427	12	22	607	682	26	25	611	670
January	18	19	519	482	17	22	665	682	42	25	817	660
February	2	17	268	461	27	16	825	584		16		540
March	5	6	291	299	2	6	378	425		6		379
TOTAL	**102.5**	**61**	**2,816**	**1,957**	**59**	**73**	**3,194**	**3,131**	**77**	**79**	**2,078**	**2,919**



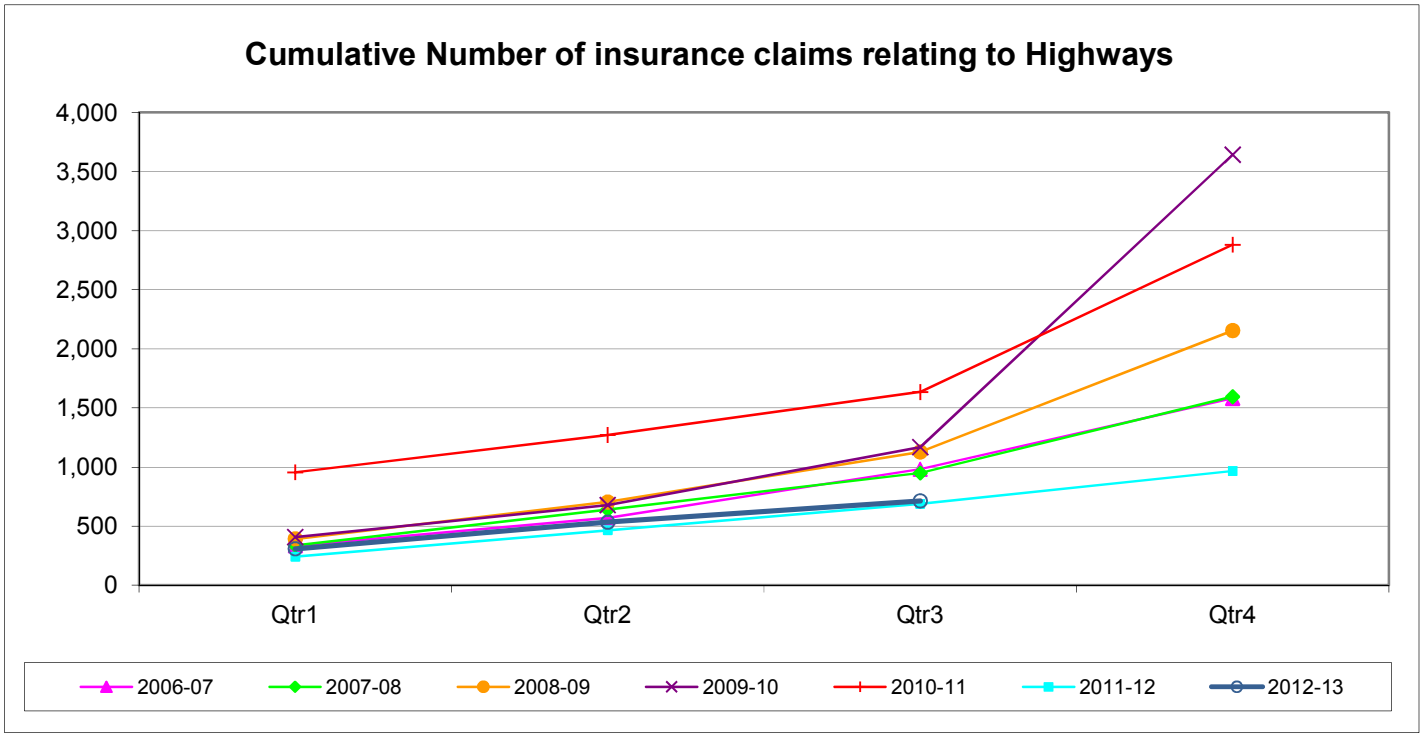


Comment:

- Under the old Ringway contract, local and specific overheads, plus depot charges were budgeted for and dealt with separately, these costs were therefore not included in the winter service expenditure figures, whereas the new Enterprise contract is an all inclusive price so these costs are now included in the graph, hence the apparent increase in the budgeted cost in 2011-12 and 2012-13 compared to previous years.
- Although the budgeted number of salting runs is higher in 2012-13 than in 2011-12, the budgeted cost is lower because 2011-12 was a transition year due to the change in contractor from Ringway to Enterprise and in 2012-13 the full year efficiency savings will be realised, hence the reduction in the budgeted costs.
- It had been anticipated that the generally mild winter in 2011-12 would mean that the number and cost of salting runs would be below budget. However, the snow emergency in February 2012 required emergency salting runs, which were more expensive than the routine salting runs due to a higher rate of spread of salt than originally budgeted. Also, additional costs were incurred as part of the new Winter Policy introduced for 2011-12, as smaller vehicles needed to be leased in order to service parts of the routes that were inaccessible to the larger vehicles (approx £140k) and some of the salting routes were extended in order to meet local needs. This resulted in outturn expenditure of £3.194m against a budget of £3.131m, despite the number of salting runs being below the budgeted level.
- Although the actual number of salting runs is higher than budgeted levels, the budgeted cost of salting runs was calculated using the worst case scenario in terms of the rate of spread of salt. As the actual spread of salt has been at a lower rate than assumed, this has resulted in the estimated costs of salting runs not being as high as the number of salting runs may suggest. The forecast pressure reported in 1.1.3.2.1.a includes other costs associated with adverse weather not directly attributed to salting runs such as costs related to snow clearance and the maintenance costs of farmer's ploughs and salt bins.

2.2 **Number of insurance claims arising related to Highways**:

	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
	Cumulative no. of claims	Cumulative no. of claims	Cumulative no. of claims	Cumulative no. of claims	Cumulative no. of claims	Cumulative no. of claims	Cumulative no. of claims
April-June	335	337	393	407	956	242	309
July-Sept	570	640	704	679	1,271	465	534
Oct-Dec	982	950	1,128	1,168	1,636	688	714
Jan- Mar	1,581	1,595	2,155	3,644	2,882	968	

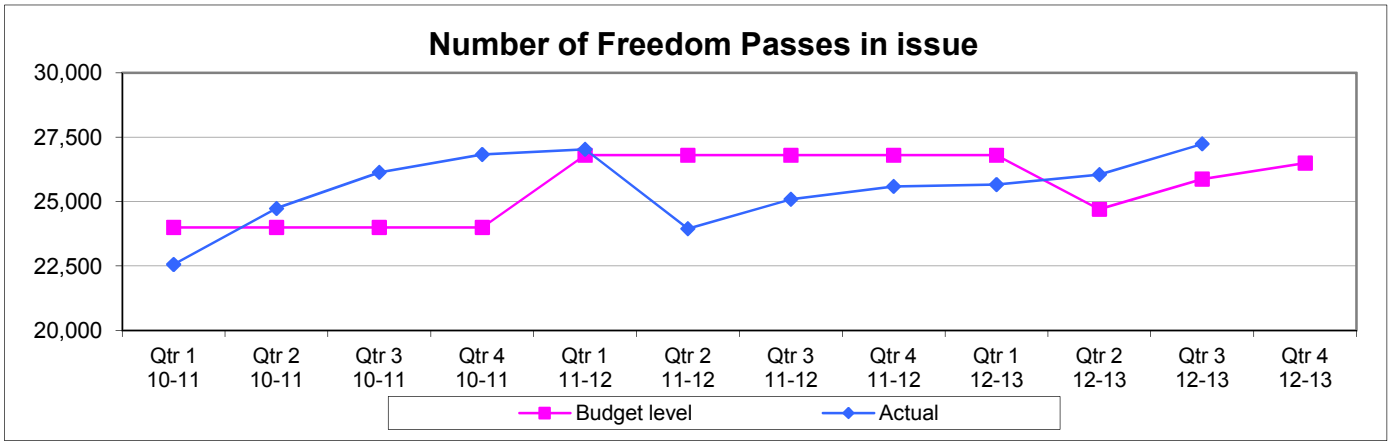


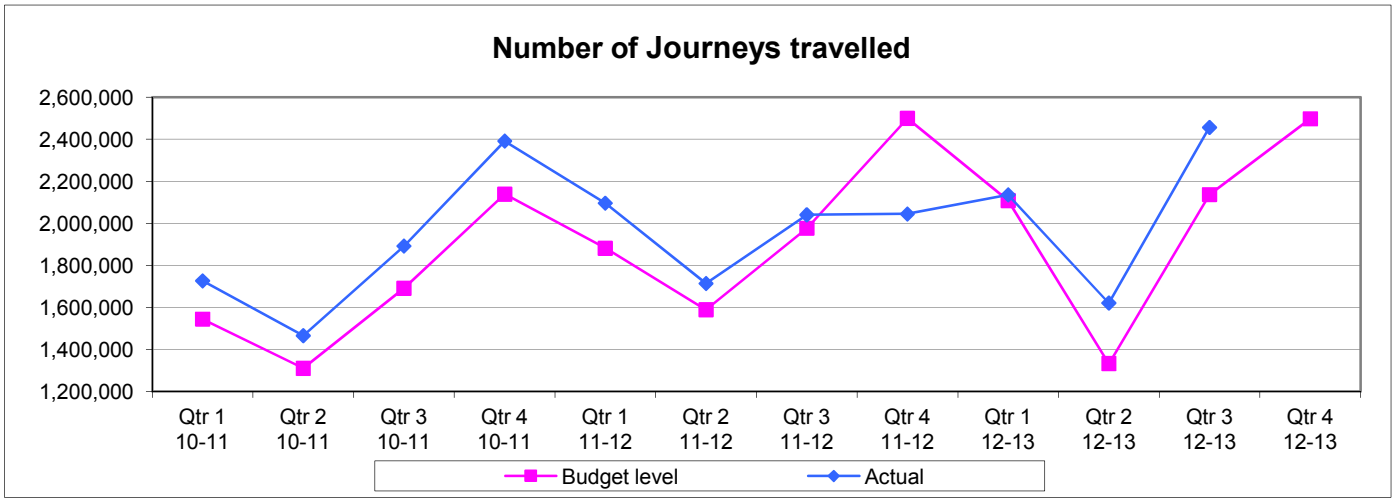
Comments:

- Numbers of claims will continually change as new claims are received relating to incidents occurring in previous quarters. Claimants have 3 years to pursue an injury claim and 6 years for damage claims. The data previously reported has been updated to reflect claims logged with Insurance as at 31 December 2012.
- Claims were high in the three years from 2008-09 to 2010-11 largely due to the particularly adverse weather conditions and the consequent damage to the highway along with some possible effect from the economic downturn. These claim numbers are likely to increase further as more claims are received for incidents which occurred during the period of the bad weather.
- Claims were lower in 2011-12 than in recent years. This could be due to many factors including: an improved state of the highway following the find and fix programmes of repair, an increased rejection rate on claims, and a mild winter. Also, it is likely that these claim numbers will increase as new claims are received relating to incidents occurring in previous years as explained in the first bullet point above.
- The Insurance section continues to work closely with Highways to try to reduce the number of claims and currently the Authority is managing to achieve a rejection rate on 2012-13 claims where it is considered that we do not have any liability, of about 87%.

2.3 **Freedom Pass - Number of Passes in issue and Journeys travelled:**

	2010-11				2011-12				2012-13			
	Passes		Journeys travelled		Passes		Journeys travelled		Passes		Journeys travelled	
	Budget level	actual	Budget level	actual	Budget level	actual	Budget level	actual	Budget level	actual	Budget level	actual
Qtr 1 April - June	24,000	22,565	1,544,389	1,726,884	26,800	27,031	1,882,098	2,095,980	26,800	25,668	2,108,385	2,135,800
Qtr 2 July - Sept	24,000	24,736	1,310,776	1,465,666	26,800	23,952	1,588,616	1,714,315	24,703	26,051	1,332,935	1,621,250
Qtr 3 Oct - Dec	24,000	26,136	1,691,828	1,891,746	26,800	25,092	1,976,884	2,040,713	25,877	27,239	2,136,769	2,456,400
Qtr 4 Jan - Mar	24,000	26,836	2,139,053	2,391,818	26,800	25,593	2,499,462	2,045,000	26,500		2,497,561	
			6,686,046	7,476,114			7,947,060	7,896,008			8,075,650	6,213,450





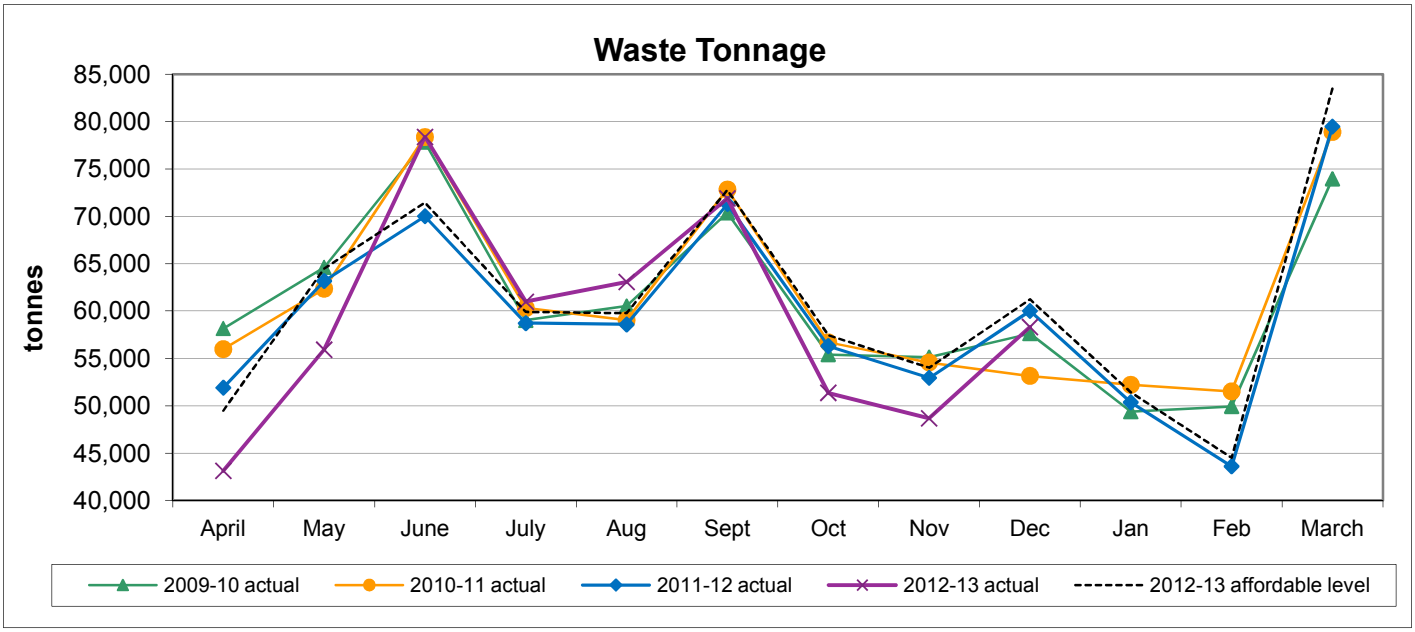
Comments:

- As predicted the number of Kent Freedom Passes was lower in the first quarter of 2012-13 compared to the same quarter in 2011-12 probably due to the fee increase. Applications since quarter one have steadily increased, due in part to changes in education transport policy, and actual journeys are higher than budgeted leading to a forecast pressure which is reported in section 1.1.3.4.b.
- The figures for actual journeys travelled are regularly reviewed and updated as further information is received from the bus companies, so may be subject to change
- The above figures do not include journeys travelled relating to free home to school transport as these costs are met from the Education, Learning & Skills portfolio budget and not from the Kent Freedom Pass budget.

2.4 **Waste Tonnage:**

	2009-10	2010-11	2011-12	2012-13	
	Waste Tonnage	Waste Tonnage	Waste Tonnage	Waste Tonnage *	Affordable Level
April	58,164	55,975	51,901	43,131	49,499
May	64,618	62,354	63,168	55,912	64,467
June	77,842	78,375	70,006	78,371	71,446
July	59,012	60,310	58,711	60,977	59,919
August	60,522	59,042	58,581	63,069	59,787
September	70,367	72,831	71,296	71,894	72,763
October	55,401	56,690	56,296	51,359	57,454
November	55,138	54,576	52,942	48,669	54,031
December	57,615	53,151	60,009	58,312	61,244
January	49,368	52,211	50,366		51,403
February	49,930	51,517	43,607		44,504
March	73,959	78,902	79,468		83,483
TOTAL	**731,936**	**735,934**	**716,351**	**531,694**	**730,000**

** Note: waste tonnages are subject to slight variations between quarterly reports as figures are refined and confirmed with Districts*



Comments:

- The March 2012 actual figure was adjusted in Quarter 1 2012-13 to take account of revised data received from districts.
- In Quarter 1 it was necessary to revise the affordable tonnage levels for April and March to reflect the actual number of days in each accounting period. Historically contracts with service providers have been on the basis of a four/four/five week cycle of accounting periods (with weeks ending on a Sunday), rather than on calendar months, and reported waste tonnages have reflected this. It is expected that by April 2013 all service providers will have transferred to a calendar month basis.
- These waste tonnage figures include waste processed either through Allington Waste to Energy plant or landfill, recycled waste and composting.
- To date, the cumulative tonnage activity for the first nine months is approximately 18,900 tonnes less than the affordable level for the same period, and this reduction is reflected in the current forecast in section 1.1.3.5 of this annex which assumes waste volumes will be approximately 28,000 tonnes below budget by year end. The forecast assumes that the reduction in waste volumes experienced in the period October to December will continue throughout the remainder of the year and this reduction is likely to be due to the changes to the operating policies at Household Waste Recycling Centres to stop accepting commercial waste at the sites.
- Waste tonnages will continue to be carefully reviewed as part of the regular monitoring process to Cabinet.

Decision No:

From: Bryan Sweetland, Cabinet Member – Environment, Highways & Waste
John Burr, Director - Highways and Transportation

To: Environment, Highways & Waste Cabinet Committee

Date: 23 April 2013

Subject: Future Highways Programme

Classification: Unrestricted

Summary:

This paper updates the Cabinet Committee on the major change programme carried out within the Highways and Transportation Division since 2010 entitled Future Highways. This programme was developed in response to a number of major challenges facing the Service, notably the need to transform business culture and deal with the impact of falls in government funding.

This report describes the key challenges facing the Service in 2010 and what has been done to tackle these head-on to create a modern, forward thinking Service that puts customer care at its heart. The Future Highways Programme is now substantially completed, and its successes have enabled Highways and Transportation Service to substantially fulfil the Vision it published in 2010.

Recommendation:

That the report be noted.

Background

1. In mid 2010, it became clear that Kent Highway Services (KHS) now called Highways and Transportation (H&T) was to lose around 25% of its budget from the start of the following financial year (2011-12), largely due to national austerity measures and the ending of the major capital scheme programme. A Programme of Change was commenced to meet this challenge head on which was designed to deliver the Vision for the service, promoting more efficient, joined up working practices and working with staff to change hearts and minds particularly on service delivery and the approach to customer care.

2. The Vision was designed to focus on creating a top performing highway authority to become an intelligent Client through the re-procurement of key contracts and the delivery of a number of related internalisation projects, leading to the transfer of some functions back to KCC from Consultancy. . A major staff re-structuring was commenced together with a re-procurement of the Works Contract which ultimately led to Ringway being replaced with Enterprise in September 2011.

3. The Future Highways Programme's scope, vision and complexity was wider and more extensive than any other change programme for Highways in recent years and represented a significant investment both in budget and people resource. The Programme was designed to deliver important financial, perception and service benefits and has been successful on all three counts. The main implementation phase of the Programme around the procurement of the contracts and those benefits the contracts will bring will be fully realised in the future and therefore, will be some time before it is possible to fully assess the 'Value for money' of the Programme. It is clear, however, that H&T is leaner, fitter and more able to meet future challenges than it was previously.

The Challenges

The key challenge facing H&T was to ensure that despite a reduction of budget, community facing elements of the business and work programmes showed improvement and embraced the requirement to manage resource in a completely new way. The significant challenges were;

- Ensuring that H&T had sufficient time to properly engage with stakeholders and carefully consider the required scope of the contracts, despite the short procurement and tight mobilisation period for both contracts.
- Ensuring that the new contracts were a major improvement from the previous arrangements with regard to payment mechanisms, risk management and value for money.
- Extracting providers that had been embedded into the business for a number of years, including disseminating complex systems and reintegrating them into KCC's environment.
- Ensuring that KCC's IT systems were integrated with the new contract provider's system, within agreed timescales and ICT continued to meet the needs of H&T throughout.
- Recruiting the right skills internally for appropriate roles with people who fully understood the importance of customer engagement.

A dedicated programme team, clear governance and strong political and senior management support was vital for success in meeting those challenges.

Scope of Programme

4. The Future Highways Programme included a review of the Term Maintenance and Consultancy contracts, aligning the service to the needs of the business, relocating services to where they are best placed and supporting the staff through training. Engagement and communication was paramount to ensure seamless change without disruption to service delivery.

5. The Programme was divided into Phases and delivered the following activities:-

- **Phase 1** delivered a new Term Maintenance Contract. Enterprise commenced the contract in September 2011 with a continuity of service from Ringway. This change has worked very well and Enterprise has brought a new approach to the delivery of highway works and maintenance. Phase 1 **also** delivered a new staff structure based on the needs of the business and the new contract. Staff were relocated to the Ashford Depot and the newly developed Aylesford Depot based upon the best place for delivery of their respective services. The emphasis was on recruiting the right people and replacing those who were not able to adapt to modern thinking. This has led to a major change in the way H&T operates and has resulting a vastly improved perception of the service from Members and key stakeholders such as Parish Councils.
- **Phase 2** delivered the mobilisation and embedding of the Enterprise contract into the business. Training was rolled out to over 300 staff to raise the commercial and contract capability within the business. This has been very important in the challenging of costs leading to budget savings and more efficient working.
- **Phase 3 has delivered,** the internalisation of the Structures Team, Intelligent Traffic Systems, Crash Data Team and Arboriculture Service (Soft Landscape) – the teams and their ICT systems were moved from Jacobs' employment and place of work to H&T offices under Kent County Council Employment. These changes have led to reduction in the cost base and a much more joined up efficient way of working across the organisation.
- **Phase 4** delivered a new Technical and Environmental Services Contract which commenced in April 2013. This contract has been designed by H&T to deliver professional services across the Directorate with new working practices and payment mechanisms. The new consultant, AMEY will attend this meeting of the Cabinet Committee to introduce themselves to Members. Phase 4 **also** included the demobilisation of Jacobs and the extraction of key systems. H&T has also internalised the Crash Data Team and their systems, an aspect of the Safety Inspection Service, the Gazetteer and Traffic Regulation Orders. Bringing these systems and teams in-house means H&T has far greater control of the work that is being undertaken and ensures best value.

The mobilisation of Amey was also undertaken in phase 4 to ensure that this new Consultant was ready to commence work on April 1st 2013. 120 staff were put through Advanced Commissioning Skills training to embed the contract and to improve the quality of the commissions being produced from day 1. Two additional

contracts were procured separately to bring greater commercial benefit to the business. The Scanner/Condition Survey contract and the Materials Testing and Coring contract commence in April 2013. The opportunity to review the services that H&T's consultant undertakes for us, presented itself when the renewal of the existing contract was due. It was important for H&T to internalise services under KCC management where it could be demonstrated that savings and more efficient working could be delivered. A new contract was designed and procured to ensure that risk was allocated appropriately and addressed those areas of the previous contract that were not proving efficient ways of working between organisations.

- **Phase 5** delivered the assimilation of Transport Integration into H&T. 40 members of staff and ICT systems were relocated to Aylesford Depot from Commercial Services in March 2013. This brings the management of public transport into one area provided a much more efficient and co-ordinated method of working.

Benefits of the Changes

6. The H&T/Enterprise partnership was designed ensuring that "every pound counts". The contract was procured as Enterprise offered the best balance of cost versus quality. Risk is allocated to those best placed to manage it and there is clear ownership of liability – KCC only pays once for any works done thereby driving "right first time" workmanship. This is an effective joint motivator for innovation and change, as well as stimulating/incentivising management responsibility and accountability. Performance indicators also drive the delivery of demonstrable efficiencies, innovations and cost savings. Both parties attend a monthly technical review group to share ideas that can then be implemented and trialled "live" for feasibility and cost benefit. This continues to strengthen the partnership and improve business processes.

7. Performance has improved across the business with regard to response times, budget management, programming of works and route optimisation; these are key areas where working better together with Enterprise is proving particularly successful. Relationships are already being successfully forged with Amey and early indications show that the principles of the new contract are being embraced by both the business and consultant.

8. The decision to internalise some services into the business has already shown economies are realised by direct employment and an increased expertise within the business will negate the need for external procurement of those team's services.

Demonstrable Success

H&T's level of success is based on the following evidence:

- Contracts are in place that enables us to be a strong intelligent client. From the outset, starting with Market Engagement and the Provider's Open Days through to Competitive Dialogue and on to Final Tender discussions, H&T has retained a strong client approach. It was made clear to the bidders that H&T would be moving away from a formal Alliance partnership to a Client Contractor partner relationship;
- H&T have Contracts that demonstrate Value for Money with relevant pricing mechanisms and indices;
- H&T have Contracts that challenge poor performance with strong performance measures to ensure there is a robust method of measuring performance on the contract and there is a clear understanding of consequences of failure and requirements for extensions;
- Contracts are in place that have political support with Member involvement throughout the procurement process, including participating in decision making at Strategic Procurement Board, Informal Member Groups and member participation at Bidder Presentation at Evaluation stage;
- H&T have Contracts that clearly show that Risk sits where it is best managed;
- Staff are located where best placed to deliver the service and are trained to fully utilise the contracts and produce high quality commissions;
- The level of front line service has been sustained despite sizable budget challenges
- H&T now operates as one service, with its supply chain sharing objectives and identity
- Vast culture change achieved, to promote ownership of issues and a can do attitude.

Recommendations:

That the report be noted now that the Future Highways Programme is substantially completed.

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From: Bryan Sweetland, Cabinet Member – Environment, Highways & Waste
John Simmonds, Cabinet Member - Finance & Business Support
Andy Wood, Corporate Director - Finance & Procurement

To: Environment, Highways & Waste Cabinet Committee

Date: 23 April 2013

Subject: New Funding Streams

Classification: Unrestricted

Summary:

An examination of alternative funding streams that could be used to fund new infrastructure developments and improvements.

Recommendation:

Members are asked to note and comment on the emerging funding changes for infrastructure development and improvement outlined in this report.

1. Introduction

1.1 There have been significant changes to the funding arrangements for local government which impact on both the day to day revenue budget and the capital programme. This report examines the changes and in particular identifies opportunities for funding infrastructure developments and improvements.

1.2 The changes must be considered in the overall fiscal context of a shrinking public sector as the Government seeks to eliminate the budget deficit and reduce the size of the public sector within the overall economy by reducing public spending as a proportion of the Gross Domestic Product (GDP). The early strategy outlined in the 2010 Emergency Budget and subsequent Spending Review 2010 (SR2010) set out significant reductions in both revenue and capital spending over a four year period with reductions for local government "front loaded" with greater savings in the first year.

1.3 The Autumn Statement in December 2012 heralded further 2% revenue reductions for 2014/15 (in addition to the reductions already included in SR2010) as the deficit was not reducing as quickly as earlier forecasts. The Autumn Statement also included an additional £5.5bn of capital spending for the remainder of the spending review period (2013/14 and 2014/15). Members of this committee will be aware that this additional capital funding includes the extra £6.273m we have put

into the capital programme arising from KCC's share of the £215m allocated to local authorities for highway maintenance (the Highways Agency also received an additional £118m for strategic routes).

1.4 This shift in emphasis from revenue to capital spending was further extended in the Chancellor's Budget Statement on 20th March when he indicated that spending reductions would need to continue into 2017/18 to meet revised deficit reduction targets, and there would be a further switch of £15bn of spending from revenue to capital over the five year period from 2015. As yet we have no further detail on departmental allocations of this additional capital but it is indicative of the Government's shifting emphasis towards more capital infrastructure spending.

2. New Local Government Funding Arrangements

2.1 New arrangements for the treatment of business rates were introduced in 2013/14. Previously all of the business rates collected by local authorities were pooled and redistributed by Formula Grant (which also included a small top-up from Revenue Support Grant -RSG). Under the new arrangements 50% are pooled (and redistributed as new RSG) and the remaining 50% retained locally.

2.2 RSG will be allocated according to a baseline determined largely from the old Formula Grant methodology. This baseline will not be recalculated for population (or any other) changes year on year. This means that not only is the existing redistribution between authorities now crystallised into the new arrangements, but those authorities with a growing population/needs will not receive any additional RSG to meet additional demand on revenue funded services. Any such additional demands will have to be funded out of increases in the local Council Tax and business rates tax bases.

2.3 There are a number of other features and consequences of the new arrangements which are important to bear in mind in considering infrastructure funding streams:

- In two tier areas 80% of the retained share of business rates is attributable to the billing authority (District Council), 18% is attributable to the County Council and 2% to the Fire & Rescue Authority. A system of tariffs and top-ups ensures that this does not lead to redistribution in two tier areas against the baseline of the existing grant allocations (lower tier authorities paying a tariff and up tier authorities receiving a top-up). These tariffs and top-ups will be increased each year in line with the business rate multiplier (based on Retail Price Index).

- RSG will be adjusted each year to keep overall local authority spending within the spending review totals. Currently these spending review totals show a reduction and thus RSG will reduce each year for the foreseeable future. By law the government has to use all business rates to fund local authority services, and thus if it reaches the point that the RSG is less than the 50% of business rates pooled centrally, the balance will have to be paid to local authorities to replace other grants.

- Individual authorities with large increases in business rates will be subject to a levy. Authorities with large reductions will be cushioned to some extent by a safety net. In two tier areas the levy will only apply to the billing authority's share. The safety net ensures no authority can suffer more than 7.5% reduction in its business rate share due to fewer properties paying business rates.

- This complex system means the County Council can receive a small share of any increase in income from additional businesses paying rates in the area, but this would be substantially less than our share of the overall reductions in local authority spending. The County Council would also have to bear its share of the risk of any business rate reductions up to the point the safety net kicks in. The safety net would be applied across all 12 districts and thus a large reduction in one district could be offset by small increases in other districts resulting in the County Council not benefitting from safety net protection.

2.4 Overall the new arrangements means the County Council stands to gain very little from infrastructure developments which result in additional business rates, but could lose substantial sums from business rate reductions. The overall receipts from business rates and RSG will be declining for the foreseeable future, and this will put substantial pressure on the revenue budget meaning that additional prudential borrowing (the traditional way of funding infrastructure development) is likely to be extremely limited.

2.5 The scope to increase Council Tax also looks likely to be constrained by tight referendum requirements (although the County Council will still benefit from the lion's share of any additional Council Tax from new housing developments). These consequences of the new funding arrangements need to be taken into account when considering future infrastructure developments as these need to avoid putting additional strain on already stretched revenue resources.

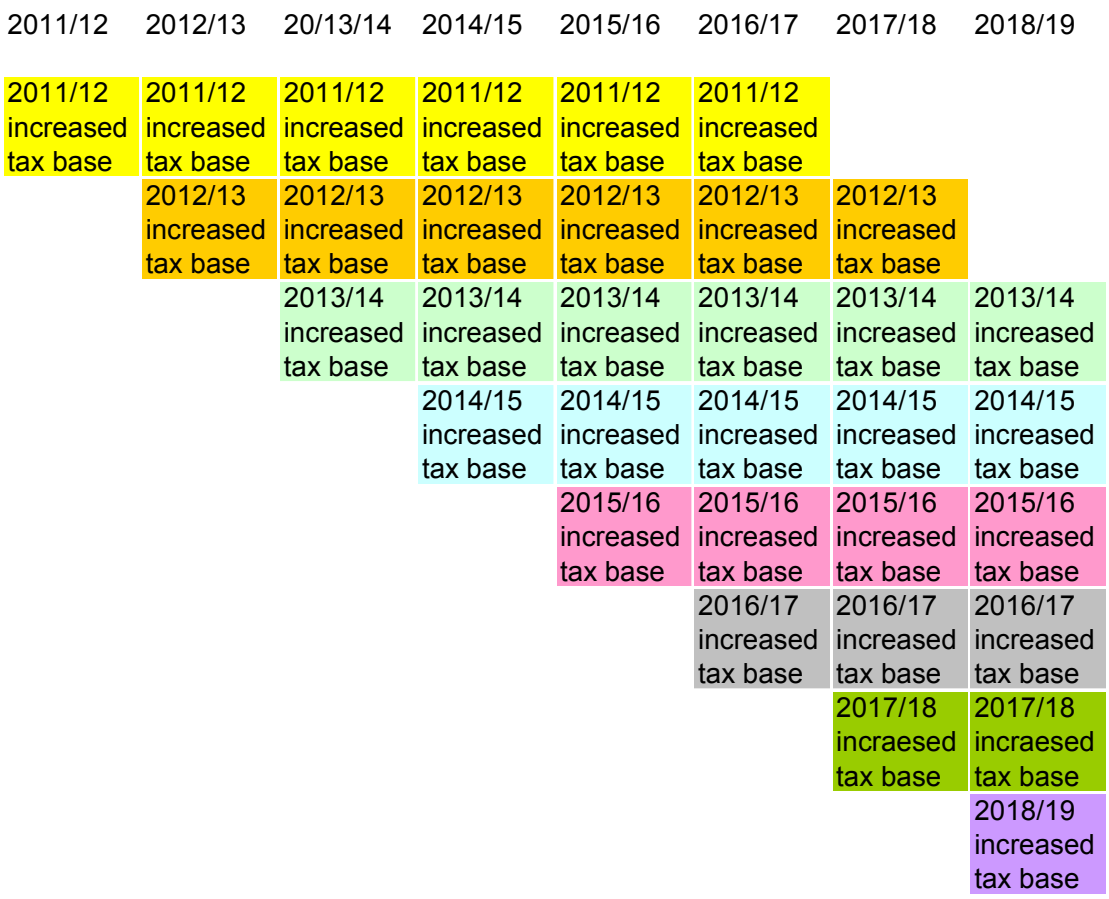
3. New Homes Bonus

3.1 New Homes Bonus (NHB) grant will continue be allocated as a separate funding stream based on new housing developments and bringing empty properties back into use. New developments are measured according to the year on year increase in Council Tax base. Since there is a significant lead in time between planning being approved and developments being completed and included in the tax base, this means there is a lag in funding. This lag could hinder using NHB to fund infrastructure development.

3.2 The grant is not ring-fenced i.e. it can be used for any purpose. New developments will attract funding for 6 years which means we can anticipate the grant increasing in instalments between 2011/12 to 2016/17, but thereafter increases will be determined on new developments being larger than the developments dropping out. This is demonstrated in chart 1 below. However, after the initial injection of £250m in SR2010 this roll out is funded from top-slicing the

RSG settlement (and thus is not new money but simply recycling money from the old formula based on population to a new formula based on Council Tax base).

Chart 1



3.3 80% of NHB is paid to district councils. The remaining 20% is paid to the County Council. Each year to date the county's share of NHB has amounted to an additional £1.4m to £1.5m and has been used to support the overall budget rather than a particular purpose.

3.4 It would be feasible to use some of the NHB to fund specific infrastructure development, but we would have to isolate the element for specific developments after taking account of the general top-slice from RSG. We would also have to negotiate with districts to contribute their share; to put the 20% county council share into context a 1,000 house development would generate less than £2m for KCC in NHB over the full 6 year period. We would also have to resolve the time lag issue and be satisfied that the funding will be sustainable under any future government.

4. Community Infrastructure Levy

4.1 The Community Infrastructure Levy (CIL) has been introduced as an alternative way for new developments to contribute towards the cost of public infrastructure. CIL is designed to work alongside and improve upon existing

arrangements to levy developer contributions under section 106 of the Town and Country Planning Act 1990.

4.2 S106 only applies to larger developments and is negotiated between planning authorities and developers based on to type of development and the estimated infrastructure impact. The County Council can ask district councils to raise levies towards the county's infrastructure requirements at pre-agreed levels. Criticisms of S106 include lack of transparency between contributions paid and specific infrastructure projects, lack of predictability of the tariffs, and un-affordability of the levies on developers.

4.3 CIL can be raised on all developments based on charging schedule per m^2. The charging schedule is determined by the local planning authority (district councils) and unlike S106 they are not obliged to include county council infrastructure requirements. Charging authorities must have regard too the affordability of levies as regulations state that the "*must aim to strike what appears to the charging authority to be an appropriate balance between*" the desirability of funding infrastructure from the levy and "*the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area*".

4.4 S106 contributions and CIL cannot be raised to fund the same infrastructure requirements. The charging schedule should set out the types of infrastructure that will be supported by CIL, S106 contributions can only sought for specific sites which would trigger additional infrastructure needs over and above those set out in the CIL charging schedule.

4.5 The County Council is working closely with district councils to ensure that our infrastructure requirements are included within their CIL charging schedules and contributions are passed across in a timely manner.

5. Tax Increment Financing

5.1 We are expecting legislation to be passed which would enable local authorities in England to be able to use Tax Increment Financing (TIF) as a future source of funding infrastructure development. Currently TIF can only be used by Scottish authorities.

5.2 The localisation of business rates should make TIF viable. TIF enables the local authority to borrow against the additional business rate yield which would be generated from infrastructure schemes. The Government has announced that TIF will operate within a framework of regulations which are currently being developed. The Treasury is likely to be given the power for the final approval of TIF schemes and is likely to take a fairly cautious approach and may impose a borrowing cap on TIF schemes.

5.3 Currently local authorities are limited to borrowing within their existing overall revenue streams and have to make a prudent assessment of the minimum revenue provision (MRP) to offset against borrowing. Under TIF local authorities would be able to borrow against tax growth.

5.4 TIF is used widely in the United States by municipal authorities to fund infrastructure schemes. This operates under 3 models; local authority bonds which are secured against the additional tax yield, local authority borrowing funded from the additional tax yield, and developer borrowing which is funded by a grant from the local authority paid out of the additional tax yield. The last approach passes some of the risks from the local authority to the developer as grants would only be paid out of the actual additional tax yield.

5.5 It is envisaged that the additional tax yield used to support TIF would not only be generated from new businesses and developments attracted into the area, but would also include any general increase in rateable values in the local area.

5.6 We are awaiting further details of how TIF could be used by English authorities.

6. Conclusions

6.1 The new local authority arrangements include a number of opportunities for funding major infrastructure developments. However, these new streams will need to be tempered by the likely limitation on our ability to take out new prudential borrowing as the revenue budget continues to contract.

6.2 The new funding streams include:

- Additional government grants out of the £15bn switch from revenue to capital announced in the March 2012 budget
- Scope to use New Homes Bonus from specific developments to support infrastructure development
- Scope to negotiate CIL with district councils
- Scope to use TIF powers

6.3 At this stage there a number of issues to resolve with the new funding, particularly in relation to negotiating with district councils and potential timing issues with lags in funding.

Recommendations

Members are asked to note and comment on the emerging funding changes for infrastructure development and improvement outlined in this report.

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From: Bryan Sweetland, Cabinet Member – Environment, Highways & Waste
John Burr – Director of Highways and Transportation

To: Environment, Highways & Waste Cabinet Committee

Date: 23 April 2013

Subject: Highways and Transportation Winter Service Review for 2012/13

Classification: Unrestricted

Summary:

The report reviews the winter service actions taken with a focus on the two snow emergencies declared in the 2012/13 winter season and outlines the continuous improvement initiatives planned for the summer to be implemented in the 2013/14 winter season.

Recommendation:

That the Environment, Highways & Waste Cabinet Committee note the review and endorse the proposed initiatives for the Cabinet Member to approve.

1. Introduction

The highways winter service began on 12th October 2012 and ends on 26th April and has been carried out in line with the Winter Service Policy 2012/13 approved at the Environment Highways and Waste Cabinet Committee on 20 September 2012. This winter has been particularly cold and prolonged with snow days in several months, the most severe occurring in February and March when snow emergencies were declared. This report sets out the key elements of decision making in winter and the effectiveness of actions that were taken in relation to these snow emergencies. It also discusses lessons learnt and provides detail on current and future actions which contribute towards the continuing improvement of the winter service.

2. Bold Steps for Kent and Policy Framework

2. (1) The review of the winter service activity meet the objectives of the Council's Medium Term Plan for 2014/15, Bold Steps for Kent. One of the priorities of Bold Steps is to ensure that the Council gets ever greater value

for money from our services and seeks more efficient provision of those services. The proposals for the winter service review support this approach. Working in partnership with other authorities and farmers contributes towards achieving a better service and value for money for Kent residents.

2 (2) Another Bold Steps objective “Putting the citizen in control” is achieved by working closely with local district and parish council partners, encouraging self-help during winter conditions, improving communications through the website and local media, including road safety tips.

2 (3) The service aims to ensure a safe operational highway network thus providing access to KCC services for all.

3. Financial implications

(1) The allocated budget for winter service for 2012/13 is £3,237,704. The cost of both winter emergencies was approximately £1,133,141 (final costs for March still to be submitted)

4. Winter decision making

(1) A detailed road weather forecast is provided by Meteogroup under a term contract arrangement. A forecast is received at lunch time each day during the winter season and the forecasters are available 24 hours a day so that the designated Highways and Transportation (H&T) Winter Duty Officer (WDO) can discuss weather issues whenever needed. The forecasted nature and timings of weather events determine when the salting runs are carried out. When icy conditions are expected, it is vital that the salt goes down before the road surface temperatures fall below zero.

Salting works by lowering the freezing temperatures of any moisture on the road surface, but it generally only works with relatively small quantities of snow and in temperatures down to minus 5 or 6 deg C. When heavy snow falls, it quickly overcomes the salt and road surface temperatures drop very quickly, meaning that the salt cannot activate and prevent freezing. Ploughing is the only effective way to deal with more than a few millimetres of snow and all our gritter lorries are fitted with ploughs when snow is expected.

5. Snow emergencies

(1) A countywide snow emergency is declared when significant snow fall (50mm or over) is expected across the county (if the snow is confined to specific areas then the emergency will be limited to that area). All available resources are deployed to grit roads, remove snow, and farmers go out to clear snow in their allocated part of the county. Local winter plans

are activated and partnership work with the district councils is put into operation. For this season a winter service communication campaign had been developed and key messages were put out to the media, the KCC website and on social media, including our 'GritterTwitter'.

(2) The winter service is well planned and routes are reviewed annually and amended as necessary. The partnership work with districts that was formally adopted in 2010/11 has proved to be highly effective and has resulted in great improvement in the clearance of town centres during snow emergencies. The gritter drivers are trained and run their routes prior to the winter to ensure they are familiar with them and able to grit effectively during the season.

(3) **January snow emergency** –all resources were deployed to deal with the snow received on the weekend of 18th-20th. Conference calls took place before and during the event to ensure that actions were communicated to all relevant parties including the KCC Emergency Planning team. Salt stocks were high and all salt bins had been filled in preparation for the winter service. Parish councils who had requested them had received one tonne bags of a salt/sand mix to use in their local communities. Throughout the week as the local plans were activated snow clearance extended to include areas outside of the primary route network such as doctor's surgeries, care homes etc. Many secondary schools are on the primary network for road clearance but footway clearance was also carried out outside schools as resources allowed. Our use of Twitter was well received by many people and 'tweets' were on the whole very complimentary. The 'We're prepared….are/have you?' campaign was designed to increase awareness of the service and also encourage people to be prepared and use self-help when possible. The winter page on the website was well used with a peak of over 28,000 hits on Sunday 20th January and 64,516 hits in total for that month. This compares with 35,831 in February last year when we had a snow emergency. Overall the service provided during this snow emergency was very successful and well received by local people across the county with the H&T winter team receiving more compliments on the service than ever before.

(4) **March snow emergency** – on 11th March heavy snow fell across the county the highest accumulations being in the Sevenoaks and Shepway areas. The snowfall unfortunately coincided with the rush hour and this meant large volumes of traffic were on the network as people tried to get home. Although we had prepared by pre-salting all primary and secondary routes, the heavy traffic inevitably impeded the movement of the gritter lorries across the network as we tried to plough and spread more salt. This was exacerbated by various problems on the Highways Agency network (the motorways and trunk roads) which resulted in additional volumes of

traffic diverted onto KCC's network. This did cause extremely difficult conditions in some areas, which led to some criticism and the false perception that we had not treated routes fast enough. Additionally high winds led to drifting snow in some places up to depths of several feet.
On March 10th all primary routes had been treated across the county.

(5) The same approach to managing this snow emergency was taken as in January. In most areas of the County this again proved to be effective, with major routes being kept clear allowing people to get home safely. However, in some areas the outcome was quite different where there was heavy snow and drivers got caught up in stationary traffic. The ongoing winter service review will closely examine all contributory factors to the disruption in these areas and where possible, service improvements will be made to help prevent similar problems in future.

6. Future actions

Over the past few years a number of improvements have been made to the winter service which has resulted in a more effective and efficient service. These have included the provision of salt/sand bags to parish councils, new contracts with farmers, a formal partnership arrangement with district councils and improved communications and messages for the public. For the coming winter further initiatives are being planned for the continuous improvement of the service as outlined below:

a. Snow treatments – currently we plough snow lying at 50mm or above leaving a thin layer of snow which is treated with salt. This helps avoid damage to the ploughing equipment, the road surface itself and to street furniture such as cats eyes and manhole covers. In Scandinavian countries, however, many roads are ploughed to the road surface ('ploughed to black') using specialist ploughs and then treated with grit. This method minimises the build-up of compacted ice. Research will be carried out to determine if this method could be cost effectively adopted here.

b. Route based forecasting – this would lead to more specific forecasts and targeted salt treatments saving salt and improving efficiency.

c. Route optimisation – review existing routes and develop a new set of criteria for the assessment of roads for gritting.

d. Partnership working – explore extending the use of farmers and district councils to include assistance on primary and secondary routes at key times in strategic areas.

e. Communications – provide live messages to the public via the website and social media in respect of gritting and the location of the gritting vehicles. Also provide more information on the service and the impact of snow on the network.

f. Self-help – explore the use of 'snow wardens' in areas across the county.

7. Conclusion

Overall this season's winter service has been successful with many compliments received by members of the public and organisations and businesses. The two winter emergencies were managed well though it is acknowledged that difficulties did occur during the second one and steps are being taken to review this, some of the initiatives being considered during the summer will no doubt contribute towards any improvements that could be applied to a similar situation in the future. A report outlining the results of these initiatives will be presented to a future meeting of this committee.

Recommendations

Members are asked to note the contents of this report and endorse the proposed initiatives for continuous improvement of the service

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