AGENDA

ENVIRONMENT & TRANSPORT CABINET COMMITTEE

Wednesday, 3 November 2021 at 10.00 am
Council Chamber, Sessions House

Ask for: **Matt Dentten**
Telephone: **03000 414534**

Membership (16)

Conservative (12):	Mr S Holden (Chairman), Mr R C Love, OBE (Vice-Chairman), Mr Baker, Mr C Beart, Mr T Bond, Mr N J Collor, Mr D Crow-Brown, Mr M Dendor, Mr A R Hills, Mrs S Hudson, Mrs L Parfitt-Reid and Mr D Watkins
Labour (2):	Ms M Dawkins and Mr B H Lewis
Liberal Democrat (1):	Mr I S Chittenden
Green and Independent (1):	Mr M Baldock

UNRESTRICTED ITEMS

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

1 Introduction/Webcast announcement

2 Apologies and Substitutes

To receive apologies for absence and notification of any substitutes present

3 Declarations of Interest by Members in items on the Agenda

To receive any declarations of interest made by Members in relation to any matter on the agenda. Members are reminded to specify the agenda item number to which it refers and the nature of the interest being declared.

4 Minutes of the meeting held on 8 September 2021 (Pages 1 - 10)

To consider and approve the minutes as a correct record.

5 Verbal Updates by Cabinet Members and Corporate Director

6 Decisions taken between Cabinet Committee meetings (Pages 11 - 12)

(21/00087) Publication and Submission of the Pre-Funding Settlement Version of the Kent Bus Service Improvement Plan (BSIP)

7 Bus Feedback Portal (Pages 13 - 16)

8 Traffic Management Act. Part 6 - Update (Pages 17 - 20)

9 Waste Management Covid Recovery - Update (Pages 21 - 24)

10 Electric Vehicle Charging Infrastructure in Kent - Update (Pages 25 - 36)

11 Plan Tree - Update (Pages 37 - 58)

12 Adaptation Programme (Pages 59 - 64)

13 21/00089 Kent Minerals and Waste Local Plan 2013-30 - 5 year review public consultation (Pages 65 - 166)

14 Southern Water - Presentation

15 Performance Dashboard (Pages 167 - 178)

16 Work Programme (Pages 179 - 182)

To consider and agree a work programme for 2021/22.

EXEMPT ITEMS

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

Benjamin Watts
General Counsel
03000 416814

Tuesday, 26 October 2021

KENT COUNTY COUNCIL

ENVIRONMENT & TRANSPORT CABINET COMMITTEE

MINUTES of a meeting of the Environment & Transport Cabinet Committee held Online on Wednesday, 8 September 2021.

PRESENT: Mr S Holden (Chairman), Mr R C Love, OBE (Vice-Chairman), Mr Baker, Mr M Baldock, Mr C Beart, Mr T Bond, Mr N J Collor, Mr D Crow-Brown, Ms M Dawkins, Mr M Dendor, Mr A R Hills, Mr B H Lewis, Mrs L Parfitt-Reid, Mr R G Streatfeild, MBE and Mr D Watkins

ALSO PRESENT: Mr D L Brazier (Cabinet Member for Highways and Transport) and Miss S J Carey (Cabinet Member for Environment)

IN ATTENDANCE: Mr S Jones (Corporate Director for Growth, Environment and Transport), Mrs S Holt-Castle (Director of Growth and Communities) and Mr M Dentten (Democratic Services Officer)

UNRESTRICTED ITEMS

Mr Love took the chair for items 1 to 8 because the chairman, Mr Holden, was unable to connect to the Teams meeting until Item 9 when he took over the chair.

17. Declarations of Interest by Members in items on the Agenda
(Item 3)

No declarations were made.

18. Minutes of the meeting held on 29 June 2021
(Item 4)

RESOLVED that the minutes of the meeting held on 29 June 2021 were an accurate record and that they be signed by the Chairman.

19. Verbal Updates by Cabinet Members and Corporate Director
(Item 5)

1. Miss Carey began her verbal update by confirming the permanent appointment of Simon Jones as Corporate Director of Growth, Environment and Transport. She thanked members for their involvement in the mineral, waste and heritage member sub-groups. She confirmed that KCC had been shortlisted, as one of only 10 councils, for the Local Government Chronicle's Climate Response award. Miss Carey reminded members that briefings on environment and waste had continued. She confirmed that in excess of 7,000 responses had been received for the Household Waste Recycling Centre future of the booking system public consultation.

2. Mr Brazier gave his verbal update. In relation to highways asset management, he confirmed that poor weather had significantly impacted the demand on

drainage and soft landscaping teams, whilst resurfacing continued for the remainder of the financial year. He informed members that services across Highways were recruiting, challenges caused by skills or applicant shortages were noted. Concerning traffic signal maintenance, he confirmed that £500,000 had been received from the Department for Transport, to address a backlog of life expired equipment. Regarding tranche 3 of the Active Travel Fund, he confirmed that work on forthcoming schemes continued, with local member consultation. Members were informed that Kent's Vision Zero road safety strategy would be launched on 15 September at Manston Airport. On the Kent Bus Service Improvement Plan, he explained that tight deadlines set by the Department for Transport had influenced the window for public consultation and the executive decision, which would be taken before the next committee meeting. In relation to Public Transport's role in the Reconnect Programme, he stated that the public response to the free bus pass element had been overwhelmingly positive.

3. Mr Jones addressed senior officer recruitment in his update. He confirmed that the recruitment of an Interim Director of Transport and Director of Environment and Waste was in progress.

RESOLVED that the verbal updates be noted.

20. 21/00073 - Kent Minerals and Waste Local Plan 2013-30 - 5 Year Review of 2016 adopted Plan
(Item 6)

Sharon Thompson (Head of Planning Applications Group) was in attendance for this item.

1. Miss Carey introduced the proposed decision, confirmed that the review of the plan was required under the National Planning Policy Framework 2021 and the National Planning Policy for Waste 2014, and highlighted the planned updates. She acknowledged that the plan had to be thorough and protect Kent's natural resources.

2. Mrs Thompson gave a technical overview of the review. She noted that whilst the policy was adopted in 2016, it was important that the plan reflected Kent's position in 2021, whilst also incorporating changes in low carbon and waste policy. She stressed that the review did not propose any changes to Kent's core minerals policy and drew members attention to the policy conformity RAG rating outlined in the report.

3. Mrs Thompson informed members that the Kent Minerals and Waste Local Plan 2013-30 would return to the committee prior to a decision allowing a public consultation on the proposed policy updates.

4. Mr Baldock asked how the policy had been received by district councils and what impact the feedback had on the final policy. Mrs Thompson confirmed that the policy balanced housing and mineral needs, the good performance of safeguards was highlighted.

5. Mr Bond asked how the safeguarding of wharfs and jetties had been reviewed. Mrs Thompson confirmed that functional jetties were safeguarded to protect the safe import and export of goods. She agreed to look at wharf and jetty useability further, though noted national policy constraints.

6. Ms Dawkins requested that the documentation included in the public consultation be presented simply. Mrs Thompson highlighted the executive summary as an accessible overview and confirmed that national policies set out requirements.

RESOLVED to endorse the proposed decision of the Cabinet Member responsible for the Minerals and Waste Local Plan to give approval to the five-year review of the Kent Minerals and Waste Local Plan 2013-30 for publication.

21. Approach to monitoring Net Zero Target
(Item 7)

Christine Wissink (Interim Head of Sustainable Business and Communities) was in attendance for this item.

1. Miss Carey introduced the report and advised that KCC had monitored its carbon emission since 2005, with targets set every 5 years, which had led to a 73% reduction in emissions. She noted that quarterly key performance indicators were used to track regular progress and a wider range of greenhouse gas emissions would be included in future targets, in line with Department for Business, Energy and Industrial Strategy standards. Members were reminded of the £20.6m funding received from the Public Sector Decarbonisation Scheme, Miss Carey remarked that a further 40% reduction in carbon emissions was expected as a consequence of the resulting projects.

2. Mrs Wissink gave a technical overview of the approach to monitoring KCC's net zero target, this included details on measurement and standards. The extent of the data sets, which covered among other areas, KCC's and its trading companies' buildings.

3. Mrs Wissink confirmed, following a question from Mr Watkins, that office waste included general waste produced by KCC's offices and paper waste. She recognised that recording of this waste type had improved over the last 2 years.

4. Mr Watkins asked, in relation to Scope 3 emissions, whether commissioned service providers would be asked to submit a record of their service-related carbon emissions. Mrs Wissink confirmed that work had been undertaken with Commissioning to explore the viability of recording service providers' work towards net zero.

5. Ms Dawkins asked what technology had been used to collect emissions data. Mrs Wissink agreed to provide clarification following the meeting.

RESOLVED that the changes to carbon emission measuring be noted.

22. Kent and Medway Energy and Low Emissions Strategy - Progress Update *(Item 8)*

Christine Wissink (Interim Head of Sustainable Business and Communities) was in attendance for this item.

1. Miss Carey provided an update on the progress of the Energy and Low Emissions Strategy and reminded the committee of their input into the strategy. She confirmed that the strategy was a joint plan with Medway Council and Kent's districts, and noted that climate change had been a standing item on the agenda of Kent Leaders.

2. Mrs Wissink gave a further overview of the strategy timeline, which included the adoption of the strategy, governance arrangements and 3-year implementation strategy. She confirmed that 2 districts had decided to support but not endorse the strategy. Members were also reminded that KCC was a leading member of Low Carbon Across the South and East (LoCASE).

3. Mrs Wissink shared examples of initial local policy successes, which included Canterbury City Council adopting a low carbon vehicle requirement for their taxi licenses. She informed members that a full assessment would be available in March 2022.

4. In relation to the smart connectivity and mobility modal shift programme outlined as part of priority 6 (Transport, travel and digital connectivity), Mr Baldock asked if buses could be addressed in the March 2022 assessment. Mr Wissink confirmed that buses and other forms of active travel would be addressed.

5. Following a question from Mr Lewis on electrical vehicle charging points related to priority 6, Mrs Wissink said that plans had been put in place to contract 600 further public charging points. Mr Jones added that www.kent.gov.uk linked to www.zap-map.com, which provided details of public and commercial charging points across the country.

6. Mr Watkins asked if construction supply chain emissions could be included in the strategy. Mrs Wissink confirmed that KCC led on the South East Local Enterprise Partnership (SELEP) policy for clean growth.

7. Concerning priority 10 (communications), Mr Love commented that further engagement with partners would be required to meet net zero in Kent by 2050. Mrs Wissink noted that a sub-committee of district and county council officers met to plan coordinated campaigns and engagement, this included engagement with water companies on lowering water usage.

8. Regarding priority 5 (Building retrofit programme), Ms Dawkins asked if funding would be used to train up local engineers and fitters. Mrs Wissink

confirmed that whilst the funding only covered capital works, priority 9 (supporting low carbon business) would support Kent's skills base.

RESOLVED that the progress of the Kent and Medway Energy and Low Emissions Strategy be noted.

23. Heritage Conservation Strategy

(Item 9)

Mr Holden took the chair, and thanked Mr Love for standing in as chairman.

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Tom Marchant (Head of Strategic Planning and Policy) was in attendance for this item.

1. Mr Marchant provided a detailed verbal overview of the strategy in its final draft form. He verified the scope of the strategy, which included historic advice, assets, understanding and financial sustainability. He recognised the involvement of the heritage member working group, which last met in August 2021. In relation to future process, he confirmed that a public consultation would take place in late 2021, with the strategy returning to the committee in March 2022.

2. Mr Marchant agreed to circulate the public consultation dates to the committee at the appropriate time.

RESOLVED to endorse the draft content of the Heritage Conservation Strategy for public consultation.

24. 21/00072 - Highway Rural Swathe Contract

(Item 10)

Andrew Loosemore (Head of Highways Asset Management) and Robin Hadley (Soft Landscape Asset Manager) were in attendance for this item.

1. Mr Brazier introduced the proposed decision, confirmed that the proposed contract term was 5 years with the option to extend for a further 3 years and noted his preference for three lots, as reflected in the decision report. He recognised that there was significant public interest in in swathe cutting and verges, the link to biodiversity and Plan Bee was recognised.

2. Mr Hadley provided further detail on the proposed contracted lots. He outlined the areas to be covered by each lot: lot 1, Dartford, Gravesham, Sevenoaks, Tonbridge and Malling, and Tunbridge Wells; lot 2, Maidstone and Ashford; and lot 3, Swale, Canterbury, Thanet, and Dover. He noted that Folkestone and Hythe District Council cut rural swathes in their district under contract with KCC. He confirmed that the proposed contracts met the minimum statutory requirement and recognised the cost implications of other provisions.

3. Following multiple member questions, Mr Hadley agreed to share the approximate cost of a double cut contract option with members, following the meeting.

4. Mr Hadley confirmed, following a question from Mr Baldock, that rural swathe cutting schedules were shared with the relevant officers at district councils.

5. In response to a comment from Mr Collor, Mr Hadley reassured the committee that highway safety remained the main priority for rural swathe management.

6. Following a question from Mr Lewis, Mr Hadley agreed to provide members, at their request, with maps of the swathe cuttings areas in their division.

7. The chairman asked whether there had been any coordination between litter picking and rural swathe cutting. Mr Brazier gave reassurance that there had been extensive collaboration with district councils, given their responsibilities for waste removal.

RESOLVED to endorse the proposed decision of the Cabinet Member for Highways and Transport to provide the Corporate Director for Growth, Environment and Transport with delegated authority to procure and enter into appropriate contractual arrangements for the provision of Rural Swathe, Visibility and Hedge Maintenance including any potential extension periods in accordance with the expectations set out in the report as shown in the Proposed Record of Decision.

25. 21/00071 - Highway Emergency Tree Works Contract
(Item 11)

Andrew Loosemore (Head of Highways Asset Management) and Robin Hadley (Soft Landscape Asset Manager) were in attendance for this item.

1. Mr Brazier introduced the proposed decision and gave an overview of its purpose and scope. He highlighted Kent's highly wooded topography as well as the need to keep its roads safe and accessible. He confirmed that the proposed decision sought a two-lot (east and west) approach to contracting emergency tree works. Mr Loosemore added that the contract formed a business-as-usual provision and gave KCC 24/7 access to emergency tree surgeons, the success of the previous approach and contracts was noted. Mr Hadley informed members that the use of contracted emergency tree surgeons had increased in recent years, due to an increase in extreme weather events.

2. Mr Baldock asked what consideration had been given to geography when establishing east and west lots as the preferred arrangement. Mr Hadley stated that the preferred option represented the most appropriated division, based on the demand in each district and geographic grouping, he noted further that demands and challenges differed from district to district. Mr Hadley confirmed that split analysis had been carried out.

3. Following a question from Mr Collor, Mr Hadley confirmed that clearance of sign obstructing overgrowth was under the rural swathe contract rather than emergency work.

4. Mr Hadley clarified the process for emergency tree works, which first involved a KCC steward attending the reported site, followed by an emergency tree surgeon within 2 hours. He noted that trees which were not considered an imminent danger were programmed separately.

5. Mr Lewis proposed, and Mr Baldock seconded a motion that: **"That the Environment and Transport Cabinet Committee recommend that the Cabinet Member for Highways and Transport consider Option 1 (to split the contract into three lots (West, Mid and East)), as outlined in the decision report."**

6. Members voted on the motion. The motion was lost.

7. Mr Lewis, Ms Dawkins and Mr Baldock abstained on the motion to endorse the proposed Cabinet Member decision.

RESOLVED to endorse the proposed decision of the Cabinet Member for Highways and Transport to provide the Corporate Director for Growth, Environment and Transport with delegated authority to procure and enter into appropriate contractual arrangements for the provision of Emergency Tree Works, including any potential extension periods in accordance with the expectations set out in the report as shown in the Proposed Record of Decision.

26. Winter Service Policy
(Item 12)

Andrew Loosemore (Head of Highways Asset Management) and Carol Valentine (Highways Project Manager) were in attendance for this item.

1. Mr Loosemore gave an operational update, confirming that: 2021/22 gritting routes had been planned, taking into account winter microclimates; the brine pilot had produced marginal improvements; KCC's 3,000 salt bins had been checked and restocking planned, where required; and that contracts with local farmers had been renewed to facilitate rural snow clearance. The national HGV driver shortage was acknowledged, and it was confirmed that only 2 of 50 routes were affected, existing drivers were assigned to cover these routes. Mr Loosemore reassured members that he had received regular updates from the service provider, Amey.

RESOLVED to endorse the proposed decision of the Cabinet Member for Highways and Transport to agree changes to the Winter Service Policy for 2021/22 as set out in paragraph 8.1 of the report.

27. Local Transport Plan 5 - Early review
(Item 13)

Joseph Ratcliffe (Transport Strategy Manager) was in attendance for this item.

1. Mr Brazier introduced the item by setting out KCC's relevant responsibilities in relation to local transport planning, as required by the Transport Act 2000. He reminded members that the existing Local Transport Plan 4: Delivering Growth

without Gridlock originally planned up to 2031. Given significant developments, including Brexit and the future Lower Thames Crossing, he recognised that transport patterns needed to be re-evaluated. He confirmed that a member task and finish group, chaired by Mr Watkins, would be established to consider the issue and make recommendations, and invited members of the committee to participate.

2. Mr Ratcliffe gave further details on the timescale and purpose of the review, which served to make members aware of developments related to the Plan. He informed members that the decision to approve Local Transport Plans rested with County Council rather than a Cabinet Member. Reassurance was given that progress would be reported to the committee. He confirmed that there would be a public consultation on the Plan at the appropriate point.

3. Mr Collor asked whether the volume of traffic on the A2-M2 corridor had increased against level on the A20-M20. Mr Ratcliffe confirmed that a new transport model was able to provide analysis of traffic volumes. Mr Jones added that the traffic model was utilised by the Kent Resilience Forum and had been used to support Operation Fennel over summer.

RESOLVED to note the plan to initiate an early review of the existing Local Transport Plan 4 (LTP4): Delivering Growth without Gridlock (2016-31) that was adopted by the County Council in July 2017 and start the process of preparing a new LTP5.

28. 21/00075 - Independent Cost Consultancy Services
(Item 14)

Tim Read (Head of Transportation) and Victoria Soames (Major Capital Project Manager) were in attendance for this item.

1. Mrs Soames provided a technical verbal overview of the proposed decision. She advised that the independent cost consultancy services would be primarily used on Highways and Transport capital projects, though it would also be available to other Growth, Environment and Transport projects. She highlighted the proposal to contract a single supplier.

2. Following a question from Mr Lewis, Mrs Soames confirmed that the previous contract had cost £900k and that the proposed contract had increased costs which reflected KCC's expanded capital programme.

RESOLVED to endorse the proposed decision of the Cabinet Member for Highways and Transport to give approval to:

a) Procure a single supplier agreement to allow independent cost consultancy services to be made available to teams within Growth, Environment and Transport.

b) Provide the Director of Transportation with the delegated authority to enter into the appropriate contractual arrangements for the provisions of Independent Cost Consultancy Services, including future extensions.

29. 21/00066 - Kent Active Travel scheme - Cinque Ports Phase 5 - A259 Palmarsh to Dymchurch

(Item 15)

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

1. Mr Brazier gave a verbal overview of the proposed decision. He noted the geographic scope of the scheme and reminded members that it formed part of a wider project.

2. Mrs Floodgate confirmed that the scheme would be funded by tranche 2 of the Department for Transport's Active Travel Fund. In relation to public consultation, she verified that 80% of consultees had indicated their support for the scheme. She noted that construction was planned to begin in late October.

3. Mr Collor asked whether future consideration could be given to a larger Cinque Ports active travel scheme that linked Dover and Sandwich to the established route. Mrs Floodgate recognised the need for a wider strategic overview between towns and assured the committee that the Cycling Planning Team within Transport would be informed of the suggestion.

RESOLVED to endorse the proposed decision of the Cabinet Member for Highways and Transport to proceed to construction for phases 5A and 5B pending satisfactory land agreements as shown at Appendix C of the decision report.

30. Performance Dashboard

(Item 16)

Rachel Kennard (Chief Analyst) and David Beaver (Head of Waste and Business Services) were in attendance for this item.

1. Ms Kennard gave a verbal summary of the performance dashboard for the first quarter of the 2021/22 financial year. She confirmed that of the 19 key performance indicators within the remit of environment and transport, 14 had been RAG rated green, 5 amber and 0 red. She acknowledged that this reflected good overall performance.

2. Following a question from Mr Lewis in relation to HT13 (Streetwork permits issued), Mr Jones confirmed that permits had remained at a consistent level and that the work of utility companies was judged against their permit. He added that the impact of road closures would be considered as part of the new traffic model.

3. In reference to HT08 (Emergency incidents attended to within 2 hours), Mr Bond asked what consequences contractors faced for not meeting service requirements. Mr Jones reassured members that contractors had been held to account on their delivery, though he recognised that weather events and pandemic worker shortages had caused some delays.

4. Ms Dawkins asked for an explanation of WM08 (Overall score for mystery shopper assessment of Household Waste Recycling Centres). Mr Beaver confirmed that 60 mystery shoppers were contracted to visit Household Waste Recycling Centres each month and that the site contractors were penalised if they did not meet expectations.

RESOLVED that the report be noted.

31. Work Programme
(Item 17)

RESOLVED that the Work Programme for 2021/22 be noted.

From: David Brazier, Cabinet Member, Highways and Waste

Simon Jones, Corporate Director, Growth, Environment & Transport

To: Environment & Transport Cabinet Committee – 3 November 2021

Decision No: N/A **–** For information only

Subject: **Decisions taken between Cabinet Committee Meetings**

Classification: **Unrestricted**

Past Pathway of Paper: Cabinet Member Decision

Future Pathway of Paper: N/A

Electoral Division: County-wide

Summary: The attached decision was taken between meetings of the Environment and Transport Cabinet Committee as it could not be reasonably deferred to the next programmed meeting of the Cabinet Committee for the reasons set out in paragraph 2.3 below.

Recommendation:
The Environment and Transport Cabinet Committee is asked to note that decision 21/000087: Bus Service Improvement Plan, was taken between meetings of the Cabinet Committee in accordance with the process set out in the Council's constitution.

1. Introduction

1.1 The Cabinet Member for Highways and Transport has taken decision 21/00087 to agree to publish on the KCC website and submit to Department for Transport the pre-settlement funding version of Kent's Bus Service Improvement Plan.

1.2 The decision was taken between meetings of the Environment and Transport Cabinet Committee, as it could not reasonably be deferred due to the reasons set out in paragraph 2.3 below.

2. Background to decision

2.1 On 15 March, the Department for Transport (DfT)published its National Bus Strategy, "*Bus Back Better*". The Strategy acknowledges the role the bus can play in achieving a net zero emission society and commits national government to supporting bus and bus rapid transit schemes.

2.2 Under the Strategy, to maintain access to current funding and also future funding opportunities, KCC as the Local Transport Authority was required to

commit to the introduction of Enhanced Partnerships with local bus operators by 1 July 2021 (Record of Decision 21/00043) and to publish a Bus Service Improvement Plan by 31st October 2021 (Record of Decision 21/00087). It is this timetable, and the potential impact on current and future funding that has required the decision to be taken before discussion by this Cabinet Committee.

2.3 On 29th October the Pre-settlement Bus Service Improvement Plan, was published on the KCC website and submitted to the DfT. The Plan sets out the aspirations and initiatives for KCC and its bus operators over the period of the National Bus Strategy to meet the objectives of the Strategy and acts as a bidding document to support the initiatives developed as part of the Plan.

2.4 Priorities and suggestions for service enhancements in the Plan have been informed via public consultation and workshops with District Councils and other stakeholders. Two KCC Member briefings have also been held.

2.5 At the current time as there is uncertainty on how much funding will be available to Kent, the plan includes measures which do and do not require government funding. It seeks to be ambitious but makes clear the reliance in many instances on Government funding. Bus operators would be expected to play their part with a share of investment as well, and this will be defined in the Enhanced Partnership.

2.6 Once DfT confirm the final funding settlement, there will be further consideration with the public and other key stakeholders concerning the prioritisation of initiatives for delivery and the content of a second (post funding settlement) version of the plan which will be used to inform the detail an Enhanced Partnership Plan to commence from April 2022, subject to a further decision to be taken by the Cabinet Member for Highways & Transport.

3. Recommendation(s)

The Environment and Transport Cabinet Committee is asked to note that decision 21/000087: Bus Service Improvement Plan, was taken between meetings of the Cabinet Committee in accordance with the process set out in the Council's constitution.

4. Background Documents

- Record of Decision**:** 21/00087: Bus Service Improvement Plan: 21/00087 Record of Decision

Contact details	**Relevant Director**
Report Author Theresa Warford, Staff Officer Theresa.warford@kent.gov.uk 03000 417192	Simon Jones Corporate Director, Growth, Environment and Transport Simon.jones@kent.gov.uk 03000 41163

From: David Brazier, Cabinet Member for Highways and Transport

Phil Lightowler, Interim Director Transportation

To: Environment and Transport Cabinet Committee – 3 November 2021

Subject: **KCC Bus Feedback Portal – Status Update and Summary of Feedback received December 2019 – September 2021.**

Key decision: **N/A (for information and consideration only)**

Classification: **Unrestricted**

Past Pathway of Paper: N/A

Future Pathway of Paper: N/A

Electoral Division: Countywide

Summary: This report summarises use made of the bus feedback portal since the last formal report in December to 2019 until end of September 2021. It provides comments on the value of the portal and makes recommendations for its future application.

Recommendation: Cabinet Committee is asked to note the contents of the report and to suggest any further actions to be taken.

1. Introduction

1.1 The Bus Feedback Portal was introduced in January 2019 as a response to feedback received during KCC's countywide consultation on the future of rural transport conducted in 2018.

1.2 The Bus service feedback portal is hosted on the Kent.gov. website and has been designed to enable bus users to tell KCC about their experiences of using services and allows KCC to capture data and identify trends. Although the Council does not contract, control or regulate the operators nor fund the majority of their services, understanding these trends enables KCC to seek to address issues on behalf of Kent's bus users with operators.

1.3 Owing to the impact of the pandemic, a summary of feedback has not been provided to ETCC since November 2019. This report therefore provides an overview of the feedback received in this period and more importantly makes some suggestions about the future applications for the portal in light of the changing bus operating environment, bought about by the new National Bus Strategy.

2. Summary of Feedback

2.1 The last detailed report on output from the feedback portal was submitted in November 2019. The period from then until end of September 2021, represents a period of 22 months. In that time only 221 comments have been lodged.

2.2 This represents an average of 10 per month which is clearly very low against previous use of the portal, which was identified as being, on average 49 comments per month across the first 11 months. Analysis by date shows that 66 comments related to the pre-pandemic period (up to and including March 2020); an average of 16 per month whereas in the period during and post pandemic only 9 comments per month on average have been recorded.

2.4 13 comments received related to compliments. The remaining 208 were complaints about an operator or a service. Reports of reliability and capacity problems account for 49% and 20% of all comments respectively with complaints about vehicles, drivers and customer service also featuring.

2.5 3 operators account for 80% of comments. Not surprisingly given the proportion of the network that they provide Arriva (37%) and Stagecoach (29%) have attracted the largest amount. Go Coach who are the biggest operator in the Sevenoaks and outlying area have also attracted 14% of comments with 11 other operators accounting for the remaining 20%.

2.6 Comments in Ashford, Maidstone, Sevenoaks, Tonbridge & Malling, and Tunbridge Wells account for over 70% of the overall total. Maidstone has attracted by far the largest proportion and accounts for 26% of all feedback received. It is considered that this probably relates to the large volume of lengthy and complex schools travel which can be prone to experiencing capacity and other problems, particularly around the start of the new school year.

3. Analysis and Future Role of the Portal

3.1 The low and declining use of the portal is disappointing but can be explained in part due to the impacts of the pandemic. This resulted in a period of extremely limited bus use and, to this date, patronage levels remain lower than pre-pandemic. In addition, during the pandemic the priorities of users and of the Council were re-focused. From a KCC perspective this has resulted in there being no publicising of the portal and the role that it plays.

3.2 Despite the lack of volume the feedback continues to provide a consistent message about the priorities of users and related complaint types which are largely focused on the service itself in terms of reliability, vehicles, and driver conduct.

3.3. Similarly, the areas attracting feedback also support officers own understanding of the network, of usage and perennial issues. The focus on complaints relating to schools' movement to establishments in Maidstone, Tonbridge and Tunbridge Wells is already well understood.

3.4 The new National Bus Strategy and the resulting need for KCC to publish a Bus Service Improvement Plan and form Enhanced Partnership schemes changes the organisation of bus services and the role of the County Council.

3.5 Specifically, the Enhanced Partnership Schemes need to include a Passenger Charter and make additional provision for increased dialogue between service users and providers as well as requiring a need to monitor passenger satisfaction. The bus feedback portal can form part of the strategy in this area and it is therefore proposed to review and re-launch the Portal from April 2022 alongside Kent's EP schemes.

4. Conclusion

4.1 The bus portal was launched in January 2019 following feedback on the 'Big Conversation.' In the first 11 months, there were an average of 49 contacts per month but this as fallen and currently the portal is attracting on average only 10 contacts per month.

4.2 It is considered that the portal has an increasing role to play in supporting the passenger charter element of developing EP schemes and should therefore be maintained, reviewed, and relaunched.

5. Recommendation:

5.1 Cabinet Committee is asked to note the contents of the report and comment on the actions taken.

6. Background Documents

- None

7. Lead Officers

Report Author:	Relevant Director:
Steve Pay, Public Transport Planning and Operations Manager	Phil Lightowler, Interim Director of Highways and Transport.
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From: David Brazier, Cabinet Member for Highways and Transport

Phil Lightowler, Interim Director Transportation

To: Environment and Transport Cabinet Committee – 3 November 2021

Subject: Traffic Management Act. Part 6– Civil Enforcement Of Traffic Contraventions Amendments

Classification: Unrestricted

Past Pathway of Paper: **n/a**

Future Pathway of Paper: **n/a**

Electoral Division: **County-wide**

Summary: This report summarises the work undertaken to date by officers in preparing Kent County Council's Application to the Department for Transport for Part 6 Powers of Civil Enforcement of Traffic Contraventions of the Traffic Management Act 2004. It also summaries the work already done and required to prepare the County and its highways infrastructure for such changes.

As part of this workstream, officers have been engaged with the Department for Transport (DfT), Kent Police, Kent Association of Local Councils and National Highways with the aim to secure powers that enables Kent County Council to use civil enforcement for moving traffic offences, making illegal banned turns, goods vehicle weight restrictions, prohibited vehicles and stopping in yellow box junctions, rather than being reliant on Kent Police, who currently, are the only authority with relevant powers

Recommendation:
The Cabinet Committee is asked to consider and note the work undertaken to date by the officers and note the Leader's intention to submit an application to DfT that will grant KCC via a Designation Order the ability to enforce Traffic Contraventions of the Traffic Management Act 2004. The order is expected to be passed in the Summer of 2022. Enforcement would be operational thereafter.

1. Background

1.1 The Traffic Management Act (TMA) 2004 introduced civil enforcement of traffic offences in England and Wales.

1.2 Part 6 of the Act allows Councils outside of London to enforce moving traffic offences, like making banned turns and stopping in yellow box junctions.

1.3 Despite the 2004 Act now being 17 years old, secondary legislation has never been introduced by parliament and moving traffic offences can only be enforced by the police under criminal law.

2. DfT Progress

2.1 The DfT announced in September 2020 that they would be fully enacting the remaining elements of Part 6 of the Traffic Management Act (TMA), permitting local authorities outside of London to use approved camera devices to enforce moving traffic contraventions.

2.2 By introducing the enforcement of moving traffic contraventions and utilising the latest Automatic Number Plate Recognition (ANPR) camera technology, authorities will be in a far better position to manage and improve their local road network and deliver key objectives outlined in their local transport plans.

3. Key benefits of introducing moving traffic enforcement

3.1 The principal improvements KCC wish to address with these powers are:

- Improved pedestrian and cyclist safety, supporting modal shift to sustainable transport options.
- Increased safety and cleaner air around schools – camera enforced school streets schemes has been proven to have positive effect.
- Reduced network congestion and the effective enforcement of weight restrictions, concentrating traffic on the most appropriate routes.
- More reliable journey times for public transport and emergency service vehicles.
- Improved air quality, reduction in transport related emissions contributing to carbon net zero targets.
- Reallocation and saving of Kent police resources, allowing focus on policing priorities.

4. KCC Proposal

4.1 For these powers to be granted, KCC are required to submit an application for the designation order of the Traffic Management Act P6 amendments to the DfT

4.2 The application must evidence a rigorous minimum 6-week consultation with the public, ensuring all concerns/disputes of response have been thoroughly considered and resolved.

4.3 There is also the requirement to partake in prior and ongoing public communications/advertisements/publicity of the change in legislation to the public.

4.4 The County are required to consult the appropriate Chief Officer of Police. before a Designation Order is passed, the Secretary of State will consult the appropriate Chief Officer of Police. (Officers are already heavily engaged with Kent Police)

4.5 The most recent DfT Advice Note on Applying for a Designation Order for Civil Enforcement of Moving Traffic Contraventions indicates that applications may

be made for the whole, or part of, a local authority area by a Highway Authority.

4.6 An application for powers by the County Council will ensure a transparent, accountable, proportionate, and consistent approach to Moving Traffic Contraventions across Kent. Enforcement measures will be implemented to target areas where action is needed. These are likely to take the form of Automatic Number Plate Recognition cameras and will be implemented either through a new contract or via a potential partnership with District Councils. Fine levels look likely to be set at the existing PCN (Penalty Charge Notice) levels.

4.7 This opportunity is not part of the same legislation as the on-street parking powers that are devolved to the Districts and Boroughs.

4.8 Early engagement and consultation with Districts and Boroughs and businesses is therefore paramount for this being taken forward at the County level. The Kent Association of Local Councils is already engaged and keen to assist in identifying local priorities.

5. Key Dates

- Wednesday 15 September - Councils to register their intention to apply by emailing the DfT
- Early February 2022 – formal application submission to DfT
- End of March 2022 - First tranche of designation orders expected to be laid before parliament
- End of April 2022 - First tranche of orders expected to be approved
- End of May 2022 - Enforcement expected to be able to commence

6. Recommendation

6.1 The Cabinet Committee is asked to consider and note the work undertaken to date by the officers and note the Leader's intention to submit an application to DfT that will grant KCC via a Designation Order the ability to enforce Traffic Contraventions of the TMA 2004. The order is expected to be passed in the Summer of 2022. Enforcement would be operational thereafter

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From: **Susan Carey, Cabinet Member for Environment**

Simon Jones, Corporate Director, Growth Environment & Transport

To: **Environment & Transport Cabinet Committee - 3 November 2021**

Subject: **Waste Management COVID-19 Recovery**

Classification: **Unrestricted**

Past Pathway of report: Not applicable

Future Pathway of report: Not applicable

Electoral Division: All electoral divisions

Summary: This paper presents details of the ongoing Waste Management service challenges faced by both tiers of local government.

Recommendation:
The Environment and Transport Cabinet Committee is asked to note the content of this report.

1. Introduction

1.1 The waste management service continues to experience operational challenges due to impacts of Covid-19 with increased waste levels and disruption to the normal waste collection services provided by District and Borough partners, as the Waste Collection Authorities (WCAs).

1.2 It should be noted that tonnage classed and reported to DEFRA (Department for Environment, Food & Rural Affairs) as fly tipping by WCAs, have not risen since 2014 and represents 0.5% of materials disposed of by the County Council

2. Waste Collection Authorities

2.1 Since the start of the pandemic, kerbside collected waste volumes have increased, continuing into 2021, at 15% above the norm.

Full Year Tonnes	2019/20	2020/21	20/21 vs 19/20 Comparison
WCA Kerbside	494,917 tonnes	567,829 tonnes	15%

2.2 The increase in volumes has been an unbudgeted cost burden to the County Council as the Waste Disposal Authority (WDA).

2.3 Some WCAs have experienced sickness from Covid, staff being told to self-isolate and shortages of HGV drivers at the time of this higher demand. This

has resulted in some suspending garden waste collection services, with others severely disrupting collection of mixed dry recycling. Services continue to be vulnerable with collection authorities instigating their business continuity plans, utilising weekend working and on occasions sharing contractual resources to assist each other.

2.4 To mitigate, the County Council, as the WDA, has extended hours of work at some Waste Transfer Stations and operated more comprehensively at weekends.

2.5 Tipping times at Transfer Stations have operated within the contractual tolerances but have occasionally been challenged by waste collection vehicle drivers arriving in close proximity of each other.

2.6 Waste Disposal contractors have responded to increased demands through making some minor configuration changes at transfer facilities. Whilst driver shortages have been a risk for hauliers, they do not appear to have experienced issues to the same extent as those reported by the WCAs.

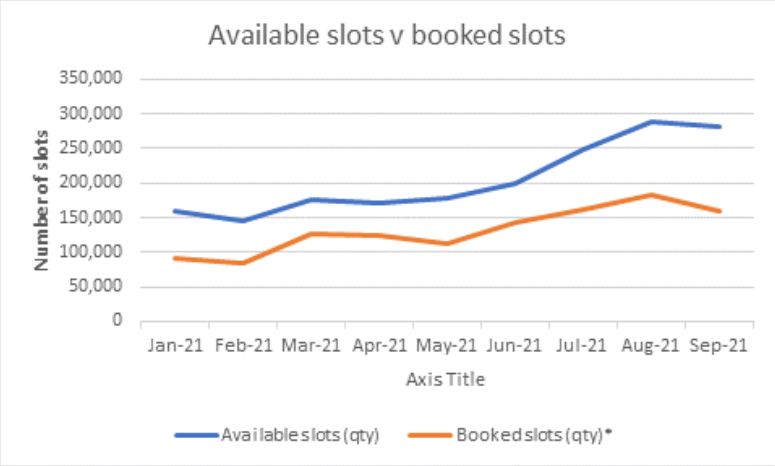
2.7 We are waiting to see what effect the return to schools, other educational establishments and offices this autumn will have on kerbside waste volumes and to what extent Working From Home' (WFH) and hybrid office/WFH will affect waste volumes.

3. Household Waste Recycling Centre (HWRC) booking system

3.1 During the pandemic, the County Council introduced a booking system (online and by phone) at the 18 HWRCs to manage demand and ensure the safety of visitors and staff. As Covid restrictions have eased, the Council has lifted all on site restrictions and limits on number of visits. The booking system has been the subject of a public consultation, the results of which are being analysed with a full report to come to this committee on 19 January.

3.2 In September 2021, there were 165,533 bookings made by residents. The number of those residents booking by telephone due to not having access to the internet and/ or an email address was 1,547; just under 1% of total bookings.

3.3 The graph below shows the total number of slots available for customers to book compared with the total number that have been booked. On average, across all HWRCs, 56% of the available slots in September were booked.



3.4 Data shows that residents have visited sites less frequently, however they brought larger loads of waste when they ~~have~~ visited. Previously volumes were approximately 45kgs per load; the latest data shows this to be 58kgs. There does not appear to be a pent-up demand of waste and service contractors are reporting a managed service, avoiding unnecessary queuing.

3.5 Residents have said within surveys that they would like to have the ability to make bookings on the day. In response, the County Council Commissioned BookingLab to develop a web-app to provide this enhancement. Officers are developing a proof of concept for an initial trial and use at Folkestone & Maidstone (Tovil) HWRCs. These sites have been chosen for their variations in connectivity to IT networks and cover the two main HWRC operating contractors.

4. Financial Implications

4.1 The increased pressure against the current budget for the additional residual waste is £2.4m. Whilst there are increased tonnes for the mixed dry recycling, some of these additional costs have been offset by the reduction of the price to dispose of recycled materials. Furthermore, the service is assessing the potential for above budgeted income for some materials such as metals and plastics and is in the process of securing more favourable prices as part of its commissioning activities for treatment of street sweepings and paper and card.

5. Conclusions

5.1 The waste service is experiencing operational challenges due to driver shortages and other resource issues related to the collection of waste. Some collection authorities have fared well in comparison, but variability does exist with some authorities.

5.2 The booking system has allowed residents some surety of accessing site with garden waste that would normally be collected by District & Borough councils. The County Council has offered alternative tipping solutions and flexibility.

5.2 The coming months will still be challenging and the recovery from COVID-19 and the supply of drivers continue to be an issue. Wage increase demands may also test the resilience of services, particularly those with contracting partners.

There does not appear to be a pent-up demand at the HWRCs which continue to run efficiently and without restrictions.

5.3 Whilst increased tonnages are already forecast, there are financial risks and variances to service arrangements which may need to be adopted. Commodity prices are proving beneficial to alleviating some of these financial pressures in terms of recycling volumes.

6. Recommendations

Recommendation:
The Environment and Transport Cabinet Committee is asked to note the content of this report.

7. Contact details

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iFrom: **David Brazier, Cabinet Member for Highways & Transport**

Simon Jones, Corporate Director for Growth, Environment & Transport

To: **Environment and Transport Cabinet Committee - 3 November 2021**

Subject: **Electric Vehicle Charging Infrastructure in Kent**

Classification: **Unrestricted**

Past Pathway of report: NA

Future Pathway of report: NA

Electoral Division: All

Summary: This report outlines the current position of Electric Vehicle (EV) Charging Infrastructure across Kent and identifies future infrastructure need. It then compares the projected outcomes of KCC's EV infrastructure programme against that need.

Recommendation(s):
The committee/board is asked to note the contents of the report.

1. Introduction

1.1 This report gives a broad overview of the national picture of EV charging and will look at Kent County Council's role specifically in ensuring our residents and businesses are able to switch to electric vehicles.

1.2 It looks at the current numbers of EV chargers in Kent and outlines the target numbers required to enable full electrification of vehicles in line with the 2030 ban on new petrol and diesel vehicles.

1.3 The report then assesses those targets against the projects within the EV Charging Infrastructure programme that KCC is rolling out over the coming years and determines if additional projects need developing or adapting to meet those needs.

2. Electric Vehicles Charging Infrastructure

2.1 Electric Vehicle (EV) sales are growing in the UK and the demand for charging infrastructure is rising - driven by the Government's plan to ban new sales of petrol and diesel vehicles from 2030.This is not traditional refuelling as we know it. The speed, and therefore price, of charging varies from the slowest 3kwh up to a potential 350kwh. This could be the difference between charging in 10 hours or charging in 10 minutes.

2.2 Industry data suggests the vast numbers of EV owners choose to charge at home if they have access to a home charger. It is convenient and provides the

lowest cost option. VAT on electricity is paid at 5% at home but 20% on the public network - arguably penalising those who do not have access to off street parking.

2.3 In order to help the transition to electrification, with all the carbon and air quality benefits this would bring, KCC have developed an EV infrastructure programme to install EV charging points across the county.

2.4 Providing charging infrastructure is not currently a statutory requirement of Local Authorities although the Government is consulting on this topic. However, helping residents and businesses switch to cleaner vehicles will help KCC achieve our climate and air quality goals. All the projects in development and mentioned in this report leverage external funding, grants and private sector investment – often giving an income back to the Local Authorities as landowners. This minimises up front financial risk and allows a long-term income generation while the technology and market develop.

2.5 KCC are waiting for the Government to publish guidance to Local Authorities to provide clarity on the amount of action public sector bodies are expected to take. This is due in late 2021 or early 2022. Until such a time officers can only estimate the percentage of chargers that Local Authorities should be or are expected to provide in comparison to the private sector.

2.6 Whatever the level of ambition, without some long term and significant funding being made available to Local Authorities, most charging infrastructure will need to fall to the private sector.

2.7 For the basis of this report officers propose 4 scenarios resulting in Local Authorities being responsible for 5%, 10%, 20% and 40% of the infrastructure. This percentage will change over time as Government guidance is released and market failures are realised – particularly in charging “black spots” where capital requirement is high and revenue return is deemed to be low.

<u>Anticipating EV Charger socket requirements in Kent.</u>

2.8 In 2018 KCC commissioned CENEX, a leading not for profit consultancy in the clean transport space, to forecast EV charger demand across Kent until 2028 for passenger vehicles. In light of recent technological advances, the 2030 ban on new petrol and diesel vehicles and the new companies moving into this space; KCC asked CENEX to update this report in 2021.

2.9 Cenex produced a number of scenarios, including those in line with the government’s ban on new petrol and diesel vehicles from 2030 onwards, and proposed a number of chargers, categorised by speed, that have to be installed to meet that target. The data is presented here:

Table 8: 2030 Ban Scenario chargepoint requirements.

	2021	2025	2030
7 kW	253	1,551	5,982
22 kW	58	372	1,121
50 kW	15	88	328
150 kW	1	3	56
Total	**327**	**2,014**	**7,487**

Figure 1 – Charger socket numbers required by 2030 in Kent

2.10 Figure 1 shows that by 2030 Kent will need to have 7,487 public chargers (of varying speeds) installed to meet demand.

2.11 Figure 2 below presents the same data but more clearly shows that the vast majority will be at 7kw speed.

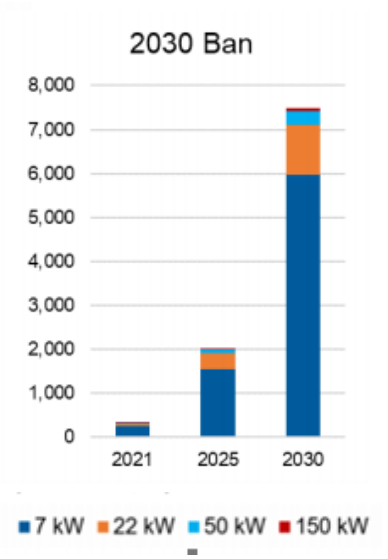

Figure 2 – Shows the number of charger sockets of each type required to support the 2030 ban scenario.

2.12 Figure 3 below expands the Cenex prediction and makes some assumptions about charger socket numbers required each year between 2021, 2025 and 2030. This helps officers better plan the delivery for the projects and manage the funding requirements. The numbers of charger sockets scale up towards the end of the decade and provide a useful guide as to whether the projects are likely to meet these targets annually. If not, officers can look to redesign and develop more projects to meet demand.

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
7 KW	253	350	800	1,100	1,551	2,000	2,600	3,400	4,500	5,982
22 KW	58	100	200	300	372	450	560	670	850	1,121
50 KW	15	25	40	60	88	120	150	200	280	328
150 KW	1	1	2	2	3	10	20	30	40	56
Total	327	476	1,042	1,462	2,014	2,580	3,330	4,300	5,670	7,487

Figure 3 – Assumptions made about the numbers of charger sockets required per year scaling up to 2030.

2.13 In order to assess whether the EV infrastructure programme is appropriate, officers need to understand if the planned projects will meet the demand up to 2025 and then on to 2030.

2.14 To do this, officers must look at the numbers of chargers currently installed, determine a quantity or percentage that the private sector are likely to install and add on the numbers that Local Authorities expect to install up to 2025.

District	Fast (7-22kwh)	Rapid (43-50kwh)	Ultra-Rapid (60 – 350kwh)	Total
Ashford	44	3	0	45
Canterbury	30	5	0	35
Dartford	17	8	17	42
Dover	3	3	3	9
Folkestone & Hythe	20	5	0	25
Gravesham	2	2	0	4
Maidstone	51	9	18	78
Sevenoaks	19	9	0	28
Swale	28	3	0	31
Thanet	22	5	0	27
Tonbridge & Malling	16	4	0	20
Tunbridge Wells	21	2	0	23
Total	271	58	38	367

Figure 4 - Kent Charger numbers currently installed (July 2021)

2.15 Figure 4 shows that charger numbers are currently exceeding KCC's target numbers for 2021 by 40 chargers. Chargers are counted if they are provided to the public whether by the private sector, public peer to peer charging or Local Authorities. However, it should be noted that simply installing chargers does not necessarily mean they are being well used, maintained or are in strategically important locations and at the "right" speed. All these factors must work together to create a coherent and useful charging network.

Local Authority or Private Sector.

2.16 Without clear guidance from the Government officers have to make some assumptions with regards to the number of chargers that KCC and/or other Local Authorities are likely need to provide versus the private sector. At this stage indications from the Department for Transport (DFT) suggest the Government will not look to introduce quotas but are consulting on whether all car parks should be obliged to provide EV chargers. An assumption can be made that the large scale of capital requirement will need to be met somehow and without a clear Local Authority funding plan out to 2030 – this must largely come from the private sector.

2.17 Many private sector companies, including the traditionally fossil fuel-based companies, are making large investments into this space. With clear policy intent from the Government, legacy companies are concerned about losing market share and new start-ups in this space are seeking an opportunity for growth.

2.18 Local Authorities could capitalise on this, as landowners, in often sought-after locations (town centre car parks, for example) but a solution will have to be found as to those areas which are deemed to generate less revenue and which are perhaps expensive to install in.

2.19 The 4 scenarios below show a range between 5 – 40% of chargers being installed by Local Authorities with KCC leading much of this deployment. Over time the programme will adapt when the likely percentage becomes clearer. Note the other % of chargers could be met by the private sector, other Local Authorities within the county of Kent and private individuals.

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Total	327	476	1,042	1,462	2,014	2,580	3,330	4,300	5,670	7,487
5% KCC allocation	17	24	52	73	100	129	167	215	284	275
10% KCC allocation	33	48	104	146	201	258	333	430	567	749
20% KCC allocation	66	96	208	292	402	516	666	860	1134	1498
40% KCC allocation	112	192	416	584	804	1032	1332	1720	2268	2996

Figure 5 – Shows the numbers of chargers that Kent Local Authorities would have to provide up to 2030 depending on the assumed allocations between 5 and 40%

2.20 Figure 5 shows the cumulative numbers of charge sockets that Local Authorities would need to provide per annum to meet the 4 percentage scenarios offered. It anticipates that by 2030 Kent Local Authorities will have needed to be responsible for delivering anywhere from 275 – 2996 charger sockets.

EV Charging Infrastructure Projects

2.21 Within the EV charging infrastructure programme KCC have a range of projects designed to meet the charging need. Some are based on a local level, some affect policy and some are large scale infrastructure plans working with other Local Authorities. These cater to the different charger speed requirements that electric transport offers.

Project Name	Completion year	Target charger sockets per annum	Progress to date	Notes
Parish Charger network phase 1	2021	30	20	7 – 22kwh chargers across all of Kent. Typically installed in Parish and Village Hall car parks.

District Charger Network phase 1	2021	20 (15 in Kent)	0	7 – 75kwh chargers across 6 Kent Districts & Medway. Tender recently awarded. Feasibility studies carried out.
Rapid Taxi and Private Hire Vehicle Chargers	2021	20	12	50kwh chargers across multiple Districts
Parish Charger network phase 2	2022	50	NA	
District Charger Network phase 2	2022	300 (250 in Kent)	NA	
Rapid Taxi and Private Hire Vehicle Chargers	2022	8	NA	
Parish Charger network phase 3	2023	50	NA	
District Charger Network phase 2	2023	280 (250 in Kent)	NA	
Ultra-Rapid charger network	2023	20	NA	
Parish Charger Network phase 4	2024	50	NA	

TOTAL = 743 new charger sockets

Figure 6 shows that KCC have an estimated 743 new chargers planned by 2024 which have or will be directly influenced by Kent County Council. This does not include other Local Authority projects outside of our scope or the private sector installations.

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Total charger sockets required	327	476	1,042	1,462	2,014	2,580	3,330	4,300	5,670	7,487
5% KCC allocation	17	24	52	73	100	129	167	215	284	275
10% KCC allocation	33	48	104	146	201	258	333	430	567	749
20% KCC allocation	66	96	208	292	402	516	666	860	1134	1498
40% KCC allocation	112	192	416	584	804	1032	1332	1720	2268	2996
FORECAST cumulative charger sockets KCC will install per annum	+65	+373	+693	+743	NA	NA	NA	NA	NA	NA

Figure 7 – This table compares KCC's projected installation numbers to the required charger numbers in each % scenario.

2.22 Figure 7 shows that in all but 2 scenarios (2021: 20% & 40% allocation) KCC is on track to exceed the number of chargers required in every scenario up to the end of 2024 and in the 5 and 10% allocations KCC will have exceeded the requirement 6 years early. This does not even account for additional chargers being provided by other Local Authorities or the fact that the 2021 allocation of 327 charger sockets has already been met with installations having already occurred.

2.23 This shows that the projects being delivered are likely to be on track and allows some flexibility if the numbers of chargers cannot be fully realised or are delayed. However, it should be noted that a certain number of charger sockets on the ground does not ensure the chargers are installed in the most optimum locations, are maintained, or are well used. Therefore, projects must be well designed, costed, and planned to ensure targets are met while considering good placement.

KCC EV charger Mapping.

2.24 To ensure KCC looks at the network on a strategic level and places investment and efforts in the areas where it will have the largest impact, officers in Transport Innovations are developing a mapping system. This is taking datasets such as existing charger locations, population density, off street parking capability, known future charger locations, land use and power availability to highlight those areas in Kent that are not likely to be catered for adequately. It will enable officers to understand where project development may be required and look for solutions to address the challenges in those areas. This will help provide area specific strategies where needed.

2.25 It is anticipated that localised charging in areas with little off street parking will be a particular challenge and new projects may need to be developed to address this gap. This could be a renewed review of on street charging solutions when all other options have been exhausted. This is an area the programme will adapt to in future if required.

Figure 8 - A screenshot from the Charger map showing 5 minutes walking distance to Fast charger sockets and a 10 minute's drive to rapid and ultra-rapid charging locations.

The Planning system – Transport & Development Planning .

2.26 A new set of Planning Parking Guidance is due to be published in the Kent Design Guide, supporting national Building Regulations changes to require EV charger installations and passive installations (ducting and cabling) to be installed in new developments. With regards to the public charger network across Kent, the requirements for new commercial development will greatly increase the numbers of publicly available chargers.

Residential Uses	
Dwellings with On-Plot Parking	1 Active Charging Point per dwelling minimum output rating 7kW*
Dwellings with unallocated communal parking	10% Active Charging Spaces and 100% Passive Charging Spaces**
Non-Residential Uses	
All Uses with Off-Street Parking	10% Active Charging Spaces and 100% Passive Charging Spaces**

***chargepoints should be Mode 3, AC.**
**** applicable to new sites, change of use applications or extensions will be discussed on an individual basis**

Figure 9 – An extract from the proposed Planning Parking Guidance.

On Street Charging

2.27 – Enquiries are rising from residents, without access to off street parking, to run a cable from their property to their vehicle on the road. There is no consistent method used for this but proposals include strapping down the cable or running a cable channel under the pavement itself. Although, in principle, this could help many more people to charge their vehicles, accessing lower costs of electricity – officers have not yet seen a solution that meets safety requirements or avoids maintenance, equalities, parking or cost difficulties.

2.28 Officers continue to monitor other Local Authority areas and the private sector for solutions and are awaiting more clarity from the Government, due in 2022, on the issue.

2.29 To enable on street charger installations, officers have published guidance for District Councils to follow to enable and promote safe installations on the highway. This guidance is not yet formally adopted KCC policy but could be brought forward in the coming months. Officers understand it is being used to inform central government advice on the matter.

Available Grid Power In Kent

2.30 A fundamental challenge that presents itself when seeking to install new charging infrastructure is availability of grid connections. This is not unique to Kent and Ofgem are looking into this issue. Some areas of the county are quite well equipped to accommodate new chargers while others are severely constrained and require high capital investments.

2.31 A lack of power availability often leads to wasted resource when quotations are sought. For context the rapid taxi charger project has investigated nearly 50 locations around the county. Of those 50 only 8 have been viable financially to date. A rapid (50kwh+) charger equals the power requirement of 22 new flats. This can lead to a perceived slow roll out of charging infrastructure.

2.32 UKPN have started to understand where their power limitations are on their grid. However, this information is still not freely available to charge point operators or local authorities. Therefore, formal quotations are still required to fully understand if a location is viable – usually after work has taken place to ensure the location is suitable from a user and operator perspective.

2.33 The Government is aware of the issue and officers understand this may be changed in the future. Some financial help with very high connection costs is expected to be available in 2022.

3. Supporting the transition to electric vehicles

3.1 Expansion of the Kent electric vehicle charging network is critical to incentivise and provide confidence to residents, businesses and the public sector that switching to an electric vehicle makes good sense before the 2030 ban.

3.2 Kent County Council together with all other Local Authorities in Kent have set ambitious net-zero targets, in almost all cases to be achieved for their own organisation by 2030. This will require the majority of public sector fleet vehicles to be switched to electric or other low emission fuel by this date.

3.3 Kent County Council was awarded a £1.5 million capital grant from Highways England to deliver the Kent REVS Up for Cleaner Air an electric van scheme, which was launched in February 2021.KCC provided £0.5 million revenue funding to operate the scheme for 2 years offering businesses, public and third sector organisations the opportunity to try an electric van for free for up to 2 months. The scheme has already supported over 110 organisations, with five already making the switch to an electric van.

3.4 The experience of driving an electric van has been mostly positive, with the main barriers to organisations switching to electric being the lack of local charging infrastructure, charge points being out of service and the complexity of payment methods from a range of providers.

3.5 Organisations have also reported that rural and coastal areas lack infrastructure and this reflects the point made at 2.25 where the mapping of charging infrastructure will assist in identifying locations where investment is needed.

4. Financial Implications

4.1 At this stage all projects, except the Parish Charger Network, are costed, operating, and funded up to 2024. The Parish Charger Network has funding allocated to deliver Phase 1 and Phase 2 but not Phase 3 or 4. It is expected that grants will continue to be sought and no base funding will be required for that project.

4.2 If additional projects are to be realised or projects expanded then additional funds may be required and the Climate Change Fund, outside Grants or private sector investment may be considered. At this stage it is not anticipated that base funding will be needed up until at least 2025. Further work and analysis will take place annually up to 2025 to determine and develop future projects which will better inform funding decisions. Where possible, private sector investment will be utilised with Revenue return back to the Local Authority Landowners

5. Legal implications

5.1 All legal implications will have to be addressed on a project basis with legal advice sought as required.

6. Equalities implications

6.1 All charging infrastructure needs to be installed to be accessible and with equality in mind. The industry is working with Government on this topic and the findings are yet to be published. All installations partners are and will continue to be expected to ensure their equipment and installations are available for all users.

7. Other corporate implications

7.1 There are future projects and opportunities that officers wish to develop, particularly investment in KCC's own estate to provide charging facilities for staff, visitors, and contractors and to support the transition of KCC's own fleet vehicles to electric. Additionally, officers wish to assess the potential of investing in ultra-rapid charging hubs on KCC owned land which could provide a future revenue income stream. This will require cooperation between services managing land and buildings across the KCC estate.

7.2 There are added health benefits to be gained from improving electric vehicle infrastructure and supporting the transition to electric vehicles. The resulting reduction in tailpipe emissions will reduce harmful air pollutants, which contribute to both acute and chronic health conditions affecting all ages.

8. Governance

8.1 N/A

9. Conclusions

9.1 The report shows that current projects in the works should enable KCC to play a large role in meeting the charging needs of the county. Without clearer guidance from Government officers will continue to monitor installations, national progress, and industry feedback to determine which scenario is most appropriate. It could be that more onus is placed on Local Authorities than the 40% shown in this report. If that is the case then additional projects will need to be developed.

10. Recommendation(s)

Recommendation(s):
The committee/board is asked to note the contents of the report.

11. Contact details

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From: **Susan Carey, Cabinet Member for Environment**

Simon Jones, Corporate Director, Growth, Environment and Transport

To: **Environment and Transport Cabinet Committee, 3rd November 2021**

Subject: **Plan Tree – Kent County Council's Tree Establishment Strategy 2021-2031 (draft)**

Classification: **Unrestricted**

Past Pathway of report: n/a

Future Pathway of report: n/a

Electoral Division: Kent wide

Summary: Plan Tree is Kent County Council's strategy for the establishment of 1.5 million new trees for Kent. The Strategy sets out how we will work in partnership across the county to not only increase our tree canopy cover but protect and restore existing trees, hedgerow, and woodland and, in turn, support the recovery of wildlife, provide natural climate solutions (including carbon sequestration) and enrich people's lives. This report provides an overview of the draft Plan Tree, ahead of the public consultation due to commence January 2022.

Recommendation(s):
The Cabinet Committee is asked to consider and endorse the draft Plan Tree – Kent County Council's Tree Establishment Strategy 2021-2031 – for public consultation.

1. Introduction

1.1 Tree establishment is just one of a number of nature-based solutions that can be employed to help tackle some of today's societal challenges, such as climate change, water security, air quality and human health. Nature based solutions are actions that work with and enhance nature, through appropriate management and interventions, to produce a diverse range of services and benefits. A recent Kent County Council commissioned study[1] into nature-based solutions in Kent identified that woodland and trees presented a broad range of opportunities. And these opportunities are all the more applicable given the extent of woodland habitat across the county, meaning the majority of these solutions can be applied largely throughout.

1.2 Establishing more trees in Kent will help the county address the dual challenges of climate change and the ecological crisis. Trees, especially large ones, can store significant amounts of carbon; Kent and Medway's forests are estimated to store some 367,374 tonnes of carbon dioxide per year[2]. In addition, they help to manage some of the impacts of our changing climate – their shade

[1] Natural Solutions to Climate Change in Kent Report, March 2021
[2] Kent and Medway Emissions Analysis and Pathways to Net Zero report (December 2020)

reduces summer air temperatures and the urban heat island effect and, by intercepting rainfall, they reduce runoff and alleviate flood impacts.

1.3 Trees also tackle some of our other environmental challenges, including air quality and soil health. Plus, trees and woodlands are valuable habitats for our county's wildlife – an oak tree supports more life than any other native tree, providing shelter and food for an incredible 2,300 wildlife species[3].

1.4 Trees are popular with people too – 84% of the UK public agree that more trees should be planted in response to climate change, and 95% of the UK public value woodlands for their wildlife value[4]. It's not surprising that trees are valued by the public – in Kent, they are a fundamental part of our cultural landscape, providing character and local distinctiveness to many areas. There is a strong and growing evidence linking exposure to trees with benefits to both physical and mental health and wellbeing; and evidence suggests that in urban areas, the presence of trees not only enhances the visual attractiveness but can be used to deter crime and anti-social behaviour[5].

1.5 In 2019, off the back of County Council recognising a climate and ecological emergency, the then Cabinet Member for Planning, Highways, Transport and Waste stated a commitment for 1.5 million trees to be established, a tree for every person in Kent.

1.6 Plan Tree, Kent County Council's Tree Establishment Strategy, sets out how we will turn this ambition into a reality and see tree cover across the county extended.

1.7 This report provides an overview of the draft Plan Tree prior to public consultation and action to date.

2. Tree establishment to date

2.1 Since stating its ambitions in 2019 for 1.5 million new trees to be established in the county, Kent County Council has delivered the following:

- 36,895 trees planted by the Old Chalk New Downs project, with KCC and Heritage Lottery Funding (2019-21/22). All trees are a native-species mix, with local stock sourced from Kent nurseries and the majority have been planted with biodegradable cardboard tree guards, rather than plastic.
- 13,615 trees planted by the Darent Valley Landscape Partnership project, with KCC and Heritage Lottery Funding (2020-21).
- Over 16,000 trees and hedges planted by the county's Countryside Management Partnerships (2019-20).
- £275,129 of funding from the Local Authority Treescape Fund, delivering 250 standard trees and 41,000 whips in Ashford and Swale.
- £500,000 from the Shared Outcomes Fund, to deliver 3,588 trees and 6,408m^2 of natural regeneration through the Trees Outside Woodland project (2020-23).

[3] https://www.woodlandtrust.org.uk/trees-woods-and-wildlife/british-trees/oak-tree-wildlife/
[4] Public opinion of forestry – climate change, Forest Research
[5] https://cieem.net/wp-content/uploads/2019/01/INPRACTICE73web.pdf

- An average of 900 street trees planted per annum by Kent Highways (2019-21).
- Appointment of a dedicated officer to oversee the delivery of the Kent Tree Establishment Strategy (November 2021).

2.2 The Kent Tree Establishment Strategy builds on this action to provide a more robust framework for tree establishment in Kent and the collaborative action needed to deliver on the 1.5 million trees ambition.

3. Plan Tree's ambitions and targets

3.1 Kent County Council has an ambition that the county's tree cover will be extended by 1.5 million by 2030, establishing one new tree for every resident living in the county. And that by 2050, Kent will have an average tree canopy cover of 19% (an increase from the current 17%), the target recommended by the Committee on Climate Change if the UK is to be carbon neutral by 2050. The delivery of these new trees, alongside the protection and restoration of existing trees, hedgerow, and woodland, will support the recovery of wildlife, provide natural climate solutions, and enrich people's lives.

3.2 These new trees will be delivered by working in partnership with (but not limited to) district and borough and town and parish councils, the Kent Downs and High Weald Area of Outstanding Natural Beauty Units, the county's Countryside Management Partnerships, Woodland Trust, Forestry Commission, and environmental charities. We will also look to bring together local communities, schools, businesses, and landowners to collaborate on tree establishment projects.

3.3 In addition to this collaborative action, Kent County Council aims to contribute directly to this county target by establishing new trees across its own estate. Although our ambitions will be greater, at a very minimum we will establish 28,600 trees per annum on land we own, manage or influence, representing a tree for every person in our own workforce. Further, Kent County Council members will have the opportunity to contribute by establishing trees within their own divisions across the four-year term; based on a target of 350 trees per division, this will account for another 28,350 trees within the county.

3.4 Before final adoption, the Tree Strategy Officer will be responsible for determining whether 1.5 million trees is a feasible target and whether the 19% tree canopy cover target is an appropriate target for the county. This will be done in consultation with the principles for tree establishment in Kent.

4. Principles for tree establishment in Kent

4.1 All trees established under our Strategy will follow four principles for tree establishment.

4.2 The first step is to protect and restore the county's existing trees and native woodland and therefore the founding principle is one of **better management and protection of existing stock**. This not only aims to avoid loss but ensure our existing stock is secure from pests and disease; and, where loss is unavoidable, replacement is at a greater ratio to that lost. It also recognises the

important role that natural regeneration has to play, where, through appropriate management, we allow nature to take its course and provide additional tree cover; an approach already employed throughout our country parks but with possible application elsewhere on our estate.

4.3 Natural regeneration will need to be complemented by considered and well-planned establishment of new tree stock. Where we look to establish new trees, this must adhere to the principle of **the right tree, in the right place, for the right reason, with the right management** to ensure appropriate, successful, and sustainable tree establishment across the county.

4.4 Applying the four elements of the right tree in the right place principle will result in constraints on how and where we deliver tree establishment; the specifics of these constraints will be defined as part of the Strategy's implementation. Because of these constraints, we will need to review the targets to ensure we can deliver on 1.5 million new trees and 19% canopy cover without compromising on this important principle for tree establishment.

4.5 Investment of public money needs to demonstrate value, and opportunities to **deliver multiple benefits** from tree establishment must be realised; such benefits include:

- Delivery of nature-based solutions, such as air quality and water management in addition to carbon sequestration.
- Provision of amenity benefits.
- Restoration and enhancement of biodiversity and connectivity of habitats.
- Delivery of economic benefits, through expansion of existing, and development of new, markets.

4.6 And finally, we must **ensure the biosecurity of new tree stock through application of strict standards** on the trees we plant and the places we source stock from.

5. Realising the value of trees in Kent – our objectives for tree establishment

5.1 Establishing the right trees, in the right places will help deliver benefits for Kent's wildlife, people and economy. Through extending tree cover in Kent, and delivering Plan Tree, we aim to deliver the following objectives:

- Contribute to Kent County Council's, and the county's, net zero targets.
- Reduce and reverse the trend of decline in nature and loss of trees.
- Tackle the multiple threats to our trees.
- Deliver nature-based solutions to some of the county's challenges.
- Provide enhanced and improved recreation and amenity.
- Address the decline in trees outside woodland and decline in urban trees.
- Realise the economic benefits.
- Increase our knowledge and provide better protection.

6. Delivering on Plan Tree

6.1 The Strategy sets out some specific actions that will be taken to progress delivery of the ambitions and objectives of Plan Tree. These actions focus on:

1. Delivering against the tree establishment target.
2. Exemplar provision for trees on our own estate.
3. Improving protection to trees in Kent.
4. Improving our understanding of Kent's trees.
5. Developing the Kent carbon offset market for unavoidable emissions.

6.2 Key to this will be the development of a ten-year strategic tree planting plan, including a tree planting project pipeline that will enable us to readily respond to government calls for bids. In association, we will develop a more detailed three-year delivery plan, which will be published to provide a visibility of intended schemes, with an investment plan to underpin this work.

6.3 Whilst Plan Tree undergoes a public consultation and the subsequent work to finalise and adopt, work won't (and can't) wait. Initial work priorities for the newly appointed Tree Strategy Officer include:

- Establish a detailed definition of the "right tree in the right place".
- Review the feasibility and appropriateness of Strategy targets.
- Develop a monitoring and measuring mechanism for the Strategy targets.
- Review existing and future funding opportunities and map out a programme of application; and develop bids as required.
- Establish a network of delivery partners.
- Use relevant data sets, and work with partners and stakeholders, to identify areas of priority and opportunity for tree establishment in Kent.
- Work with KCC and district council colleagues to identify opportunities across the county for tree establishment on the public estate and commence the development of a pipeline of projects.
- Deliver the authority's contribution to the jubilee initiative of the Queen's Green Canopy.

6.4 The public consultation is planned to commence in January 2022 and will run for 6 weeks. ETCC will receive a report on the consultation and the final Strategy at the June 2022 meeting.

7. Financial Implications

7.1 The Tree Strategy Officer post is funded by the climate change fund reserve.

7.2 Tree establishment will, in the main, be funded through central government grants. In September, we successfully secured £275k from the Local Authority Treescapes Fund. In addition, the delivery partners we work with may have access to other funding that we as a public body do not.

7.3 There are currently a number of tree grants and financing options available, which may be applicable and include (but are not limited to):

- Woodland Creation Planning Grant
- HS2 Woodland Fund
- Urban Tree Challenge Fund
- Local Authority Treescapes Fund
- Woodland Carbon Fund

- Woodland Carbon Code
- Woodland Carbon Guarantee
- Woodland Management Planning; Creation and Maintenance; Tree Health; and Improvement schemes (all part of Countryside Stewardship)
- The Tree Council Community Hedge Fund
- National Highways Environment and Wellbeing Designated Fund Plan
- National Grid Landscape Enhancement Initiative
- NGO and charity tree funding schemes
- Corporate investment
- High net wealth individual investment interests
- Local nature-based carbon offset markets
- (in time) Environmental Land Management scheme
- (in time) Biodiversity Net Gain

7.4 Where match funding is needed, or funds are required to support tree establishment that falls outside the criteria of available funding, application may be made to the climate change fund reserve. Further, the climate change fund reserve will also be used to deliver the committed 28,600 trees on land we own, manage or influence and the committed 28,350 trees for member to establish within their divisions.

8. Legal implications

8.1 There are no legal implications in relation to the draft Kent Tree Establishment Strategy.

9. Equalities implications

9.1 Increased tree cover within the county is expected to deliver more positive equality impacts than negative.

9.2 Trees improve air quality and tackle other climate change effects, such as extreme heat and flooding. Children and young people, the elderly and disabled people, who tend to suffer more from respiratory illnesses and the extremes of climate change, will therefore likely see a positive impact from increasing tree cover in the county. Studies have also shown poor air pollution levels are often found in areas of highest ethnic diversity and therefore improved air quality, as a result of increased trees, may also benefit this protected characteristic group. By applying the right trees in the right place principles, and through careful and considered design and planning, we can ensure that we maximise the potential positive impacts of increased tree cover for these protected characteristic groups.

9.3 Inappropriate planting could restrict access or cause obstacles, impacting those with a disability. The Strategy applies a clear principle of the right tree in the right place and this will ensure that any tree planting does not have unintended consequences, including impacting access or causing obstacles.

9.4 Where new woodlands are being created, or extensive planting is extending existing woodlands, there is a risk that access could be restrictive for those with a disability. We will ensure that any new woodlands that are created with

visitors in mind account for a broad range of access issues within their design.

10. Other corporate implications

10.1 The Kent Tree Establishment Strategy supports the ambitions of the Kent Biodiversity Strategy, the Kent Environment Strategy, the Kent and Medway Energy and Low Emissions Strategy and the management plans of the Kent Downs and High Weald Areas of Outstanding Natural Beauty. In time the Kent Tree Establishment Strategy will also be linked to the Local Nature Recovery Strategy, required under the Environment Bill.

10.2 It has been prepared in reference to the Government's England Trees Action Plan 2021-2024 (May 2021) and the Woodland Trust's Emergency Tree Plan for the UK (January 2020).

11. Governance

11.1 There are no governance issues in relation to the draft Kent Tree Establishment Strategy.

12. Conclusions

12.1 Plan Tree provides a strong framework for tree establishment in the county and the collaborative delivery of the ambitions of 1.5 million new trees and 19% tree canopy cover.

12.2 Realising these ambitions will not only make a notable contribution to carbon sequestration and therefore our own, and the county's, net zero targets but will also serve to provide a number of other beneficial services, including air quality improvements, water management and temperature regulation.

12.3 In addition, increasing our tree cover will provide new habitat and food sources for our wildlife and enable us to tackle some of the county's habitat losses and fragmentation. It will also provide additional and enhanced amenity and the opportunity to connect with nature and the health and well-being benefits this brings. And finally, with further development, new markets and economic opportunities could be provided.

12.4 Importantly by further developing, and then following, strong principles concerning the right tree in the right place, we will ensure that we not only realise such benefits but realise them where they're most needed in terms of addressing some of our county's societal, ecological, and economical challenges.

12.5 Plan Tree clearly sets out the county council's intention to deliver against ambitious targets and realise the full benefits of increased tree cover and improved protection in Kent.

13. Recommendation(s)

Recommendation(s):
The Cabinet Committee is asked to consider and endorse the draft Plan Tree – Kent County Council's Tree Establishment Strategy 2021-2031 – for public consultation.

10. Background Documents

10.1 The draft Plan Tree - Kent County Council's Tree Establishment Strategy 2021-2031 is provided as an appendix to this report.

10.2 Relevant background documents include:

Natural Solutions to Climate Change in Kent Report, March 2021
(Not currently online; available from report author)

The England Trees Action Plan 2021-2024
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/987432/england-trees-action-plan.pdf

Woodland Trust Emergency Tree Plan for the UK
https://www.woodlandtrust.org.uk/media/47692/emergency-tree-plan.pdf

Kent and Medway Energy and Low Emissions Strategy
https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/environmental-policies/kent-and-medway-energy-and-low-emissions-strategy

Kent Biodiversity Strategy
http://www.kentnature.org.uk/uploads/files/Nat-Env/Kent%20Biodiversity%20Strategy%202020.pdf

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PLAN TREE

Kent County Council's
Tree Establishment Strategy

2021-2031

Draft October 2021

Introduction to the ambitions of the Kent Tree Establishment Strategy

Kent County Council has an ambition that the county's tree cover will be extended by 1.5 million, establishing one new tree for every resident living in the county. By 2050, Kent will have an average tree canopy cover of 19%[1], the target recommended by the Committee on Climate Change. The delivery of these new trees, alongside the protection and restoration of existing trees, hedgerow, and woodland, will support the recovery of wildlife, provide natural climate solutions, and enrich people's lives.

This will be delivered by working in partnership with (but not limited to) district and borough and town and parish councils, the Kent Downs and High Weald Area of Outstanding Natural Beauty Units, the county's Countryside Management Partnerships, Woodland Trust, Forestry Commission, and environmental charities. We will look to bring together local communities, schools, businesses, and landowners to collaborate on tree establishment projects.

In addition to this collaborative action, Kent County Council aims to contribute directly to this county target by establishing new trees across its own estate. Although our ambitions will be greater, at a very minimum we will establish 28,600 trees per annum on land we own, manage or influence, representing a tree for every person in our own workforce. Further, Kent County Council members will have the opportunity to contribute by establishing trees within their own divisions across the four-year term; based on a target of 350 trees per division, this will account for another 28,350 trees within the county.

All trees established under our Tree Strategy will follow principles for tree establishment in Kent and the trees will be established by a combination of new stock and through managed natural regeneration. The establishment of new hedgerows will also contribute to the Strategy's target.

The Kent Tree Establishment Strategy has been prepared in reference to the Government's England Trees Action Plan 2021-2024 (May 2021) and the Woodland Trust's Emergency Tree Plan for the UK (January 2020). It also supports the ambitions of the Kent Biodiversity Strategy, the Kent Environment Strategy, the Kent and Medway Energy and Low Emissions Strategy and the management plans of the Kent Downs and High Weald Areas of Outstanding Natural Beauty. In time the Kent Tree Establishment Strategy will also be linked to the Local Nature Recovery Strategy, required under the Environment Bill.

[1] In line with the national and Woodland Trust Emergency Plan target of 19%; the target recommended by the Committee on Climate Change if the UK is to be carbon neutral by 2050.

The importance of trees to Kent

A recent tree canopy assessment (July 2020[2]) calculated the county had 64,751 ha of tree cover, with an average tree canopy cover of 17% and an urban tree cover average also at 17% (above the England average of 16%). In terms of distribution across the county, west Kent districts have a far greater canopy cover (28-30%) than those in east Kent (4-9%).

Kent has 11% of England's ancient semi-natural woodland, with more ancient woodland than any other county in the UK; and in the south east, the county has 22.5% of the region's ancient woodland resource. Broadleaved, mixed and yew woodland is the county's largest semi-natural habitat, covering 44,490ha and just over 11% of Kent[3].

Our two Areas of Outstanding Natural Beauty are heavily wooded – the High Weald has the most wooded landscape in the country with 28% woodland cover; and the Kent Downs has 23% and the majority of this is irreplaceable ancient woodland (70%).

Our history of fruit production has also left us with traditional orchards found in two main areas, the North Kent Fruit Belt (between Rochester and Faversham) and the Mid Kent Fruit Belt (in the central areas of the High and Low Weald and the Greensand). Many of these have been lost in the past half century and traditional orchards now only account for 0.4% of Kent's habitats; but this seemingly small resource is nationally important, comprising around 10% of the traditional orchard area in England[4].

The great extent of Kent's woodland and tree cover tells a story of how we have used trees and the value of them to us. Today we not only value trees for the food, timber and fuel they provide but also for their recreation, wildlife, ecosystem services and carbon capture and storage benefits.

The value of trees[5][6]

- Trees and woodlands are valuable habitats to our county's wildlife. Oak trees support more life than any other UK native tree – they are a haven for a colossal 2,300 wildlife species, providing vital spaces to eat, shelter and breed[7].
- Trees, especially large ones, can store significant amounts of carbon. Kent and Medway's forests store 367,374 tonnes of carbon dioxide per year[8].
- Trees are very effective at mitigating the effects of air pollution and improving air quality by using their leaves and bark to primarily intercept airborne particulate matter but also by absorbing other pollutants from the air, such as sulphur dioxide, nitric acid, nitric oxide, and ammonia from the air.

[2] https://www.kent.gov.uk/__data/assets/pdf_file/0012/111360/Canopy-cover-report.pdf
[3] Kent Habitat Survey, 2012
[4] Kent Habitat Survey, 2012
[5] https://www.woodlandtrust.org.uk/media/1702/benefits-of-trees-outside-woods.pdf
[6] https://cieem.net/wp-content/uploads/2019/01/INPRACTICE73web.pdf
[7] https://www.woodlandtrust.org.uk/trees-woods-and-wildlife/british-trees/oak-tree-wildlife/
[8] Kent and Medway Emissions Analysis and Pathways to Net Zero report (December 2020)

- Trees provide shade, reducing summer air temperatures and the urban heat island effect.
- Trees provide hydrological benefits in the form of reduced runoff, flood alleviation and water quality enhancement. Conifers intercept between 25-45% of annual rainfall while broadleaves intercept between 10-25%[9].
- Trees improve soil and reduce soil erosion – decaying leaves and bark add a protective layer to the earth, which protects against evaporation from heat and retains water, keeping soil healthy.
- In terms of cultural services, trees are a fundamental part of the cultural landscape of Kent, providing character and local distinctiveness to many areas.
- Within urban areas, people show a generally favourable attitude towards street trees, with the most highly rated benefit being visual attractiveness. In addition, evidence suggests that in urban areas the presence of trees can be used to deter crime and anti-social behaviour.
- 84% of the UK public agree that more trees should be planted in response to climate change[10].
- 95% of UK public value woodlands for their wildlife value[11].
- There is strong and growing evidence linking exposure to trees with enhancements in both physical and mental health and wellbeing.
- Broadleaved trees have also been shown to have a positive impact on property values ranging from 5-18%, with larger trees having a greater proportional value[12].
- Commercial and urban areas with good tree cover tend to attract higher levels of inward investment[13]
- Trees provide us with timber, fuel, fodder, fruit, nuts, berries, and biofuels.

[9] Calder, I.R., Reid, I., Nisbet, T. and Green, J. C. (2003) Impact of lowland forests in England on water resources. Water Resources Research, 39: 1319 – 1328

[10] Public opinion of forestry – climate change, Forest Research, https://www.forestresearch.gov.uk/tools-and-resources/statistics/forestry-statistics/forestry-statistics-2018/uk-forests-and-climate-change/public-opinion-of-forestry-climate-change/

[11] https://www.forestresearch.gov.uk/tools-and-resources/statistics/statistics-by-topic/public-opinion-of-forestry/

[12] Department for Communities and Local Government (2008) Trees in Towns II. A new survey of urban trees in England and their condition and management.

[13] Department of Environment (1997) Managing Urban Spaces in Town Centres – Good Practice Guide.

Realising the value of trees in Kent – our objectives for tree establishment

Establishing the right trees in the right places will help deliver benefits for Kent's wildlife, people, and economy. Through extending tree cover in Kent and delivering this Strategy, we aim to deliver the following objectives.

Contribute to Kent County Council's, and the county's, net zero targets
The UK has a net zero target of 2050. Kent County Council is working towards carbon neutrality for its own estate and services by 2030. We are also committed to reducing greenhouse gas emissions from the whole county to net zero by 2050. In order to meet these ambitious but necessary targets to address climate change, not only must we reduce our emissions but we need to remove carbon from the atmosphere.

A new native woodland can capture 300-400 tonnes of carbon dioxide equivalent per hectare by year 50; by 100 years this increases to 400-600 per hectare[14] (typical densities range from 1000 to 2500 trees per hectare). Acting now to increase our tree stock across the county will make a significant contribution towards our targets for 2030 and 2050.

Reduce and reverse the trend of decline in nature and loss of trees
Existing native woodlands are isolated and in poor ecological condition. These factors coupled with the widespread loss of 'trees outside woods' from the landscape have contributed to a troubling decline in our biodiversity – 53% of UK woodland species are in decline[15].

Native broadleaved woodlands, managed to a semi-natural condition, can deliver exceptional biodiversity value because of the mosaic of habitats that can exist within. In woodlands with more natural systems, trees seed, grow and die at different times, creating a varied structure of tree maturity and species diversity as more light reaches below the canopy.

Through improved and/or more appropriate management, natural regeneration, an increase in our native woodlands and improved connectivity between our woodlands, we can begin to address the decline in wildlife that depend on these habitats.

Tackle the multiple threats to our trees
Woods and trees are subject to a number of overlapping threats including direct loss, climate impacts, imported diseases, invasive plants, mammal browsing and air pollutants. These threats diminish the benefits of woods and trees for people and for wildlife.

By better management and consideration of our tree stock, and care and attention paid to the establishment of new stock, we can develop a tree resource that has

[14] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/689431/A5_Leaflet_WC_Carbon_Code_V4_Web.pdf
[15] https://www.rspb.org.uk/globalassets/downloads/documents/conservation-projects/state-of-nature/state-of-nature-uk-report-2016.pdf

increased resilience to disease, climate change and natural hazards and ensures woodlands are better connected with each other and other priority habitats.

Deliver nature-based solutions to some of the county's challenges
In addition to carbon sequestration, trees provide a wealth of services including:

- Improved soil quality and integrity - woodlands and well-established hedgerows produce high quality soil through increased organic content falling to the woodland floor. They also act as barriers, slowing water flow and preventing soil erosion.
- Improved air quality - trees and vegetation capture pollutants such as sulphur dioxide, nitric acid, nitric oxide, and ammonia, cleaning the air as they do so. Broadleaved trees and hedges take up more pollution through their larger leaves and create turbulent air movement which contributes to increased pollutant uptake and pollutant dissipation.
- Reduction in surface water flooding - woodlands play a vital role in offsetting surface water flooding through water intake from the ground, preventing water saturation. Trees also intercept rainwater in their canopies which reduces the amount of water reaching the ground. Woodlands and hedgerows also slow the rate of surface water flow through their soils.
- Urban cooling - through increasing the tree canopy throughout urban areas, transpiration increases which helps to reduce air temperature and increase humidity, contributing to a cooling effect.

Careful planning and strategically placed trees can be used to deliver multiple benefits and through following the tree establishment principles we can ensure we realise the greatest value of our tree stock within the county.

Provide enhanced and improved recreation and amenity
Woodland, and trees outside woodlands, provide many societal benefits including:

- Opportunities for recreation and education.
- Enhanced and quality outdoor experiences, include a connection with nature.
- Improvements to local amenity and distinctiveness.
- A contribution to people's health and wellbeing.

By increasing tree cover in the county and considering where this is most needed and/or where it would offer the greatest societal benefits, we can boost these benefits across Kent.

Address the decline in trees outside woodland and decline in urban trees
Trees outside of woodlands are among the most valuable to society; people place great value on trees and green spaces in their local communities. 19% of the UK's trees are outside woodland[16], with non-woodland tree cover amounting to 11% of land in urban areas and 3% in rural[17].

Urban trees have a huge value:

[16] State of the UK's Woods and Trees - Woodland Trust
[17] Tree cover outside woodlands in Great Britain - Statistical Report (forestresearch.gov.uk)

- Benefit mental and physical health
- Reduce surface water flooding
- Provide habitats and connectivity for wildlife
- Lower noise pollution and combat air pollution
- Increase property values
- Reduce temperatures in towns and cities

The strategy will look to tackle urban areas lacking in tree cover and reduce the loss of these important trees. We will work with our district and borough colleagues to ensure that trees are well provided for within Local Plans and are properly considered, with quality designed landscaping, within new development.

Realise the economic benefits
Trees and woodlands have a number of business uses, including timber and wood products, fruit, and fungi, as well as commercial leisure hire. Further to these, a developing market is using established tree stock, and/or land for tree establishment, to offer carbon offset for unavoidable emissions. Growing this market in Kent could deliver some of the investment we need to manage, expand, and connect our tree stock and woodlands.

Further, market development relating to the provision of Plant Healthy tree stock could enable additional jobs and revenue in the county.

Increase our knowledge and provide better protection
In order to ensure our trees, have the protection they need and to ensure efforts of establishment are targeted to where restoration is required or gaps exist, we need to improve our understanding of trees in the county and the benefits (value) they provide.

Principles for tree establishment in Kent

In delivering our Kent Tree Establishment Strategy, the following principles for tree establishment will be followed.

1. Better management and protection of existing stock

The first step is to protect and restore the county's existing trees and native woodland. This includes ensuring that any loss of ancient woodland, aged and/or veteran trees will be wholly exceptional. For our broader woodland and trees stock, where tree loss is unavoidable these are replaced at a greater ratio to that lost. For any non-woodland tree removed, there should be the aim, where feasible, of a replacement tree (or more than one) in the new location or as close to the original location as possible and be the same type of planting[18].

Our existing stock should also be secure from pests and disease; investment is required to support Kent's (and the South East's) tree nurseries to enable a rapid expansion of locally grown native trees to reduce disease risk of importing trees. Biosecurity of tree establishment should also be improved (see principle below). Further to this, we need to better understand and manage impacts from natural threats (such as deer, squirrels, and climate change) on tree stock.

Another way to ensure biosecurity is to ensure natural regeneration is a key part of the county's tree establishment plans, whereby through appropriate management we allow nature to take its course and provide additional tree cover.

2. The right tree in the right place

Natural regeneration will need to be complemented by considered and well-planned establishment of new tree stock. Where we look to establish new trees, this must adhere to the following principles to ensure appropriate, successful, and sustainable tree establishment across the county:

- The right tree
- In the right place
- For the right reason
- With the right management

The right tree in the right place principle
Applying the four elements of the right tree in the right place principle, will result in constraints on how and where we deliver our establishment plan. The specifics of these constraints will be defined as part of the Strategy's implementation and will consider (but not be limited to):

- native and local provenance species
- species that deliver a specific service or function
- landscape biodiversity (e.g. grassland and woodland) and character, previous

[18] Woodland Trust Emergency Tree Plan for the UK

landscape patterns and historical context
- location
- archaeological implications
- soil functions
- habitat types that should be protected from tree/woodland establishment
- land uses
- woodland connectivity
- water recharge and availability
- local issues such as poor air quality or flood risks
- unintended consequences
- the purposes of the tree within that location
- the need for management to have minimal environmental impact (for instance no plastic use for tree guards and shield and water demand).

3. Deliver multiple benefits

Investment of public money must demonstrate value and opportunities to deliver multiple benefits from tree establishment must be realised. This includes:

- Delivery of nature-based solutions, focussing tree establishment in areas of need such as those with high levels of pollution, flood risk and urban heat.
- Provision of amenity benefits, focussing establishment in areas of need such as those with low tree cover, low levels of quality green space, higher levels of deprivation and poor 'health and wellbeing' outcomes.
- Restore and improve biodiversity, addressing fragmentation through better connecting to other woodland and other priority habitat and establishing appropriate management to enable wildlife restoration.
- Delivery of economic benefits, such as the expansion of existing, and development of new markets for wood products and services; and the provision of new job opportunities.

4. Ensure biosecurity of new tree stock through application of strict standards

Biosecurity should be ensured by utilising UK grown stock of a known provenance, seeking to maximise genetic diversity of genus and species. All stock used should be from nurseries with a clear Plant Health Management Standards and have the Plant Healthy accreditation or equivalent.

Kent County Council action to date

Since stating its ambitions in 2019 for 1.5 million new trees to be established in the county, Kent County Council has delivered the following:

- 36,895 trees planted by the Old Chalk New Downs project, with KCC and Heritage Lottery Funding (2019-21/22). All trees are a native species mix, with local stock sourced from Kent nurseries and the majority have been planted with biodegradable cardboard tree guards rather than plastic.
- 16,000 trees and hedges planted by the county's Countryside Management Partnerships[19] (2019).
- 13,615 trees planted by the Darent Valley Landscape Partnership project, with KCC and Heritage Lottery Funding (2020-21).
- Average of 900 street trees planted per annum by Kent Highways (2019-21).
- £275,129 of funding from the Local Authority Treescape Fund, delivering 250 standard trees and 41,000 whips in Ashford and Swale.
- £500,000 from the Shared Outcomes Fund, to deliver 3,588 trees and 6,408m^2 of natural regeneration through the Trees Outside Woodland project (2020-23).
- Appointment of a of a dedicated officer to oversee the delivery of the Kent Tree Establishment Strategy.

The Kent Tree Establishment Strategy builds on this action and provides a more robust framework for tree establishment in Kent and the collaborative action needed to deliver on the 1.5 million trees ambition.

[19] Home - Kent Countryside Partnerships

Kent Tree Establishment Strategy – Kent County Council Action Plan

In order to deliver on the Kent Tree Establishment Strategy, the following actions will be delivered.

1. Deliver against the tree establishment target

- Develop a ten-year strategic tree planting plan[20], including a tree planting project pipeline. In association develop a three-year delivery plan, published to give visibility of schemes, with an investment plan to underpin this work.

- Establish a detailed definition of the "right tree in the right place", identifying the specific constraints of tree, location, purpose, and management.

- Working with district councils and other partners, respond to central government calls for bids for tree planting, and other government support that will help implement the Kent Tree Establishment Strategy, maximising funding investment for the county.

- Set annual expansion targets, with targets focussing on both quality and quantity. By measuring quality, we will ensure the expansion of trees in Kent also delivers recovery of nature, enriches people's lives, sequesters, and stores carbon and delivers other nature-based solution benefits.

- With partners, identify creation, restoration and protection opportunities for woods and trees on a broader county-wide scale.

- Work with individual farmers, land owners and managers to reinstate and expand the county's hedgerow network, to benefit landscape and wildlife.

- Work with parish and town councils and other urban community groups to increase trees in urban areas.

- Develop an associated tree establishment monitoring and reporting approach against the county target.

2. Exemplar provision for trees on our own estate

- Identify creation, restoration and protection opportunities for woods and trees on the KCC estate.

- Review whether further tree establishment on our Highways is a feasible route to help increase the volume of trees outside woodlands and in our urban areas.

- Ensure our wooded estate provides exemplary public value by integrating climate action with other nature-based solutions, high quality access and wildlife recovery.

[20] The Strategy's establishment targets and timeframe may need to be revised once the tree planting plan and opportunity mapping work is completed; only then will we understand if the 1.5 million is feasible/deliverable within the timeframe and in respect of available land.

- Review, and revise, if necessary, our tree establishment and replacement policies across the KCC estate and for land we manage/influence. Ensure the best standards are delivered through a renewed tree establishment (incl. protection and maintenance) and replacement policy.

3. Improve protection to trees in Kent

- Use our planning functions to ensure protection and regulated management of irreplaceable veteran trees and ancient woodland on or adjacent to development sites, with prevention of further loss or damage controlled through conditions and legal agreements as appropriate. There shall be a general presumption in favour of retention and enhancement of existing tree, woodland and hedgerow cover on planning application sites determined by the planning authority.

- Work with district and borough colleagues to ensure that trees are well provided for within Local Plans and are properly considered, with quality designed landscaping underpinned by the principles supporting safe and secure layouts, within new development. Consider the development of guidance for development to support this (e.g., Kent Design Guidance or Supplementary Planning Document).

- Develop sustainable and bio-secure supply-chains for local-provenance trees, seed, tree-guards, fencing and other materials, ensuring that Kent's nurseries and suppliers realise the opportunities presented by the development of this market.

4. Improve our understanding of Kent's trees

- Ensure we have a clear picture of KCC's, and in turn Kent's, tree stock, both woodlands and trees outside woodland, with areas lacking in tree cover identified.

- Ensure our ancient woodland inventory is up to date and undertake a veteran tree inventory.

- Assess the impact natural threats (for example deer, squirrels, climate change) on tree establishment across Kent to understand how such risks may impact the county's target and to ensure appropriate management/protection is put in place.

5. Develop Kent carbon offset market for unavoidable emissions

- Support work in the county to grow the nature-based carbon offset market for unavoidable emissions and identify opportunities on our estate to offset carbon and in turn deliver investment into our trees and the benefits they provide.

Partners and funding

Collaboration and partnership working will be key to delivering on the ambition of 1.5 million trees established in Kent. It will be vital that work across the county is linked up and tree establishment is not delivered in a disparate manner – this will ensure that opportunities to connect new woodlands and trees are realised and that we have a network of tree cover in the county that supports the recovery of wildlife, provides natural climate solutions, and enriches people's lives.

Partners will include (but are not limited to):

- District and Borough councils
- Town and Parish councils
- Woodland Trust
- Forestry Commission
- Natural England
- Environment Agency
- Kent Downs Area of Outstanding Natural Beauty Unit
- High Weald Area of Outstanding Natural Beauty Unit
- Kent's Countryside Management Partnerships
- Kent Wildlife Trust
- RSPB
- Country Land and Business Association
- National Farmers Union
- Community and volunteer groups, such as The Kent Men of the Trees

The Strategy's three-year delivery plan will not only set out the tree establishment for that period but will also identify specific funding sources for the work. There are currently a number of tree grants financing options available which may be applicable and include (but are not limited to)[21]:

- Woodland Creation Planning Grant
- HS2 Woodland Fund
- Urban Tree Challenge Fund
- Local Authority Treescapes Fund
- Woodland Carbon Fund
- Woodland Carbon Code
- Woodland Carbon Guarantee
- Woodland Management Planning (part of Countryside Stewardship)
- Woodland Creation and Maintenance (part of Countryside Stewardship)
- Woodland Tree Health (part of Countryside Stewardship)
- Woodland Improvement (part of Countryside Stewardship)
- The Tree Council Community Hedge Fund
- Highways England Environment and Wellbeing Designated Fund Plan
- National Grid Landscape Enhancement Initiative
- NGO and charity tree funding schemes

[21] Forestry Commission advice

- Corporate investment
- High net wealth individual investment interests
- Local nature-based carbon offset markets
- (in time) Environmental Land Management scheme
- (in time) Biodiversity Net Gain

From: Susan Carey, Cabinet Member for Environment

Simon Jones, Corporate Director, Growth, Environment and Transport

To: Environment & Transport Cabinet Committee – 3 November 2021

Subject: Development of the Climate Change Adaptation Programme for Kent and Medway

Classification: Unrestricted

Electoral Division**:** All

Summary: This paper updates the Cabinet Committee on the development of the Climate Change Adaptation Programme for Kent and Medway. It outlines the need for cross sector climate adaptation to reduce the vulnerability of Kent's communities, natural environment, and economy to climate change, the 2050 vision of a climate resilient future for the county, and the strategic priorities of the Adaptation Programme across seven key sectors.

Recommendation(s):
The Environment and Transport Cabinet Committee is asked to make recommendations to the Cabinet Member for the Environment on the ongoing development of the Climate Change Adaptation Programme for Kent and Medway.

1. Introduction

1.1 Climate change is already affecting Kent and Medway. It is crucial that the impacts of climate change are planned for and considered alongside other drivers of social, environmental, and economic change. Planning for climate change and implementing adaptation measures now will reduce the vulnerability of our communities, our natural environment, and our economy to climate change risks. A resilient future for Kent and Medway depends on acting now in response to the main climate risks that Kent and Medway face, in particular higher temperatures, increased flooding and coastal change, more frequent storms and heavy rainfall, drought, and soil erosion (Kent and Medway Climate Change Risk and Impact Assessment 2019).

1.2 Building on the findings of the Kent and Medway Climate Change Risk and Impact Assessment published in 2019, the National Adaptation Programme, and engagement and interviews with our partners during winter 2020/21, Kent County Council (KCC) is currently developing a localised Adaptation Programme for Kent and Medway that identifies actions to be taken across key sectors to adapt to our changing climate.

1.3 The Adaptation Programme is being developed to work within existing governance and delivery arrangements for other local strategic priorities such as the Kent Environment Strategy and the Growth and Infrastructure Framework.

1.4 The Adaptation Programme will build on existing climate adaptation initiatives being carried out across the county and nationally and identify priority actions to address climate risks and build resilience for the future across Kent's key sectors. It will form a key pillar of Kent County Council's and its partners' response to the climate emergency.

2. 2050 Vision - A Resilient Future for Kent and Medway

2.1 By 2050, Kent and Medway will have enhanced its resilience to climate change and will be regarded as a model of excellence for climate adaptation, evidenced by its thriving society, economy and environment.

2.2 Collaborative working within and across different sectors and organisations will have resulted in communities, businesses, ecosystems, transport links and utilities becoming more adaptive and resilient to climate shocks and stresses. Public and private sector organisations operating across the county will have implemented measures to ensure that their assets, services, and infrastructure are resilient to climate risks. The effectiveness of these measures will be systematically monitored and evaluated as our climate continues to change, and new risks and opportunities for action will be periodically assessed.

2.3 Climate change adaptation will be embedded into all key policy areas, in particular the Kent Environment Strategy and its subsequent revisions. Climate adaptation will be strategically implemented and embedded within investment decision making, procurement processes, and governance.

3. The Adaptation Programme - Strategic Priorities

3.1 To ensure a resilient future for Kent and Medway, the Adaptation Programme will integrate adaptation into seven key sectors across Kent and Medway (agriculture, natural environment, people and the built environment, local government, transport, industry, and utilities) and build resilience to climate change over time by developing each sector's capacity to adapt to current and future climate impacts. Collaboration between a range of organisations that operate or have influence in Kent and Medway is critical for building climate resilience, and the implementation of the Adaptation Programme will require integrated, multi-sector actions across the seven key sectors.

3.2 Each of the seven key sectors will have a dedicated chapter in the Adaptation Programme outlining strategic priorities and what needs to be done to achieve them. Currently, the strategic priorities for each of the sectors are as follows:

3.2.1 **Agriculture**: Ensure that Kent's emblematic agricultural sector continues to thrive and take advantage of new opportunities as our climate changes. This

will require measures to maintain and improve productivity as our summers become hotter and drier and our winters warmer and wetter, restoration and improvement of soil health, and preparedness for the arrival of new pests and diseases.

3.2.2 **Natural environment**: Kent's natural environment – including its unique protected ecosystems – will be able to adapt to our changing climate through strengthening ecological resilience and by supporting adaptation in other sectors. A more integrated, whole sector approach to adaptation will be developed to prepare Kent's natural environment better for the impacts of ongoing climate change.

3.2.3 **People and the built environment**: Ensure that Kent's homes and built environment remain healthy, safe, and attractive places to live, work, and visit as summer temperatures rise and flood risk increases. This will involve mitigating the impacts of extreme summer temperatures in urban areas through targeted measures to reduce the urban heat island effect, nature-based and property level flood management techniques, and increasing water use efficiency across the county.

3.2.4 **Local government**: Local authorities will work together to systematically incorporate climate adaptation into planning, commissioning, procurement processes and long-term decision-making in order to safeguard residents and ensure the quality and continuity of the key services that they provide.

3.2.5 **Transport**: Ensure that Kent's transport networks are resilient to today's extreme weather events and prepared to meet the needs of a growing population while supporting economic growth as our climate changes. Over land, Kent's road and rail network must be prepared for more severe weather, in particular longer and more intense extreme heat events and flooding. At sea, disruption to the county's vital port activities resulting from storm events must be minimised.

3.2.6 **Industry**: Kent's businesses will be resilient to extreme weather and the challenges of climate change, but also prepared to take advantage of new business opportunities that these may bring. A growing number of Kent businesses are on the route to Net Zero, and the Adaptation Programme will take advantage of this to systematically build adaptation understanding and action into mitigation activities already underway across Kent's business community.

3.2.7 **Utilities**: A utilities sector resilient to extreme weather and future changing climate as Kent's population increases and demand grows. Key to resilience in the sector will be the maintenance of a safe and reliable water supply for a growing population and drier climate, and a secure and reliable energy supply as we experience more intense and prolonged extreme heat events and more frequent and severe storms and floods.

3.3 The Adaptation Programme will plan for, adapt, and build resilience to projected future climate risks in a way that encourages cross-sector

collaboration and provides cross-sector co-benefits. In this way, no matter what the future brings, our county will be a better place for our communities, our economy, and our natural environment.

4. Financial Implications

4.1 The Adaptation Programme is being developed within the budget of the Sustainable Business and Communities team. Earlier stakeholder surveying, follow up interviews and initial drafting was funded from the Interreg VA 2 Seas Programme's STAR2CS Project, which was led by Kent County Council (project finished in August 2021).

4.2 Specific adaptation measures that may be recommended in the final plan will need to be considered on a case-by-case basis in terms of how they could be funded. The plan will focus on mainstreaming adaptation and resilience into business as usual, while external funding sources are sought to optimise outcomes where required.

5. Policy Framework

5.1 The Adaptation Programme is directly linked to the Kent Environment Strategy and its Implementation Plan and informs the Economic COVID-19 Recovery Plan - Renewal and Resilience. It is also relevant to the Kent and Medway Growth and Infrastructure Framework, Local Transport Plan 4 (and will inform Local Transport Plan 5), the extended Health and Wellbeing Strategy and Kent's Public Health Outcomes.

5.2 The Adaptation Programme supports the following priority actions of Setting the Course – Kent County Council's Interim Strategic Plan: Work with our partners to deliver essential support for local businesses; Champion the rural and green economy; and deliver Net Zero for Kent by 2050 and promote climate resilience.

6. Next Steps and Timescales

6.1 We will continue to engage with partners to progress the Adaptation Programme, in particular establishing the actions that need to be taken in the short, medium, and long-term to achieve the strategic priorities for each sector outlined in section 3. Subject to comments from Environment and Transport Cabinet Committee, the Adaptation Programme will continue to be developed over the next three months and will return to the Environmental and Transport Cabinet Committee for endorsement prior to wider consultation.

7. Recommendation(s)

The Environment and Transport Cabinet Committee is asked to make recommendations to the Cabinet Member for the Environment on the ongoing development of the Climate Change Adaptation Programme for Kent and Medway.

8. Background Documents

Kent Environment Strategy – www.kent.gov.uk/environmentstrategy

Climate Risk and Impact Assessment for Kent and Medway – https://www.kent.gov.uk/environment-waste-and-planning/climatechange/kents-changing-climate/climate-change-risk-and-impact-assessment

9. Contact details

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From: Susan Carey – Cabinet Member for Environment

Simon Jones, Corporate Director for Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 3 November 2021

Decision No: 21/00089

Subject: Kent Minerals and Waste Local Plan 2013-30: Proposed Changes Resulting from the 5-year Review of the Local Plan and a Mandate for Public Consultation

Classification: Unrestricted

Past Pathway of Paper: N/A

Future Pathway of Paper: N/A

Electoral Division: Countywide

Summary: The County Council has a statutory responsibility to plan for future minerals supply and waste management within Kent. To this end, the Kent Minerals and Waste Local Plan 2013-30 (KMWLP) was adopted by Full Council in July 2016 with some limited changes adopted in 2020. The Kent Minerals and Waste Local Plan contains planning policies relating to minerals supply and waste management against which planning applications for these types of development are assessed. The Kent Minerals and Waste Local Plan also includes policies related to the safeguarding of mineral resources and waste management facilities which are mainly implemented by District and Borough Councils.

Plan making is a cyclical process. In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 a five yearly review of the Kent Minerals and Waste Local Plan has been completed. This concludes the current local plan cycle. A report outlining the Review of the Kent Minerals and Waste Local Plan and where changes were needed to ensure that it remains fit for purpose by conforming to updated national policy and guidance and satisfactorily addressing updated local policy was reported to the Environment and Transport Cabinet Committee on the 8th September 2021. Following consideration by the Cabinet Committee, the Cabinet Member for Environment agreed the 5 year Review of the Local Plan for publication.

Following this decision, proposed changes to the Local Plan policy and its explanatory text have been prepared for consideration prior to public consultation. These changes are set out in Appendix 1 and start the next cycle of the Council's Mineral and Waste Local Plan. The updating process will follow that set out in the Regulations and in accordance with an updated timetable in the Council's Minerals and Waste Development Scheme.

Recommendation(s): The Environment and Transport Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member responsible for the Minerals and Waste Local Plan in respect of her decision to:

1. Approve the proposed updates to the Vision, Strategic Objectives, Policies (and supporting text) and Chapters 1 and 2 of the Kent Minerals and Waste Local Plan 2013-30 as set out in Appendix 1;
2. Delegate to the Corporate Director for Growth, Environment and Transport the authority to approve draft updates to the Minerals Safeguarding Areas in the Kent Minerals and Waste Local Plan in consultation with the Cabinet Member for Environment prior to their publication for consultation;
3. Agree to publish the proposed updates to the Kent Minerals and Waste Local Plan, and associated supporting evidence, for a minimum six week period of public consultation in line with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
4. Agree the revised Local Plan Timetable, as shown in paragraph 1.8, to be set out in an update to the Kent Minerals and Waste Local Development Scheme; and
5. Delegate to the Corporate Director for Growth, Environment and Transport the authority to approve any non-material changes to the proposed updates of the Vision, Strategic Objectives, Policies (and supporting text) and Chapters 1 and 2 in the Kent Minerals and Waste Local Plan in consultation with the Cabinet Member for Environment prior to their publication for consultation.

1. Introduction and Background

1.1 As the minerals and waste planning authority for Kent, the County Council is required to prepare and maintain planning policy concerning waste management and minerals supply in the County. The Kent Minerals and Waste Local Plan 2013-30 was adopted by the Council in July 2016 and sets out the strategy and policy framework for minerals and waste development in Kent which includes future capacity and supply requirements. The Kent Minerals and Waste Local Plan forms part of the Development Plan for Kent and is a key policy document both for the determination of planning applications for minerals and waste development by the County Council, and applications relating to other development that may affect minerals and waste development or other aspects determined by the Kent District and Borough Councils.

1.2 Following its adoption, the Kent Minerals and Waste Local Plan was subject to an 'Early Partial Review' and changes resulting from this review were adopted by the Council in September 2020. These changes removed the Council's commitment to prepare a separate plan allocating land suitable for waste management development (a Waste Sites Plan) and improved the effectiveness of safeguarding existing waste and minerals infrastructure and mineral resources to assure ongoing waste management and minerals supply. Also in September 2020, the Council adopted a Minerals Sites Plan which allocates three areas of land suitable for development associated with the extraction of sand and gravel.

1.3 The National Planning Policy Framework (NPPF) (and legislation[1]) states policies in Local Plans should be reviewed at least once every five years to assess whether they need updating and should then be updated as necessary.

1.4 A review of the Vision, Strategic Objectives and policies in Kent Minerals and Waste Local Plan has been completed and the outcomes of this review are detailed in the

[1] Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

report presented to the September 2021 Environment and Transport Cabinet Committee. The review of the Kent Minerals and Waste Local Plan identified the need for updates to the Plan in response to relevant Government policy and legislation published since the Kent Minerals and Waste Local Plan was adopted in 2016. The review also identified changes to the local context which require further updates to be made.

1.5 The review recommended that 37 of the Plan's 52 policies, and/or their supporting text, be updated. Updates to the Vision and Strategic Objectives were also recommended. In light of the review, draft updates to the Vision, Strategic Objectives and Policies (and supporting text) have been prepared. To reflect these changes, draft updates to in Chapter 1 (Introduction) and Chapter 2 (Spatial Portrait) of the Kent Minerals and Waste Local Plan have also been prepared. These chapters provide the context on which the Vision, Strategic Objectives and Policies are based.

1.6 The process of updating the Plan needs to follow that set out in the Planning and Compulsory Purchase Act 2004 and associated plan making regulations[2] as well as the National Planning Policy Framework and Planning Practice Guidance. This includes updating the Kent Minerals and Waste Local Plan in accordance with a timetable published in the Minerals and Waste Development Scheme. The latest Development Scheme was considered by the Environment and Transport Cabinet Committee on 19 January 2021 and subsequently agreed by the Cabinet Member. It includes the timetable set out below.

Stages	**Dates**
Consultation on draft updated policy (Regulation 18)	October-November 2021
Publication of draft updated policy (Regulation 19) for representations on soundness	March-April 2022
Submission to Secretary of State	July 2022
Independent Examination Hearings	October 2022
Inspector's Report	December 2022
Adoption by Council	January 2023

1.7 The 'Regulation 18' stage included in the table above provides an opportunity for stakeholders and communities to comment on the Council's draft proposals for updates to the Kent Minerals and Waste Local Plan. At the same time consultees will be able to comment on whether changes to other parts of the Plan, not identified by the review, are needed.

1.8 In light of the timing of this report to Environment and Transport Cabinet Committee, it will not be possible to conclude Regulation 18 public consultation in accordance with the timetable in the Local Development Scheme as set out in paragraph 1.6 above. This has consequences for the delivery timescale for other parts of the plan making process. A revised timetable is proposed for inclusion in an update to the Local Development Scheme and this is set out below.

[2] Town and Country Planning (Local Planning) (England) Regulations 2012

Stages	Dates in January 2021 Local Development Scheme	Proposed Dates in Development Scheme update November 2021
Consultation on draft updated policy (Regulation 18)	October-November 2021	November 2021-January 2022
Publication of draft updated policy (Regulation 19) for representations on soundness	March-April 2022	June-July 2022
Submission to Secretary of State	July 2022	September 2022
Independent Examination Hearings	October 2022	December 2022
Inspector's Report	December 2022	February 2023
Adoption by Council	January 2023	May 2023

2 Proposed Updates to Kent Minerals and Waste Local Plan

2.1 The outcome of 5 year review of the Kent Minerals and Waste Local Plan 2013-30 was reported to the Environment and Transport Cabinet Committee in September 2021. The Cabinet Committee and the Cabinet Member considered a detailed explanation of why updates to the Vision, Strategic Objectives, policies and supporting text were required and agreed that changes to the adopted Local should be prepared. The Vision, Strategic Objectives and Policies (and supporting text) (Chapters 3 to 7) in the Kent Minerals and Waste Local Plan are key to determining how minerals and waste development can come forward in Kent. The proposed draft changes are set out in Appendix 1. A summary of the Minerals and Waste Local Plan 5 year Review Report and its conclusion is provided in Appendix 2. The full Review Report is linked to these papers as a background document.

2.2 Updates are proposed to ensure the Plan is consistent with updated planning policy, guidance and legislation including the following:

- Updates to the National Planning Policy Framework in 2018, 2019 and 2021 and associated Planning Practice Guidance;
- government policy relating to the management of low-level radioactive waste;
- legislation and policy concerning the need to adapt to, and mitigate, climate change and associated low carbon growth; and,
- policy and legislation concerned with achieving a circular economy[3] where more waste is prevented or reused.

2.3 Updates are also proposed to ensure the Kent Minerals and Waste Local Plan takes account of the current local context which include the following:

[3] A circular economy is an alternative to a traditional linear economy (make, use, dispose) in which resources are kept in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life.

- A need for the development of additional capacity associated with the management of household waste has been identified by the Waste Disposal Authority;
- adoption by the County Council of the Kent Environment Strategy and Kent and Medway Energy and Low Emissions Strategy; and.
- changes to settlement boundaries affecting the extent of areas identified in the Kent Minerals and Waste Local Plan where the presence of economic minerals needs to be taken into account before surface development can take place. These areas are known as 'Mineral Safeguarding Areas.

2.4 Further changes are also proposed which are intended to ensure the meaning of the policies is clear.

2.5 None of the proposed changes seek a fundamental shift in the way minerals will be supplied and waste will be managed in future. Indeed, monitoring of planning permissions granted over the last five years suggests that the Kent Minerals and Waste Local Plan has been largely effective in allowing development which is consistent with the Vision and Strategic Objectives.

2.6 Information that will confirm the need for changes to Mineral Safeguarding Areas has been requested from the District Councils and is awaited. Once this has been received, agreement to any changes to these areas will be sought from the Cabinet Member prior to consultation. Such changes will reflect changes to the boundaries of settlements which are excluded from mineral safeguarding.

2.7 Text of the Kent Minerals and Waste Local Plan that sets out the policy, legislative and spatial context also requires updating. This is the text included in Chapter 1 (Introduction) and Chapter 2 (Spatial Portrait) of the Kent Minerals and Waste Local Plan. For example, any new Air Quality Management Areas which have been designated since the Plan was adopted will need reflecting in changes to Figure 15.

2.8 As part of the 5 year review key stakeholders were invited to comment on whether the Local Plan needed updating and as a result the Council received (August 2021) a representation from one of the mineral operators asserting that policy CSM2 - Supply of Land-won Minerals in Kent requires a review to satisfy landbank requirements for ragstone. For the purpose of the 5 year Review, it was concluded that no change was required based on evidence available at that time, however further assessment work is being undertaken and if changes are found to be necessary then separate public consultation on a revised policy CSM2 will take place at a later date which would be agreed with the Corporate Director and the Cabinet Member. Irrespective of the conclusion of the additional assessment work required for CSM2 there is merit in proceeding with consultation on other proposed policy changes now in order to ascertain an understanding of local views.

3. Next Steps

3.1 Public consultation is required on the proposed changes to the adopted Local Plan. To support the public consultation on the proposed changes, a version of the Local Plan with all changes shown as tracked will be prepared. In addition, a shorter more focussed document based upon Appendices 1 and 2 will be prepared as part of the public consultation material.

3.2 Legislation also requires that an independent 'Sustainability Appraisal' of draft planning policy is undertaken that determines the likely social, economic and environmental effects of the polices and makes recommendations for changes. The appraisal process involves the preparation of an 'appraisal framework' that takes account of baseline conditions as well as other relevant plans, programmes and policies which development should take account of. A draft appraisal framework and related evidence base must be published in the form of a 'Scoping Report' for consultation, and this will accompany the consultation of the draft updated Kent Minerals and Waste Local Plan. This is set out in Appendix 4.

3.3 Consultation on the draft updated Local Plan must take place in accordance with the Council's 'Statement of Community Involvement' (SCI). The latest SCI was adopted by the Cabinet Member for Environment on 19 March 2021, following a recommendation from Environment and Transport Cabinet Committee. The SCI expects consultation in accordance with Regulation 18 to involve publication of draft documents with at least a six week period for comments.

3.4 While all stakeholders will have an opportunity to comment on the draft updated Local Plan, specific dialogue may be sought with key stakeholder groups including District and Borough Councils in Kent, neighbouring Minerals and Waste Planning Authorities, representatives from the minerals and waste operators in Kent and interested parties such as the Environment Agency, Natural England and Historic England.

3.5 Comments received during the initial consultation will be taken into account in the preparation of the updated Kent Minerals and Waste Local Plan that will be submitted to Government for independent examination into its soundness and legal compliance. Prior to its submission to Government, there will be a further opportunity for public engagement, with the Local Plan being published for representations on the updated Plan's soundness and legality. The Kent Minerals and Waste Local Plan proposed for submission will be presented to Full Council for agreement following consideration by Environment and Transport Cabinet Committee and Cabinet.

3.6 As identified in paragraph 2.7 above, if the further assessment work related to policy (Policy CSM2) suggests changes to this policy (and any other aspect of the Kent Minerals and Waste Local Plan) are needed then this will be reported to Environment and Transport Cabinet Committee.

3.7 As the process of updating the policies in the Local Plan takes place, it will be necessary to monitor Government's publication of any further updates to national planning policy. In particular the Government has signalled its intention to review the NPPF to take account of its net zero carbon emissions target, to make updates to the National Planning Policy for Waste and the imminent Royal Assent of the Environment Act.

3.8 A cross party 'Informal Members Group' (IMG) has been established to oversee the preparation of the updated Kent Minerals and Waste Local Plan. The IMG will continue to meet at key stages during the preparation of the emerging Local Plan to oversee this work. The IMG has now met twice in their work to review the Kent Minerals and Waste Local Plan.

4. Financial Implications

4.1 The costs of updating the 2016 Kent Minerals and Waste Local Plan will need to be met from existing KCC budgets.

4.2 There is a risk and likelihood that any changes proposed to the Local Plan will attract objection in response to the public consultation. These will be considered as part of the plan making process and where appropriate defended via the planning examination.

5. Policy Framework

5.1 The Kent Minerals and Waste Local Plan delivers the Council's adopted Mineral and Waste planning strategy and is important in the determination of planning applications in Kent. A Local Plan is prepared in accordance with national planning policy and guidance, whilst providing a local perspective. Mineral and waste planning policies support and facilitate sustainable growth in Kent's economy. They also support the protection and creation of a high-quality environment, with accessible local services that reflect the community's needs.

5.2 The proposed updates to the Kent Minerals and Waste Local Plan take account of changes to the County Council's corporate policies since July 2016 which are concerned with the way in which land is developed in Kent. These include the Kent Environment Strategy and the Kent and Medway Energy and Low Emissions Strategy. The proposed updates support the Council's corporate policies contained within the Council's Setting the Course – Kent County Council's Interim Strategic Plan 2020. In particular proposed revised policy will reflect recent changes to the environmental agenda including mitigation and adaptation to Climate Change and Kent's Climate Change Statement and measures to support Covid recovery.

6. Legal Implications

6.1 The County Council has a legal obligation under the Town and Country Planning legislation to prepare a statutory Development Plan. The County Council is also required by national planning policy to ensure that local plans promote sustainable minerals and waste development. Updating the Kent Minerals and Waste Local Plan will ensure that minerals and waste development in Kent occurs in line with national planning policy.

6.2 There is an expectation by Government (Department for Levelling Up, Housing and Communities) that all planning authorities have an up to date local plan in place. Without an up to date adopted plan, there is a risk that the Secretary of State will step in as the plan making authority, reducing local accountability.

6.3 The process of updating planning policy must take place in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 which include the requirement that public consultation takes place in accordance with Local Planning Authority's Statement of Community Involvement.

7. Equalities implications

7.1 An equality impact assessment (EQIA) has been completed and no equalities implications have been identified which arise from the updating of the Kent Minerals and Waste Local Plan. A copy of the assessment is included at Appendix 3.

8. Conclusion

8.1 Updates to the Kent Minerals and Waste Local Plan are proposed in light of the statutory five year review of its effectiveness and consistency with national and local policy and local context. The proposed updates take account of changes to Government policy and legislation and changes to the context in Kent including adoption of local strategies relating to climate change and the environment. Updating the Kent Minerals and Waste Local Plan needs to be carried out in accordance with the statutory plan making process which includes an initial period of consultation on the proposed updated Local Plan and supporting evidence.

9. Recommendation

The Environment and Transport Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member responsible for the Minerals and Waste Local Plan in respect of her decision to:

1. Approve the proposed updates to the Vision, Strategic Objectives and Policies (and supporting text) and Chapters 1 and 2 of the Kent Minerals and Waste Local Plan 2013-30 as set out in Appendix 1;
2. Delegate to the Corporate Director for Growth, Environment and Transport the authority to approve draft updates to the Minerals Safeguarding Areas in the Kent Minerals and Waste Local Plan in consultation with the Cabinet Member for Environment prior to their publication for consultation; and,
3. Agree to publish the proposed updates to the Kent Minerals and Waste Local Plan, and associated supporting evidence, for a minimum six week period of public consultation in line with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
4. Agree the revised Local Plan timetable as shown in paragraph 1.8, to be set out in the Revised Kent Minerals and Waste Local Development Scheme; and,
5. Delegate to the Corporate Director for Growth, Environment and Transport the authority to approve any non-material changes to the proposed updates to the Vision, Strategic Objectives and Policies (and supporting text) and Chapters 1 and 2 in the Kent Minerals and Waste Local Plan in consultation with the Cabinet Member for Environment prior to their publication for consultation.

10. Appendices and Background documents:

Appendices

- **Appendix A:** Proposed Record of Decision
- **Appendix 1:** Proposed updates to the text of the Vision, Strategic Objectives and Policies (and supporting text) and Chapters 1 and 1 of the Kent Minerals and Waste Local Plan 2013-30
- **Appendix 2:** Summary of the Kent Minerals and Waste Local Plan 5-year Review Report 2021

- **Appendix 3:**Kent Minerals and Waste Local Plan 2013-30: Proposed Changes Resulting from the 2021 Review - Equality Impact Assessment Document Appendix 3 - Equality Impact Assessment - Proposed Changes to KMWLP (kent.gov.uk)
- **Appendix 4**: Scoping Report Sustainability Appraisal of the Five-Year Review of the Kent Minerals and Waste Local Plan 2013-30 - October 2021 Document Appendix 4 - Scoping Report Sustainability Appraisal of the Five Year Review of the KMWLP (kent.gov.uk)

Background documents:

- Kent Minerals and Waste Local Plan 2013-30 as amended by the Early Partial Review 2020 - https://www.kent.gov.uk/__data/assets/pdf_file/0004/112585/Kent-Minerals-and-Waste-Local-Plan-2013-2030.pdf
- Report of the 5 Year Review of the Kent Minerals Waste Local Plan, 2021 - https://www.kent.gov.uk/__data/assets/pdf_file/0003/126426/Report-of-the-5-year-Review-of-the-Kent-Minerals-and-Waste-Local-Plan-2021-assessment.pdf
- Kent Minerals and Waste Development Scheme, January 2021 - https://www.kent.gov.uk/__data/assets/pdf_file/0015/12921/Minerals-and-Waste-Scheme.pdf
- Kent County Council Statement of Community Involvement, 2021 - https://www.kent.gov.uk/__data/assets/pdf_file/0017/120491/Stement-of-Community-Involvement.pdf

11. Contact details

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KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:	DECISION NO:
Susan Carey, Cabinet Member for Environment	21/00089

For publication Yes

Key decision: YES

Subject Matter / Title of Decision:
Kent Minerals and Waste Local Plan 2013-30: Proposed Changes Resulting from the 5 year Review of the Local Plan and a Mandate for Public Consultation

Decision:
As Cabinet Member for Environment, I agree to: :

1. Approve the proposed updates to the Vision, Strategic Objectives, Policies (and supporting text) and Chapters 1 and 2 of the Kent Minerals and Waste Local Plan 2013-30 as set out in Appendix 1;
2. Delegate to the Corporate Director for Growth, Environment and Transport the authority to approve draft updates to the Minerals Safeguarding Areas in the Kent Minerals and Waste Local Plan in consultation with the Cabinet Member for Environment prior to their publication for consultation;
3. Agree to publish the proposed updates to the Kent Minerals and Waste Local Plan, and associated supporting evidence, for a minimum six week period of public consultation in line with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
4. Agree the revised Local Plan Timetable, as shown in paragraph 1.8, to be set out in an update to the Kent Minerals and Waste Local Development Scheme; and
5. Delegate to the Corporate Director for Growth, Environment and Transport the authority to approve any non-material changes to the proposed updates of the Vision, Strategic Objectives, Policies (and supporting text) and Chapters 1 and 2 in the Kent Minerals and Waste Local Plan in consultation with the Cabinet Member for Environment prior to their publication for consultation.

Reason(s) for decision:
As the minerals and waste planning authority for Kent, the County Council is required to prepare and maintain planning policy concerning waste management and minerals supply in the County.

The Kent Minerals and Waste Local Plan 2013-30 was adopted by the Council in July 2016 and sets out the strategy and policy framework for minerals and waste development in Kent which includes future capacity and supply requirements.

The National Planning Policy Framework (NPPF) (and legislation) states policies in Local Plans should be reviewed at least once every five years to assess whether they need updating and should then be updated as necessary.

A review of the Vision, Strategic Objectives and policies in Kent Minerals and Waste Local Plan has been completed. This has identified the need for updates to the Plan in response to relevant Government policy and legislation published since the Kent Minerals and Waste Local Plan was adopted in 2016.

Cabinet Committee recommendations and other consultation:
The outcome of the 5-year review of the Kent Minerals and Waste Local Plan 2013-30 was reported

to the Environment and Transport Cabinet Committee in September 2021. The Cabinet Committee and the Cabinet Member considered a detailed explanation of why updates to the Vision, Strategic Objectives, policies and supporting text were required and agreed that changes to the adopted Local should be prepared.

Following this decision, proposed changes to the Local Plan policy and its explanatory text have been prepared for consideration prior to public consultation and will be discussed by members of the Environment and Transport Cabinet Committee at their meeting on 3 November.

Any alternatives considered and rejected:
N/A Statutory duty

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

....
signed date

Appendix 1 - Proposed updates to the text of the Vision, Strategic Objectives, Policies (and supporting text) and Chapters 1 and 2 of the Kent Minerals and Waste Local Plan 2013-30

The tables below set out the proposed changes to the text of the Kent Minerals and Waste Local Plan which are considered necessary following the five yearly review of the Plan undertaken in 2021.

- Deleted text is shown as struck through ~~like this~~
- New text is shown as bold and underlined **like this**

Appendix 1 Contents

Vision

Elements of the Vision not included in the table below are not being changed.

Throughout the plan period 2013-2030, minerals and waste development will:

1. Make a positive and sustainable contribution to the Kent area and **beyond and ensure minerals and waste development contributes to the** ~~assist with~~ progression towards a low carbon economy.
3. Deliver ~~cost effective and~~ sustainable solutions to **the** ~~Kent's~~ minerals and waste needs **of Kent and beyond** through collaborative working with communities, landowners, the minerals and waste industries, the environmental and voluntary sector and local planning authorities.

Planning For Waste in Kent will:

9. ~~Move waste up the Waste Hierarchy~~ **Facilitate the achievement of a more circular economy[1] in all forms of development, ensuring the maximum use of materials and goods, minimising waste and ensuring its management is sustainable and as high up the Waste Hierarchy as possible.** ~~reducing the amount of non-hazardous waste sent to landfill~~.
10. **Extract the maximum amount of** ~~Encourage waste to be used to produce~~ renewable energy**,** incorporating both heat and power**, from waste that** ~~if it~~ cannot be re-used or recycled~~.~~ **and minimise the amount of non-hazardous waste sent to landfill.**
14. Restore waste management sites to a high standard that will deliver sustainable benefits to Kent**'s environment and its** communities.

[1] A circular economy is an alternative to a traditional linear economy (make, use, dispose) in which we keep resources in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life. N.B. The Glossary of the KMWLP will be updated to include an explanation of this term as well as others as required.

Strategic Objectives

Strategic objectives not included in the tables below are not being changed.

Strategic Objectives – General

Strategic Objective 1. Encourage the use of sustainable**, low carbon** modes of transport for moving minerals and waste long distances and minimise road miles.
Strategic Objective 4. Enable minerals and waste developments to contribute to the social and economic fabric of their communities through employment**, educational and recreational** opportunities.

Strategic Objectives for Minerals

Strategic Objective 8. Enable ~~the small-scale, low-intensity~~ extraction of building stone minerals for heritage building products.
Strategic Objective 9. Restore minerals sites **at the earliest opportunity** to the highest possible standard to sustainable after-uses that benefit the Kent community economically, socially or environmentally. Where possible, after-uses should conserve and improve local landscape character**,** and ~~incorporate~~ **provide** opportunities for biodiversity to meet **and where relevant, exceed** targets outlined in the Kent Biodiversity Action Plan, the Biodiversity Opportunity Areas**,** ~~and the~~ Greater Thames Nature Improvement Area**, Areas of Outstanding Natural Beauty (AONB) Management Plans and Local Nature Recovery Strategies** to achieve. **an overall net-gain in biodiversity on restoration.**
~~Strategic Objective 10. Encourage the sustainable use of the inert non-recyclable fraction of Construction, Demolition and Excavation Waste for quarry restoration.~~

Strategic Objectives for Waste

Strategic Objective 11. **Minimise the production of waste and increase its reuse.** ~~Increase amounts of Kent's waste being re-used, recycled or recovered~~. Promote the movement of waste up the Waste Hierarchy by enabling the waste **management**

industry to provide facilities that help **increase recycling, treatment and reprocessing** to deliver a major reduction in the amount of ~~Kent's~~ waste being disposed of in landfill.
Strategic Objective 13. **If it cannot be reduced, reused, recycled or composted, use** waste as a **fuel** ~~resource to provide opportunities~~ for the generation of renewable energy, **in the form of both heat and electricity,** ~~for use within Kent~~ through energy from waste and technologies such as gasification and ~~aerobic/~~anaerobic digestion.
Strategic Objective 14. ~~Provide suitable opportunities for additional waste management capacity to enable waste to be managed in a more sustainable manner~~. **Ensure sufficient capacity exists to form and maintain a county-wide network for the sustainable management of Kent's waste.**
Strategic Objective 15. Restore waste management sites **at the earliest opportunity** to the highest possible standard to sustainable after-uses that benefit the Kent community economically, socially or environmentally. Where possible, after-uses should conserve and improve local landscape character and **provide** ~~incorporate~~ opportunities for biodiversity to meet **and where relevant, exceed** targets outlined in the Kent Biodiversity Action Plan, the Biodiversity Opportunity Areas**,** ~~and the~~ Greater Thames Nature Improvement Area**, Area of Outstanding Natural Beauty Management Plans and Local Nature Recovery Strategies** to achieve~~.~~ **an overall net-gain in biodiversity on restoration.**

Planning Policies

Planning policies not included in the tables below are not being changed.

Strategic Minerals Policies

Policy	Proposed Change
CSM 1: Sustainable Development	Proposed Changes to Policy: **Policy CSM1** When considering mineral development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. ~~and the associated Planning Practice Guidance~~. ~~Mineral development that accords with the development plan will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account where either:~~ ~~1. any unacceptable adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or~~ ~~2. specific policies in that Framework(40) indicate that development should be restricted.~~ Proposed Changes to supporting text: 5.1.1 The purpose of the planning system is to contribute to the achievement of sustainable development.[39] There are three **overarching interdependent objectives to the delivery of sustainable mineral development. These relate to economic, social and environmental considerations and are at the heart of planning decisions. The objectives are** ~~dimensions to sustainable development:economic,~~

Policy	Proposed Change
	~~social and environmental these require the planning system to perform three roles:~~ ~~1.~~ **Economic - to ensure the economy is strong, responsive and competitive, such that land and resources are available in the right places and at the right time to support growth, innovation and improved productivity. Minerals provision is particularly important in identifying and coordinating the provision of infrastructure. ~~role:~~** ~~contributing to building a strong, responsive and competitiveeconomy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure.~~ ~~2.~~ **Social - to support strong, vibrant and healthy communities, by the appropriate siting, operation and restoration of mineral development. ~~role~~**: ~~supporting strong, vibrant and healthy communities by providing thesupply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment, with accessible local services thatreflect the community's needs and support its health, social and cultural well being.~~ ~~3.~~ **Environmental - to protect and enhance the natural, built and historic environment, making effective use of land, improving biodiversity, including contributions from net biodiversity gain, in addition to the prudent use of primary mineral and natural resources, and mitigating and adapting to climate change as society moves to a low carbon economy. ~~role:~~** ~~contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adaptto climate change including moving to a LCE.~~ 38 ~~DCLG (March 2012) National Planning Policy Framework Ministerial Foreword DCLG~~ **DLUHC (2021)** National Planning Policy Framework, paragraph **209**. 39 ~~DCLG (March 2012)~~ **DLUHC (2021)** National Planning Policy Framework , paragraph **7**~~142~~.

Policy	Proposed Change
CSM 2: Supply of Land-won Minerals in Kent	Proposed Changes to Policy Mineral working will be granted planning permission at sites identified in the Minerals Sites Plan(60) subject to meeting the requirements set out in the relevant site schedule in the Mineral Sites Plan and the development plan. Footnote 60 Sites identified in the Minerals Sites Plan ~~will~~ **are** generally ~~be~~ where viable mineral resources are known to exist, where landowners are supportive of mineral development taking place and where ~~MPAs~~ **it is** consider**ed** that planning applications are likely to be acceptable in principle in planning terms. **1. Aggregates** Provision will be made for the supply of land-won aggregates as follows: Sharp sand and gravel: At least 10.08mt and a landbank of at least seven years supply (5.46mt) will be maintained while resources allow. The rate of supply will decline through the Plan period from a supply of a 10-year average of around 0.78mtpa and resources will be progressively worked out (unless additional sites are brought forward which would be assessed against Policy CSM4). Demand will instead be met from other sources, principally a combination of recycled and secondary aggregates, landings of Mineral Dredged Aggregate (MDA), blended materials and imports of crushed rock through wharves and railheads. The actual proportions will be decided by the market. Soft sand: Rolling landbanks for the whole of the plan period and beyond of at least seven years equivalent to at least 15.6mt, comprising 10.6mt from existing permitted sources and 5.0mt from sites allocated in the Minerals Sites Plan. Crushed rock: Rolling landbanks for the whole of the Plan period and beyond of at least ten years equivalent to at least 20.5mt, all from existing permitted sources. Sites will be identified in the Mineral Sites Plan to support supplies of land-won aggregates at the stated levels above. A rolling average of ten years' sales data and other relevant information will be used to assess

Policy	Proposed Change
	landbank requirements on an on-going basis, and this will be kept under review through the annual production of a Local Aggregates Assessment. **2. Brickearth and Clay for Brick and Tile Manufacture** The stock of existing planning permissions at Paradise Farm, **Hartlip**, **Sittingbourne and** Orchard Farm, **Iwade, Sittingbourne**, ~~Hempstead House and Claxfield Road~~ for brickearth **for brick making and** clay for brick and tile making **at Pluckley Quarry, Ashford and Babylon Tile Works, Hawkenbury** is sufficient for the plan period. Applications for sites supplying brickearth and clay for brick and tile making will be dealt with~~in~~ in accordance with the policies of this Plan. The existence of a stock of permitted reserves of at least 25 years (as reported in the latest Annual Monitoring **Re**~~e~~port) to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment will be a material consideration. **3. Silica Sand** In response to planning applications, the Mineral Planning Authority will seek to permit sites for silica sand production sufficient to provide a stock of permitted reserves of at least 10 years for individual sites of 10 years and 15 years for sites where significant new capital is required, to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment.(61) Proposals will be considered on their own merits, having regard to the policies of the Development Plan as a whole subject to them demonstrating: a. how the mineral resources meet technical specifications required for silica sand (industrial sand) end uses**; and** b. how the mineral resources will be used efficiently so that high-grade sand deposits are reserved for industrial end uses. **4. Chalk for Agriculture and Engineering Purposes** The stock of existing planning permissions for chalk is sufficient to supply Kent's requirements for agricultural

Policy	Proposed Change
	and engineering chalk over the plan period. Applications for sites supplying chalk for agriculture and engineering purposes will be dealt with in accordance with the policies of this Plan. The need for additional supplies of chalk will be assessed based on the latest assessment of supply and demand set out in the Annual Monitoring Report. **5. Clay for Engineering Purposes** ~~A site for the extraction of clay for engineering purposes will be identified at Norwood Quarry and Landfill Site in the Minerals Sites Plan. Other sites will be identified if required in order to enable clay extraction to continue through the Plan period to supply Kent's requirements.~~ **The stock of existing planning permissions for engineering clay is sufficient to supply Kent's requirements for engineering clay over the plan period. Applications for sites supplying engineering clay will be dealt with in accordance with the policies of this Plan. The need for additional supplies of engineering clay will be assessed based on the latest assessment of supply and demand set out in the Annual Monitoring Report.** **Selection of Sites for Allocation ~~in the Minerals Sites Plan~~** The criteria that will be taken into account for selecting and screening the suitability of sites for **allocation** ~~identification in the Minerals Sites Plan~~ will include: • the requirements for minerals set out above**;** • relevant policies set out in Chapter 7: Development Management Policies**;** • relevant policies in district local plans and neighbourhood plans**;** • strategic environmental information, including landscape assessment and HRA as appropriate • their deliverability**; and** • other relevant national planning policy and guidance. Proposed change to supporting text:

Policy	Proposed Change
	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent 5.2.1 Economic minerals that are currently extracted from Kent quarries include aggregate minerals and industrial minerals. Aggregate minerals include soft sand, sharp sand, gravel and crushed rock (ragstone); industrial minerals include: silica sand, brickearth, clay for tile-making, chalk for agricultural and industrial uses and building stone. In the recent past, shale from the coal measures in East Kent has been used for brick making, clay has been used for brick-making and raw materials have been extracted for cement manufacture within Kent. Up until the late 1980s, coal was extracted from underground coal mines in East Kent.([41]) 5.2.2 The NPPF requires Mineral Planning Authorities (MPAs) to aim to source minerals supplies indigenously so far as practicable, and take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to supply, before considering extraction of primary materials. For land-won primary materials the NPPF expects MPAs to identify, and include policies for the extraction of, mineral resources of national and local importance in their area. Footnote 41 More details of non-aggregate minerals in Kent are given in: KCC (May 2011) TRM3: Other Minerals. Sharp Sand and Gravel Flint Gravels 5.2.3 High quality flint gravels in Kent are concentrated in the areas where flints derived from the chalk have been deposited by river and marine action. These are sourced from the three main river valleys of the Darent, Medway and Stour, and the beach deposits along the coast (particularly at Dungeness). As far back as 1970, planning studies[(42)] identified concerns about the depletion of flint gravels in the river valleys and the constraints on availability of the coastal supply in the Dungeness area due to nature conservation and water resource protection. Flint dominant head gravel resources near Herne Bay, previously identified as Areas of Search (AoS),[(43)] have not proved to be sufficiently attractive for development. Sandstone Gravels

Policy	Proposed Change
	5.2.4 The sandstone dominant gravels in the Medway Valley upstream of Maidstone became the subject of increasing interest from operators as other deposits became worked out, although their use in the production of high-quality concreting aggregates has not normally been possible. ~~Only one Medway Valley sandstone gravel quarry was operational at the time of plan preparation; this site imports crushed rock for blending with the indigenous sandstone gravels to produce aggregates suitable to supply the concrete production market~~. **5.2.5 Recent (2020) monitoring identifies six active sand and gravel sites within the County.** **Soft Sand** 5.2.5 Kent's soft sand reserves extracted from the Folkestone Beds continue to be important for mortar and asphalt production. Soft sand supplies in Kent are relatively abundant, whereas they are scarce in other parts of the South East of England, with supplies from ~~seven~~ **five** sites continuing to be important for mortar and asphalt production. **Crushed Rock** 5.2.6 The only resource exploited commercially to supply crushed rock in the county is Kentish Ragstone, which is found in a band crossing Kent from east to west. The ragstone resource to the west of Maidstone has been the focus of crushed rock supply in the recent past. Other resources capable of producing crushed rock are found in the form of a Carboniferous Limestone deposit in east Kent (see section 5.11). **Alternative Sources of Materials to Markets Supplied by Land-won Sharp Sand & Gravels** 5.2.7 Secondary and recycled aggregates can, in some circumstances, provide a replacement for sharp sand and gravel in many applications. The suitability of such materials to substitute for land-won supplies has been considered in detail in the preparation of this plan.([44]) Sales of secondary and recycled materials in ~~2014~~ **2020** were ~~0.84mt~~ **0.909mt**, although sales have been as high as ~~1.3mt~~ **1.029mt** in the last decade **(2016).** Footnote 42 Evidence prepared for the Kent Structure Plan in 1975. Footnote 43 KCC (1993) Kent Minerals Local Plan Construction Aggregates Written Statement. Footnote 44 See report: KCC (2013) Interchangeability of Construction Aggregates.

Policy	Proposed Change
	The importance of maintaining supply from this source is recognised in Policy CSM 8: Secondary and Recycled Aggregates which seeks to maintain and increase production capacity. 5.2.8 With its coastal location, Kent fulfils an important role in the importation of minerals including a range of construction aggregates from mainland Europe, as well as marine dredged aggregates (MDA) and imported recycled and secondary materials. Kent benefits from a number of aggregate wharves, into which significant quantities of MDA and crushed rock are landed. Kent is understood to be the largest importer of MDA in the South East of England, with ~~1.7~~ **1.44** million tonnes (mt) being imported into its wharves in ~~2013~~ **2020**. ~~and~~ **O**~~o~~f the total of 3.13mt of MDA landed in Kent and Medway in 2009 (1.41mt into Kent), 2.5mt was consumed within Kent and Medway.(45) **More recent monitoring shows no significant change in the importance of Kent's wharves in the supply of this material, the 10-year sales average in 2020 was 1.68mt, and in 2019 the Kent and Medway area consumed up to 70% of sales recorded in the combined area**. Land-won sharp sand and gravel is also imported by rail and road from areas beyond Kent. ~~Assurances regarding the security of these minerals imports during the Plan period have been obtained.(46)~~ **Demand for Land-won Aggregates** 5.2.9 The NPPF(47) requires Minerals Planning Authorities to plan for a steady and adequate supply of aggregates through preparing an annual Local Aggregates Assessment (LAA) from which future planned provision should be derived based on a rolling average of 10-years aggregates sales data(48) and an assessment of all supply options (including marine dredged, secondary and recycled sources), and other relevant local information. It also seeks for plans to make provision for the maintenance of landbanks of at least seven years for land-won sand and gravel and ten years for crushed rock. Landbanks of aggregate minerals reserves are used as the principal indicator of the future security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans. 5.2.10 The NPPF and planning practice guidance(49) also states that separate landbanks should be calculated and maintained for any aggregate materials of a specific type or quality which have a distinct and separate market. Within Kent the economic sand and gravel resources are:

Policy	Proposed Change
	• the Medway Valley sandstone gravels and flint sands and gravels (collectively referred to as 'sharp sands and gravels') that are used primarily for concrete production • soft sands that are predominantly used in asphalt and mortar production Footnote 45 KCC (January 2015) The 2nd Local Aggregate Assessment for Kent, Table 3. ~~Footnote 46 KCC (2014) Duty to Co-operate Report, Table 5.~~ *Note need to update footnotes to make sequential in light of deletion of footnote 46* Footnote 47 D**LUHC**~~CLG~~ (~~2012~~**2021**) National Planning Policy Framework, para. ~~145~~**213** Footnote 48 Data collected annually by mineral planning authorities for their AMRs and the regional aggregate working parties. Details of how the rolling 10-year average sales data and how landbanks are calculated are given in the Local Aggregate Assessment. ~~KCC (January 2015) Kent's 2nd Local Aggregate Assessment (for 2014) and in the recently updated Minerals Topic Paper 1: Construction Aggregate Assessments and Need, May 2014. Available from www.kent.gov.uk/mwlp.~~ Footnote 49 D**LUHC**~~CLG~~ ~~(Revised March 2014)~~ Planning Practice Guidance: Minerals. 5.2.11 The **Draft** Kent Local Aggregate Assessment (~~January 2015~~ **September 2021**) sets out the 10-year average of sales for all aggregates and the contribution of different aggregates to overall supply. Since the sharp sands and gravels and soft sands serve predominantly different markets their supply has been assessed separately. 5.2.12 Between ~~**2004**~~ **2011** and ~~2013~~ **2020** sales of sharp sand and gravel from quarries in Kent dropped from around ~~908,000~~ **620,000** tonnes in ~~2004~~ **2011** to around ~~273,000~~ **132,000** tonnes in ~~2013~~ **2020.** The average of 10 years' sales of sharp sand and gravel is 0.~~78 million tonnes per annum (mtpa)~~ **270,300 tonnes per annum**. If demand were at this level for the rest of the Plan period (the 1~~7~~6 years 20~~13~~**21**-30 **with a 7-year landbank maintained at the end of the Plan period), the requirement would be** ~~13.26mt~~**4.32mt.** 5.2.13 Between ~~2004~~ **2011** and ~~2013~~ **2020** sales of soft (building) sand from Kent's quarries have dropped from around ~~780,000~~ **439,000** tonnes in ~~2004~~ **2011** to around ~~483,000~~ **393,000** tonnes in ~~2013~~ **2020**. The average of 10 years' sales of soft sand is ~~0.65 mtpa~~ **441,000 tonnes per annum**. 5.2.14 The 10-year average sales figure for crushed rock is ~~0.78mtpa~~ **830,000tpa** ~~and,~~ as presented in the

Policy	Proposed Change
	LAA. ~~is based on assumed sales as the actual sales come from two quarries and hence data is confidential for the purposes of the annual monitoring returns.~~ 5.2.15 Other relevant local information that may affect supply of, or demand for, aggregates **is**~~was~~ considered in the LAA.[~~(50)~~] ~~-~~This did not indicate that a figure higher than the 10 year average sales figures would be justified as a basis for future provision. ~~Footnote 50 The Local Aggregates Assessment (2015) forecast a substantially lower figure for the seven year period compared with the ten year sales figure recommended by the NPPF.~~ *Note need to update footnotes to make sequential in light of deletion of footnote 50* Future Supplies of Land-won Sharp Sand and Gravel 5.2.16 The starting point for identifying requirements for future land release for sand and gravel is the expected need for materials over the Plan period and beyond, taking into account the material which can be supplied from sites which already exist and have planning permission, **allocations in the Kent Mineral Sites Plan** and the contribution that substitute or secondary and recycled materials would make. The Plan provides separate policies for sharp sand & gravel, soft sand and crushed rock, all of which are won from the land within Kent. 5.2.17 The sites included in the calculations of the supply of land-won sand and gravel are listed in Appendix C **and updates are published in the LAA**. Sharp Sand and Gravel 5.2.18 **The annual position on sharp sand and gravel in the County is reported in the Council's Local Aggregate Assessment**. Permitted reserves at the end of ~~2013~~ **2020** were ~~3.61mt~~ **2.78mt**. ~~Initial work through the 'Call for Sites' identified potential suitable sites that might supply a potential further 6.47mt of sharp sand and gravel over the Plan period. This, combined with existing permitted reserves, totals 10.08mt~~. **The allocation (two sites) of 2.5mt of potentially replenishing resource are identified in the Kent Mineral Sites Plan. These will not significantly alter the long term supply situation from the land-won resource over the remaining Plan period (2030+7). Based on 10 year sales the potential reserves**

Policy	Proposed Change
	available are not sufficient to meet landbank requirements. 5.2.19 **A**~~s set out above, based on 10 year sales, the requirement for the Plan period (the 17 years 2013-30) is 13.26mt. The 10.08mt potentially available is not sufficient to meet this and, indeed, a seven year landbank does not presently exist, and~~ **E**~~e~~ven if the potential new supply came on stream, it would still not be possible to maintain a seven year landbank for the whole of the Plan period. This is due to insufficient suitable sites for release being identified by the minerals industry. It is possible that other suitable sources of aggregates will be identified, that **for example** currently uneconomic deposits become economic, or ~~tha~~t constraints on the release of known aggregates sources (such as land ownership) may be overcome. This could lead to proposals coming forward to be judged against Policy CSM4: Non-identified Land-won Mineral Sites or to further sites being proposed in ~~the~~ **a** Minerals Sites Plan. **The Kent Minerals and Waste Local Plan 2016 accepted that land-won sharp sands and gravel were a physically depleting resource that could not be sustainably replenished**. 5.2.20 Diminishing land-won sharp sand and gravel supplies will increasingly be substituted over the plan period by supplies from production of alternative materials including secondary and recycled aggregates,(51) supplies gained from blending of materials to generate material suitable to supply the construction aggregate market,(52) landings of MDA and imports of land-won aggregates from elsewhere. Indeed, there is adequate existing capacity at wharves, railheads and recycling facilities for supplies from these sources to meet the predicted shortfall in supply of land-won sharp sand and gravel aggregate as resources are exhausted. The Plan provides for this flexibility in supply of aggregates as follows: Policy CSM 5 seeks to safeguard sharp sand and gravel resources that may become economic and to maximise the opportunities for the development of 'windfall' reserves which may come forward under Policy CSM 4. In addition, Policies CSM 7 and CSM 8 make provision for maintaining and developing further secondary and recycled aggregates supplies during the plan period and Policies CSM 6, CSM 7 & CSM 12 seek to ensure that the necessary minerals importation and processing infrastructure is in place. Soft Sand 5.2.21 **The annual position on soft sand in the County is reported in the Council's Local Aggregate Assessment. Permitted reserves at the end of 2020 were 9.34mt. Both 10 and 3-year sales averages**

Policy	Proposed Change
	are down, though productive capacity has increased by 0.225mtpa. There are sufficient permitted reserves for the remainder of the Plan period until 2030+7 with a landbank most recently calculated to be over 21 years. There is an allocation in the Kent Mineral Sites Plan at Chapel Farm, Lenham (3.2mt). ~~The current annual need for soft sand based on the 10-year rolling average sales figures is 0.65 million tonnes. If demand were at this level for the rest of the Plan period (the 17 years 2013-30), the requirement would be 11.05mt. In addition, provision of a landbank of seven years' supply to be available at the end of the Plan period (4.55mt) implies a total requirement of 15.60mt. At the end of 2012 there were permitted reserves of soft sand in Kent of 10.64mt and so the Plan needs to make provision for at least an additional 4.96mt of soft sand. The 'Call for Sites' from mineral companies has identified sufficient sites with estimated reserves at these sites sufficient to meet requirements without adversely impacting on the AONB or its setting. Therefore it will be possible to meet the requirement of the NPPF to maintain a landbank of at least seven years of reserves for soft sand throughout the Plan period (4.55mt). Achieving supply in practice is dependent on sufficient satisfactory planning applications being submitted by mineral companies.~~ 5.2.22 It should be noted that there can be a lack of clarity in geology between soft sand and silica sand as they occur in the ground. In light of this, it is necessary, in consultation with the operators, to determine the degree to which sites identified as supplying soft sand and/or silica sand may supply both materials. This review process may have an effect on the overall recorded landbank for soft sand in Kent. The outcome of this review will be reported in the LAA. Footnote 51 KCC (January 2015) Kent's 2nd Local Aggregate Assessment Footnote 52 This currently occurs at two sites (Hermitage Quarry - rock and hassock & East Peckham - imported rock and extracted sandstone gravels) Crushed Rock 5.2.23 **The annual position on crushed hard rock in the County is reported in the Council's Local Aggregate Assessment**. The stock of planning permissions for crushed rock (ragstone) in Kent at the time of plan preparation **is considered to be sufficient based on an average supply of** ~~are sufficient to maintain a landbank of ten years supply (assumed as 0.78mtpa)~~ **0.83mtpa** throughout and beyond the end of the plan period and so no additional crushed rock (ragstone) sites **are required for the plan period**. ~~will be identified in the Minerals Sites Plan.~~

Policy	Proposed Change
	5.2.24~~At the time of plan preparation~~, **C**~~c~~onsented reserves of crushed rock are contained within two Kentish Ragstone sites. ~~One of which contains the bulk of the permitted reserves that are generally of low quality and so their use is limited, and mineral extraction only takes place from this site intermittently on a campaign basis. In view of this, a~~**A** policy covering situations where non-identified land-won mineral sites could be acceptable is included as Policy CSM 4. **Overall Provision of Land-won Aggregates** 5.2.25 The Plan will provide for land-won aggregates as follows: • Sharp sand and gravel: at least ~~10.08mt~~ **4.32mt** of reserves (including ~~3.61mt~~ **2.5mt** of currently permitted reserves **and resources from allocated sites**), and a landbank of at least ~~5.46 mt~~**1.83mt** as long as resources allow. • Soft sand: **at least** ~~10.64mt~~ **7.056mt** reserves **over the Plan period (including the 8.899mt at existing permitted sites and if necessary resources from the allocation site) and landbank of 3.087mt in 2030** ~~at existing permitted sites and new allocations to provide at least 4.96mt making a total provision of 15.60mt, sufficient to provide 11.05mt for the Plan period plus a landbank of 4.55mt in 2030~~; • Crushed rock: **at least 15.77mt of** ~~c.50mt~~ reserves at existing permitted sites, ~~sufficient to provide 13.26mt for the Plan period plus a landbank of 7.28mt in 2030 without the need for any new allocation~~ **plus a landbank of 8.30mt in 2030.** 5.2.26 The **sharp** sand and gravel sites identified in the **Kent** Mineral Sites Plan ~~will include~~ **are Stonecastle Farm Quarry Extensions, Hadlow and Land at Moat Farm, Five Oak Green. The soft sand site identified in the Kent Mineral Sites Plan is Chapel Farm (west), Lenham.** ~~land-won sharp sand and gravel sites, and soft sand (building sand) sites.~~ 5.2.27 ~~Criteria that will be taken into account for~~ **In** selecting and screening the suitability of sites for

Policy	Proposed Change
	identification in ~~the~~ **a** Minerals Sites Plan **the criteria as** ~~are~~ set out in Policy CSM2 **will be taken into account**. **Industrial Minerals** 5.2.28 In seeking to provide a steady and adequate supply of industrial minerals, and following national policy, the County Council will co-operate with other M**inera**l Pl**anning** A**uthorities** to co-ordinate the planning of industrial minerals (including silica sand) to ensure adequate provision is made to support their likely use in industrial and manufacturing processes. The County Council will also seek to maintain a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment as follows: • at least 10 years for individual silica sand sites except where significant new capital is required in which case it is 15 years; • at least 15 years for cement primary (chalk and limestone) and secondary (clay and shale) materials to maintain an existing plant; and • at least 25 years for brick clay and for cement primary and secondary materials to support a new kiln. 5.2.29 This section deals with how the Plan intends to provide to meet these expectations. Brickearth and Clay for Brick and Tile Manufacture 5.2.30 ~~At the time of plan preparation,~~ Kent ~~only~~ has one operational brickworks near Sittingbourne, which is supplied by brickearth extracted from sites in the Sittingbourne to Faversham area to make yellow London stock bricks. Brickearth extracted from another site in north Kent provides the raw materials for a brickworks in East Sussex. National planning policy requires the provision of a stock of permitted reserves of at least 25 years for brick clay.(53) There is a need to ensure sufficient reserves are available to provide brickearth for the ~~one~~ operational brickwork in Kent ~~these two brickworks~~ to ensure that the locally characteristic yellow London stock bricks can continue to be manufactured. **Currently the permitted reserves come from 2 sites:**

Policy	Proposed Change
	Orchard Farm and Paradise Farm in the Sittingbourne area. Total permitted reserves have been reconsidered against anticipated extraction rates. Yearly production is highly variable, and can significantly reduce in any one year, the effect is to commensurately increase the landbank significantly. It is considered that available reserves sufficient for the Plan period remaining, being in the 25–30-year range. 5.2.31 In the past in Kent, bricks have also been made at various locations from supplies of Weald Clay, Gault Clay, London Clay, Wadhurst Clay and colliery shale. No operational brickworks that use clay and/or colliery shale remain in Kent. The stock of planning permissions for clay and colliery shale for brick and tile making is sufficient for the plan period if any of the dormant or closed brickworks is re-opened or new brickworks are established.(54) Therefore, there is no need to identify further reserves of brick clay or colliery shale for brickmaking in ~~the~~ **a** Mineral Sites Plan. 5.2.32 A small-scale tile manufacturer that makes traditional 'Kent Peg' tiles is located in the Weald of Kent at Hawkenbury. This site has a consented clay pit with reserves consented through to 2026. Permitted reserves are however sufficient to supply the tile works beyond this date. No further reserves are needed to be identified to sustain this operation during the plan period. Footnote 53 **DLUHC**~~MHCLG~~ (~~February 2019~~ **2021**) National Planning Policy Framework, paragraph 2**14**~~08~~. Footnote 54 KCC (May 2011) TRM3: Other Minerals. Silica Sand 5.2.33 Silica sand is considered to be a mineral of national importance due to its limited distribution. The Folkestone Beds, west of Maidstone, is the traditional extraction area for silica sand in Kent and is made up of distinct horizons of building sand and silica sand. While the quality of these silica sand deposits in Kent is not as pure as those found in the neighbouring county of Surrey, some of this material is used for industrial processes including glass manufacture and the production of foundry castings. Silica sand is also used in horticulture and for sports surfaces including horse manages and golf course bunker sand. There are no sites in Kent that provide only silica sand. All of Kent's existing silica sand sites produce construction aggregates to some extent.(55) National policy requires MPAs to plan for a steady and adequate supply of silica sand by

Policy	Proposed Change
	providing a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment. This is carried out by providing a stock of permitted reserves of at least 10 years at established existing sites, and at least 15 years for silica sand sites where significant new capital is required, this would include entirely new sites.(56) 5.2.34 Silica sand is used in a range of applications including the manufacture of glass and production of materials used in construction. An example of a potential local use would be in the manufacture of 'Aircrete' blocks (also known as aerated concrete blocks) where it may substitute for the current supply of Pulverised Fuel Ash (PFA). Currently the existing market need for silica sand is being met by extraction from two quarries Wrotham Quarry (Addington Sand Pit) and Nepicar Sand Pit. **In 2014 t**~~T~~hese **had**~~have~~ permitted reserves in the region of 2.1 mt. These quarries are identified in Appendix C and shown in Figure 13: Minerals Key Diagram. Wrotham Quarry site has a potential extension area but that lies within the Kent Downs AONB. While the Plan seeks to maintain a stock of permitted reserves, in line with national policy, it is recognised that this may not be possible if it would be inconsistent with policy to conserve the landscape and scenic beauty of the AONB. In light of national policy, the Plan does not seek allocation of sites within the AONB or in locations which would have an adverse impact on the setting of, and implementation of, the statutory purposes of the AONB. Proposals will be considered on their merits against Policy CSM 2. Footnote 55 GWP Consultants (March 2010) A study of silica sand quality and end uses in Surrey and Kent. Final report for KCC and Surrey County Council. Footnote 56 D~~CLG~~**LUHC** (20**21**~~12~~) National Planning Policy Framework, paragraph **2**~~14~~6. Chalk 5.2.35 Chalk is abundant in Kent. It is used for agricultural and construction purposes (primarily as a bulk fill material) across the county.(57) Since there are no plants dependent on the supply of chalk there is no policy requirement to make provision. However local sales data for agricultural and engineering use combined indicates that sales vary considerably from year to year. **Total reserves are currently estimated at 0.657 million tonnes as of the end of 2020. Based on the current rate of extraction there is a permitted reserve life of approximately 100 years, however, given that the rate of extraction varies so considerably this may change.** ~~The indicative Kent landbank of chalk for agricultural and engineering use is estimated to be around 17.6 years as of 2018(58).~~ Reserves of chalk and rates of demand will be monitored

Policy	Proposed Change
	and reported in the Annual Monitoring Report and taken into account when any proposals for new sites come forward. 5.2.36 To help facilitate future development of cement manufacture at the Medway Works, Holborough, specific reserves of chalk are safeguarded as set out in Policy CSM 3. Clay for Engineering Purposes 5.2.37 Clay is ~~also~~ abundant in Kent. Other than uses in brick manufacture, the principal use for extracted clay is for land engineering purposes. Since there are no specific requirements for engineering clay for bulk fill, waterproof capping or flood defences there is no requirement to make specific provision. Local sales data indicates that sales vary significantly from year to year, however an average for the 11 years in which data was available indicates sales of approximately 27,000 tpa with a peak demand of 69,000 tonnes in 2002.(59) This equates to a need over the plan period of around 459,000mt. **Development of** ~~T~~**t**he ~~proposed~~ extension areas for Norwood Quarry and Landfill Site on the Isle of Sheppey, identified as the Strategic Site for Waste in Policy CSW 5, will **result in the** ~~also be identified as an~~ extraction **of** ~~site for~~ engineering clay.
CSM 6: Safeguarded Wharves and Rail Depots	Proposed Changes to Supporting Text: 5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots 5.6.1 Kent has a range of mineral transportation facilities around its coast as well as inland. The importance of safeguarding these facilities to enable the on-going supply of essential minerals is identified in national planning policy. Development in proximity to a mineral transportation facility could prejudice or constrain current or future operations. It is important therefore, that the Plan ensures that wharves and rail depots are safeguarded and are not put at risk by non-minerals developments. **The revival of the Dover Western Docks to regenerate the dock infrastructure includes a safeguarded wharf (Dunkirk Jetty). At this time, the safeguarding status of this mineral importation and handling infrastructure is unchanged and the wharf remains listed in Policy CSM 6.** The locations of the safeguarded wharves and rail depots are shown in Figure 13: Minerals Key Diagram and in Chapter 9: Adopted Policies Maps.

Policy	Proposed Change
	5.6.2 Policy DM 8 identifies situations where development at, or in proximity to, safeguarded infrastructure including wharves and rail depots, would be acceptable.
CSM 8: Secondary and Recycled Aggregates	Proposed Changes to Policy Sites will be identified in the Minerals Sites Plan to ensure processing capacity is maintained to allow the production of at least 2.7 million tonnes per annum **or the productive capacity value in the latest LAA (whichever is the greater)** of secondary and recycled aggregates, throughout the Plan period. Proposals for additional capacity for secondary and recycled aggregate production, including those relating to the expansion of capacity at existing facilities that increases the segregation and hence end product range/quality achieved, will be granted planning permission if they are well located in relation to the source of input materials or need for output materials, have good transport infrastructure links and accord with the other relevant policies in the development plan, at the following types of sites: 1. temporary demolition, construction, land reclamation and regeneration projects and highways developments where materials are either generated or to be used in the project or both for the duration of the project (as defined by the planning permission)**;** 2. appropriate mineral operations (including wharves and rail depots) for the duration of the host site permission; 3. appropriate waste management operations for the duration of the host site permission; 4. industrial estates, where the proposals are compatible with other policies set out in the development plan including those relating to employment and regeneration; 5. any other site that meets the requirements cited in the second paragraph of this policy above.

Policy	Proposed Change
	The term 'appropriate' in this policy is defined in terms of the proposal demonstrating that it will not give rise to unacceptable adverse impacts on communities or the environment as a whole over and above the levels that had been considered to be acceptable for the host site when originally permitted without the additional facility. Planning permission will be granted to re-work old inert landfills and dredging disposal sites to produce replacement aggregate material where it is demonstrated that net gains in landscape, biodiversity or amenity can be achieved by the operation and environmental impacts can be mitigated to an acceptable level**.** Proposed Changes to Supporting Text: 5.8.2 **In 2016 t**~~T~~he consented secondary and recycled aggregates processing capacity within Kent ~~currently~~ exceed**ed**~~s~~ 2.7mtpa, 0.63 mtpa of which **wa**~~i~~s identified as temporary capacity. Inert Construction, Demolition and Excavation (CDE) waste is the main source of recycled aggregate and arisings of this waste in Kent ~~a~~**we**re estimated to be 2.6 mtpa which indicates that some capacity may be utilised for imported materials. In addition, arisings of materials suitable for conversion into secondary aggregates such as furnace bottom ash are expected to increase as more Energy from Waste capacity is developed during the plan period in line with Policy CSW 8: Recovery Facilities for Non-hazardous Waste.
CSM 9: Building Stone in Kent	Proposed Changes to Policy Planning permission will be granted for ~~small-scale~~ proposals[(68)] that are needed to provide a supply of ~~suitable~~ local building stone necessary for restoration work associated with the maintenance of ~~Kent's~~ historic buildings and structures and new build projects ~~within conservation areas~~, subject to: 1. development taking place in appropriate locations where the proposals do not have unacceptable adverse impacts on the local environment and communities**; and** 2. there being no other suitable, sustainable sources of the stone available **.** ~~3. the site is restored to a high quality standard and appropriate after-use that supports the local landscape character~~

Policy	Proposed Change
CSM 10: Oil, Gas and Unconventional Hydrocarbons	Proposed Changes to Supporting Text: ~~5.10.1 Oil and gas are important mineral resources and primary sources of energy in the United Kingdom. They underpin key aspects of modern society and remain an important part of the UK's energy mix. Maximising economic production of UK oil and gas reserves to provide reliable energy supplies is a key activity the Government are taking forward to minimise international energy supply risks.~~
CSM11: Prospecting for Carboniferous Limestone	Proposed Changes to Supporting Text: **5.11.2 As any application would need to be accompanied by an Environmental Statement, details of the results of the survey and implications of such a development for the environment would need to be included in this statement**.
CSM 12: Sustainable Transport of Minerals	Proposed Change to Policy Planning permission for any new wharf and***/or*** rail depot importation operations, or for wharves and rail depots that have been operational in the past (having since fallen out of use), that includes the transport of ~~the~~ minerals by sustainable means (i.e. sea, river or rail) as the dominant mode of transport will be granted planning permission, where: 1. they are well located in relation to the Key Arterial Routes([72]) across Kent**;** and 2. the proposals are compatible with other local employment and regeneration policies set out in the development plan. Proposed Changes to Supporting Text:

Policy	Proposed Change
	5.12.1 While**st** ~~there have not been any proposals for new wharves and rail depots for consideration in~~ the Mineral Sites Plan **does not allocate any sites for mineral wharves or rail depots**, **the Kent Minerals and Waste Local Plan acknowledges that minimising road transport where possible plays a significant role in promoting sustainable development, aspiring to carbon neutrality and reducing harmful emissions. Therefore, it is** ~~in line with the requirements of sustainable development it is~~ important to encourage the sustainable transportation of minerals by rail and water wherever possible **and safeguard related infrastructure**. Policy CSM 12 encourages an increase in sustainable transport modes for minerals and encourages the development of new mineral importation facilities or facilities that have fallen out of use.

Strategic Waste Policies

Policy	Proposed Change to Text
CSW 1: Sustainable Development	Proposed Change to Policy When considering waste development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework~~, National Planning Policy for Waste and the Waste Management Plan for England~~. ~~Waste development that accords with the development plan should be approved without delay, unless material considerations indicate otherwise.~~ ~~Where there are no policies relevant to the application, or relevant policies are out of date at the time of decision making, the Council will grant permission unless material considerations indicate otherwise, taking into account where either:~~ ~~1. any unacceptable adverse impacts of granting permission would significantly and demonstrably outweigh the~~

Policy	Proposed Change to Text
	~~benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or~~ ~~2. specific policies in that Framework(74) indicate that development should be restricted.~~
CSW 2: Waste Hierarchy and Policy	Proposed Change to Policy To **support the** deliver**y of** sustainable waste management solutions **in** ~~for~~ Kent, proposals for waste management must demonstrate how **the proposed capacity will ensure that waste to be managed at the facility will be managed at the highest level of** ~~the proposal will help drive waste to ascend~~ the Waste Hierarchy **practicable unless lifecycle assessment demonstrates that this is not appropriate** ~~whenever possible~~.
CSW 3: Waste Reduction	Proposed Change to Policy All new development **must be designed in accordance with circular economy principles to** ~~should~~**:** **1.** Minimise the production of construction, demolition and excavation waste and manage any **such** waste **arising during the development** in accordance with ~~the objectives of~~ Policy CSW 2; **2. retain and upgrade existing structures where possible;** **3. allow for ease of redevelopment and refurbishment; and,** **4. maximise sustainable construction methods which include the use of recycled and recyclable materials and techniques which minimise waste and allow for ease of deconstruction and reuse of building components.** **In order to maximise the opportunities for new residents to reuse and recycle their household waste, planning applications involving additional residential development should include the following details, except where such applications are made by or on behalf of a householder:** ~~The following details shall be submitted with the planning application, except for householder applications:~~ 1. the measures to be taken to show compliance with this policy**; and**

Policy	Proposed Change to Text
	2. the details of the nature and quantity of any construction, demolition and excavation waste **which will arise from the development** and its subsequent management**.** New development should include detailed consideration of waste arising from the occupation of the development including consideration of how waste will be stored, collected and managed. In particular proposals should ensure that: 1. there is adequate temporary storage space for waste generated by that development allowing for the separate storage of recyclable materials; 2. as necessary, there is adequate communal storage for waste, including separate recyclables, pending its collection; 3. storage and collection systems (e.g. any dedicated **spaces** ~~rooms~~, storage areas and chutes or underground waste collection systems), for waste are of high quality design and are incorporated in a manner which will ensure there is adequate and convenient access for users and waste collection operatives and will contribute to the achievement of waste management targets; and 4. adequate contingency measures are in place to manage any mechanical breakdowns. All relevant proposals should be accompanied by a recycling **and** waste management strategy which considers the above matters and demonstrates the ability to meet local authority waste management targets. Proposed changes to supporting text to be inserted after Policy CSW2 and before Policy CSW3: *Add the following paragraph to supporting text:* **6.2.6 In terms of the design of new buildings, application of circular economy thinking takes considerations beyond how waste is managed and places a greater emphasis on how buildings can be designed to ensure that they are less likely to result in waste being produced in the first place. Examples include using modular off site construction techniques and designing buildings in ways to make them adaptable to changes in their use. It is now widely recognised that while old buildings may be less energy efficient in their use phase, replacing them with a new energy efficient one may have a greater impact than the**

<table>
<tr><th>Policy</th><th>Proposed Change to Text</th></tr>
<tr><td></td><td><u>savings that occur during the operational phase of the new buildings. This is because of the embodied energy used to make the materials used in the fabric of the new building. Another example is designing with a building's 'deconstruction' in mind such that structures and building elements can be reused in other buildings.</u>

<u>6.2.7 Financial contributions from applicants for development which will rely on the use of the Council's waste management service for the collection and management of waste (mainly that from households) may be sought to assist with the provision of related infrastructure.</u></td></tr>
<tr><td>CSW 4: Strategy for Waste Management Capacity</td><td><u>Proposed Changes to Policy:</u>

Table 1

<table>
<tr><td></td><td>Milestone Year</td><td></td><td></td><td></td></tr>
<tr><td></td><td>2015/16</td><td>2020/21</td><td>2025/26</td><td>2030/31</td></tr>
<tr><td>Local Authority Collected Waste</td><td></td><td></td><td></td><td></td></tr>
<tr><td>Recycling/Composting(77)</td><td>n/a</td><td>50%</td><td>55%</td><td>60%</td></tr>
<tr><td>Other Recovery</td><td>n/a</td><td>45%</td><td>43%</td><td>38%</td></tr>
<tr><td>Remainder to Landfill</td><td>n/a</td><td>2%</td><td>2%</td><td>2%</td></tr>
<tr><td>Commercial and Industrial Waste</td><td></td><td></td><td></td><td></td></tr>
<tr><td>Recycling/Composting(78)</td><td>n/a</td><td>50%</td><td>55%</td><td>60%</td></tr>
</table></td></tr>
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Policy	Proposed Change to Text

Other Recovery	n/a	35%	32.5%	30%
Remainder to Landfill	n/a	15%	12.5%	10%
~~**Construction & Demolition Waste (Non-Inert only)**~~				
~~Recycling~~	~~n/a~~	~~12%~~	~~13%~~	~~14%~~
~~Composting~~	~~n/a~~	~~1%~~	~~1%~~	~~1%~~

Component	**Management Method**	**Milestone Year**		
		2020/21	**2025/26**	**2030/31**
Inert CDEW Arisings	***Proportion of Projected Arisings taken to be Inert****	***80%***	***80%***	***80%***
	Inert waste recycling (as proportion of inert arisings)	**60%**	**65%**	**70%**
	Permanent deposit of inert waste other than for disposal to landfill (as proportion of inert arisings)**	**25%**	**25%**	**25%**
	Landfill (as proportion of inert arisings)***	**15%**	**10%**	**5%**
	Total (inert CDEW arisings)	**100%**	**100%**	**100%**
Non-Inert CDEW Arisings	***Proportion of Projected Arisings taken to be Non-Inert****	***20%***	***20%***	***20%***
	Composting (as proportion of non-inert arisings)	**5%**	**5%**	**5%**
	Non-hazardous waste recycling (as proportion of non-inert arisings)	**60%**	**65%**	**65%**

Policy	Proposed Change to Text

	Non-hazardous residual waste treatment (as proportion of non-inert arisings)	**25%**	**25%**	**25%**
	Landfill (as proportion of non-inert arisings) (these percentages are not targets but are included for completeness)	**10%**	**5%**	**5%**
	Total (non-inert CDEW arisings)	**100%**	**100%**	**100%**

***It is assumed that 20% of the CDE waste stream comprises non-inert materials The subsequent targets are proportions of the inert or non-inert elements of the CDE waste stream.**

****This includes the use of inert waste in backfilling of mineral workings & operational development such as noise bund construction and flood defence works.**

*****These percentages are not targets but are included for completeness.**

Proposed Changes to Supporting Text:

new section to follow para 6.3.2:

The Environment Bill introduced by Government requires the separate collection of five waste streams from premises producing household-like waste as follows: food waste; plastics; metal; glass; and paper/card, except where this is not practicable for technical or economic reasons or there is no significant environmental benefit. The preferred option for businesses is to have separate collection for Dry Mixed Recyclables (DMR), with separate glass waste collections and separate food waste collections. It is assumed that all businesses transition to these arrangements by 2026 with a possible exemption for certain businesses (e.g. micro firms) from these requirements entirely or in respect of a particular waste stream, for example, food waste. This will require business premises to be designed with sufficient space for the storage of materials to be separately collected.

Implementation of these requirements will be crucial to achievement of the recycling/composting

Policy	Proposed Change to Text
	ambitions of the Kent Minerals and Waste Local Plan. These set recycling targets for the Kent Commercial & Industrial (C&I) waste stream of 55% by 2025/26 and 60% by 2030/31. **This has generated the need to provide additional management capacity for the separation of DMR into its constituent recyclates, plus bulking capacity for glass and food waste. Final treatment capacity for food arising both from the Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) streams may be required. This pressure is additional to capacity required for the management of a growing quantity of additional household derived materials generated as a consequence of population growth. Many of the existing facilities managing LACW have been identified as requiring upgrade, expansion or replacement by the County Council as Waste Disposal Authority (WDA).** **Issues with the spatial distribution of capacity for the management of LACW in the form of recycling facilities (e.g. MRFs) and other recovery facilities (i.e. EfW plants) have also been identified by the Waste Disposal Authority. The current distribution of waste transfer facilities receiving household waste across the county results in excessive transport especially from Folkestone and Hythe district and the Ebbsfleet Garden City area. In light of this the WDA has identified a pressing need for the development of new waste transfer facilities to serve those particular areas where collected waste can be bulked up for onward transport.**
CSW 6: Location of Built Waste Management Facilities	Proposed changes to Policy: Planning permission will be granted for proposals that: a. ~~d~~**D**o not give rise to significant adverse impacts upon national and international designated sites, including Areas of Outstanding Natural Beauty (AONB), Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Areas (SPAs), Ramsar sites, **and heritage assets** ~~Ancient Monuments and registered Historic Parks and Gardens.~~ (See Figures 4, 5 & 6). b. do not give rise to significant adverse impacts upon Local Wildlife Sites (LWS), Local Nature Reserves (LNR), Ancient Woodland, Air Quality Management Areas (AQMAs) and groundwater resources. (See Figures 7, 8, 10 & 15)**.**

Policy	Proposed Change to Text
	c. are well located in relation to Kent's Key Arterial Routes, **and/or railheads and wharves** avoiding proposals which would give rise to significant numbers of lorry movements through villages or on unacceptable stretches of road. d. do not represent inappropriate development in the Green Belt. e. avoid Groundwater Source Protection Zone 1**.** ~~and Flood Risk Zone 3b~~ **f. avoid Flood Risk Zone 3b.** ~~f~~**g**. avoid sites on or in proximity to land where alternative development exists/ has planning permission or is identified in an adopted Local Plan for alternate uses that may prove to be incompatible with the proposed waste management uses on the site. ~~g~~**h**. for energy producing facilities - sites are in proximity to **existing or planned** ~~potential~~ heat users. ~~h~~**i**. for facilities that may involve prominent structures (including chimney stacks) - the ability of the landscape to accommodate the structure (including any associated emission plume) after mitigation. ~~i~~**j**. for facilities involving operations that may give rise to bioaerosols (e.g. composting) to locate at least 250m away from any potentially sensitive receptors. Where it is demonstrated that waste will be dealt with further up the hierarchy, or it is replacing capacity lost at existing sites, facilities that satisfy the relevant criteria above on land in the following locations will be granted consent, providing there is no adverse impact on the environment and communities and where such uses are compatible with the development plan: 1. within or adjacent to an existing mineral development or waste management use 2. forming part of a new major development for B8 employment or mixed uses

Policy	Proposed Change to Text
	3. within existing industrial estates 4. other previously developed, contaminated or derelict land not allocated for another use 5. redundant agricultural and forestry buildings and their curtilages**.** **6. within farm units where the proposal is for composting or anaerobic digestion and the compost /digestate is to be used within that unit.** Proposals on greenfield land will only be permitted if it can be demonstrated that there are no suitable locations identifiable from categories 1 to **6**~~5~~ above within the intended catchment area of waste arisings. Particular regard will be given to whether the nature of the proposed waste management activity requires an isolated location. Proposed Changes to Supporting Text: 6.5.7 **Proposals for new waste management facilities (including changes to capacity at existing sites) should consider potential impacts on the water environment at the earliest stage of planning having regard to this policy and the requirements of Policy DM 10: Water Environment, so that the full implications of the location for water resources and flood risk are fully assessed and satisfied.** **6.5.8** Policy CSW 6 applies to all proposals for built waste management facilities. *Note: Figures 4, 5 & 6 may require updating to reflect changes to designations*
CSW 7: Waste Management for Non-hazardous Waste	Proposed changes to Policy: Waste management capacity for non-hazardous waste that assists Kent in continuing to be net self-sufficient while providing for a reducing quantity of London's waste, will be granted planning permission provided that:

Policy	Proposed Change to Text
	1. it moves waste up the hierarchy; 2. recovery of by-products and residues is maximised; 3. energy recovery is maximised (utilising both heat and power)**; and** 4. any residues produced can be managed or disposed of in accordance with the objectives of Policy CSW 2**.** ~~5. sites for the management of green waste and/or kitchen waste in excess of 100 tonnes per week are Animal By Product Regulation compliant (such as in vessel composting or anaerobic digestion)~~ ~~6. sites for small-scale open composting of green waste (facilities of less than 100 tonnes per week) that are located within a farm unit and the compost is used within that unit.~~
CSW 8: Other Recovery Facilities for Non-hazardous Waste	Proposed Changes to Supporting Text: 6.8.1 One of the fundamental aims of the Plan is to reduce the amount of ~~MSW~~ **Local Authority Collected Waste (LACW)** and **Commercial and Industrial** (C&I) waste being sent to non-hazardous landfill. **Other recovery capacity, such as Energy from Waste, is that which diverts waste from landfill by means lower down the waste hierarchy than recycling and composting.** 6.8.2 **Other recovery capacity generally takes the form of energy from waste facilities (EfW plants) which involve the combustion of waste to produce energy in the form of heat and electricity. Whilst emissions of carbon usually result from this process, where waste with a low fossil fuel derived content (e.g. organic waste with plastics removed ('biogenic' waste)) is managed, this can be considered a form of renewable energy production. To ensure maximum utilisation of the energy value of waste managed at such facilities, p**~~P~~roposals for additional **other** recovery capacity ~~will~~ need to be designed to harness the maximum practicable quantity of energy produced. **This can only be achieved where the 'surplus' heat produced by the facility is utilised. This requires such facilities to be developed in locations where a demand for the heat already exists or it is known will exist in the near future. This type of facility is known as combined heat and power or 'CHP'. Proposals for developments designed only to be 'CHP ready', with no obvious use of the heat**

Policy	Proposed Change to Text
	identified, will not be permitted. 6.8.3 **Where some element of the waste stream comprises non organic material, non-biogenic carbon emissions will result and so consideration must be given to the capture, utilisation and storage of these emissions. The waste management industry has a stated intention for all new EfW plants to be built with Carbon Capture Utilisation and Storage (CCUS) fitted or developed to be 'CCUS-ready' from 2025 onwards. This is consistent with the Climate Change Committee's Sixth Carbon Budget recommendations to Government that all EfW facilities will need to have CCUS in place by 2040. Given the lead in time for the construction of such facilities it is expected that provision for CCUS be included in any proposals for additional EfW capacity in Kent.** **6.8.4** Such **other recovery** capacity might be developed in conjunction with waste processing facilities on the same site, or as standalone plants where the waste is processed to produce a fuel off-site. In order to avoid the risk of under provision by double counting both fuel preparation capacity and fuel use capacity, only one of the two facility contributions will be counted towards meeting any emerging need identified by annual monitoring in future. Where fuel preparation takes place as a stand-alone activity, e.g. Mechanical Biological Treatment, the recovery contribution will only be counted as the difference between the input quantity and the output quantity unless the output fuel has a proven market. Where that is the case, if the output fuel is to be used in a combustion plant beyond Kent, then this contribution will also be counted([85]). Proposed changes to Policy: Update title of Policy as follows: CSW 8: **Other** Recovery Facilities for Non-hazardous Waste *Update policy text as follows:* Facilities using waste as a fuel will only be permitted if**:** **a.** they qualify as recovery operations as defined by the ~~R~~**r**evised Waste Framework Directive ([86]); **b. the waste used to fuel the facility is that which cannot practically be reused, recycled or composted i.e. is unavoidable residual waste**;** **c. solid residues arising from the process will be utilised as a raw material;**

Policy	Proposed Change to Text
	d. the maximum amount of energy from the process will be utilised including the use of surplus heat; and, e. the facility is designed to ensure that non biogenic gaseous carbon emissions are minimised, and those produced are captured and utilised, or, if utilisation is not possible stored. ~~When an application for a combined heat and power facility has no proposals for use of the heat when electricity production is commenced, the development will only be granted planning permission if the applicant and landowner enter into a planning agreement to market the heat and to produce an annual public report on the progress being made toward finding users for the heat.~~ **** This also applies to facilities that use waste to produce a fuel i.e. RDF** *N.B. Monitoring indicators to this policy are proposed to be updated to provide clarification and ensure their effectiveness. Explanation of the term 'Other recovery' added to the Glossary.*
CSW 9: Non Inert Waste Landfill in Kent	Proposed changes to Policy: Planning permission will only be granted for non-inert(87) waste landfill if: 1. it can be demonstrated that the waste stream that needs to be landfilled cannot be managed in accordance with the objectives of Policy CSW2 and ~~for which~~ no **alternative** suitable **capacity for its management** ~~disposal capacity~~ exists; ~~and~~ 2. environmental or other benefits will result from the development**;** 3. the site and any associated land **are to be** restored to a high quality standard and **an** appropriate after-use that accords with the local landscape character as required by Policy DM 19~~.~~**; and** **4. at least 85% of any landfill gas produced will be captured and utilised using best practice techniques.** Proposed Changes to Supporting Text:

Policy	Proposed Change to Text
	Add to supporting text **Additional landfill capacity will only be considered acceptable if it is demonstrated that suitable alternative management capacity is not available. This is intended to ensure that the availability of such capacity is kept to a minimum to discourage the management of waste by a means that sits at the bottom of the waste hierarchy.**
CSW 10: Development at Closed Landfill Sites	Proposed Changes to Policy: Planning permission will be granted for development for any of the following purposes: 1. ~~development for~~ the improvement ~~of~~ **or** restoration for an identified after-use for the site; ~~or~~ 2. ~~development for~~ the reduction of emissions of gases or leachate to the environment; ~~or~~ 3. ~~development~~ making **maximum** use of gases being emitted and ~~which will~~ reduc~~e~~**ing** the emission of gases to the environment. Proposed Changes to Supporting Text: New paragraph 6.10.2 **As landfill gas is a potent greenhouse gas its maximum capture must be sought. The maximum use (e.g. by power production or compression for use as a vehicle fuel) of the energy potential of captured landfill gas should also be sought to achieve optimum displacement of fossil fuels.** *Supporting text to be added which considers the relative merits of power production vs compressing for use of vehicle fuel. As the carbon intensity of electricity from the grid falls, the avoided carbon benefit from gas engines declines. In addition mention to be included of the waste sector commitment to transitioning vehicle fleet fuels away from fossil fuels.*

Policy	Proposed Change to Text
CSW 11: Permanent Deposit of Inert Waste	Proposed Changes to Policy Planning permission for the **permanent deposit** ~~disposal~~ of inert waste will be granted where: 1. ~~it can be demonstrated that the waste cannot be managed in accordance with the objectives of Policy CSW2~~ 2. **the inert waste is being deposited for a beneficial use such as** ~~it is for~~ the restoration of landfill sites and mineral workings **and not as part of a disposal operation:** **2. if the waste is to be used in an engineering operation, other than the restoration of landfill sites and mineral workings, it is demonstrated that there is no local demand for its use in such restoration operations; and,** 3. **the development involves the minimum quantity of waste necessary to achieve the benefit sought.**~~environmental benefits will result from the development, in particular the creation of priority habitat~~ ~~4. sufficient material is available to restore the site within agreed timescales.~~
CSW 12: Identifying Sites for Hazardous Waste	Proposed Changes to Policy: ~~To maintain net self-sufficiency in the management of hazardous waste throughout the plan period,~~ **D**development proposals for built hazardous waste management facilities will be granted planning permission in locations consistent with Policy CSW 6 **and for landfill sites in accordance with Policy CSW9**, regardless of whether their catchment areas for waste extend beyond Kent.
CSW 14: Disposal of Dredgings	Proposed Changes to Supporting Text: 6.14.1 Retaining the navigable channels within the estuaries within Kent is the statutory duty of the Port of London Authority (PLA) and the Medway Ports Authority. When the dredged materials do not consist of aggregates or cannot be accommodated within projects to enhance the biodiversity of the estuaries, then landfill is the only option

Policy	Proposed Change to Text
	currently available. **The PLA is reviewing its 'Vision for the Tidal Thames (The Thames Vision)' in 2021. Any sites that would require planning permission for the disposal of dredged materials to land will be considered against the policies of the Plan as a whole. Specifically, Policy CSW 14 should ensure that such waste development would be the most sustainable option for the management of this material and that it affords increased opportunities for enhanced biodiversity in the Kent estuaries.**
CSW 15: Wastewater Development	Proposed Changes to Policy Wastewater treatment works and sewage sludge treatment ~~and disposal~~ facilities **(including extensions)** will be granted planning permission, subject to: 1. there being a proven need for the proposed facility**; and** **2. biogas resulting from any anaerobic digestion of sewage sludge, being recovered effectively for use as an energy source using best practice techniques.** Proposed Changes to Supporting Text: 6.15.1 Water treatment undertakers have a range of rights to carry out development without the need to obtain planning permission under the Town and Country (General Permitted Development) Order 1995 (GPDO). However, new proposals for wastewater treatment works, sludge treatment and disposal facilities as well as extensions and some modifications to existing facilities will invariably require planning permission. ~~In view of the need to locate new wastewater treatment works where they can service other developments and to connect to the existing wastewater network, the locational criteria Policy CSW 6 will not always be appropriate.~~
CSW 16: Safeguarding of Existing Waste Management Facilities	Proposed Changes to Policy **Capacity at** ~~S~~**s**ites **with** ~~that have~~ permanent planning permission for waste management~~, or are allocated in the Waste Sites Plan are~~ **is** safeguarded from being developed for non-waste management uses*.

Policy	Proposed Change to Text
	Capacity at sites with temporary planning permissions tied to the life of the mineral working will be similarly safeguarded for no longer than the duration of that permission. Where other development is proposed at, or within 250m of, **sites hosting** safeguarded waste management **capacity** ~~facilities~~ Local Planning Authorities will consult the Waste **P**~~p~~lanning Authority and take account of its views **on how the safeguarded capacity may be affected** before making a planning decision (in terms of both a planning application and an allocation in a local plan). **New footnote*: A list of sites hosting safeguarded capacity is maintained in the Annual Monitoring Report**
CSW 17: ~~Nuclear~~ Waste Management ~~Treatment and Storage~~ at Dungeness Nuclear Estate	Proposed change to policy title Proposed Change to Policy Title: CSW 17: ~~Nuclear~~ Waste **Management** ~~Treatment and Storage~~ at Dungeness **Nuclear Estate** Proposed Changes to Policy Facilities for the storage and/or management of radioactive waste will be acceptable within the Nuclear Licensed area at Dungeness where: 1. this is consistent with the national strategy([98]) for managing radioactive waste and discharges; **and** 2. the outcome of environmental assessments justify it being managed on site. The only waste ~~arisings from Dungeness Nuclear Licensed sites~~ that will be acceptable **for use** as fill material for **the** back-filling of voids within the **Dungeness** ~~n~~**N**uclea**r** ~~l~~**L**icensed site are inert ~~(non-radioactive)~~ **low-level and very low-level radioactive** wastes**, or other inert wastes,** generated by the demolition of ~~existing~~ buildings and structures. Landfill or landraise activities that use **low-level and very low-level** radioactive wastes**, or other inert waste,** within the nuclear licensed site will not be granted planning permission **unless it can be demonstrated that there**

Policy	Proposed Change to Text
	is an overriding need for this development and that net gains in landscape and biodiversity can be achieved by the development and any environmental impacts be mitigated to an acceptable level. Footnote 98 National strategy for radioactive wastes is the NDA Strategy at the time of this plan preparation. Proposed Change to supporting text 6.18.1 Kent has two nuclear power stations sites (Dungeness A and B) located on **the** Dungeness **Peninsula** (Figure 20 shows their location). Dungeness A (a twin reactor Magnox power station) operated from 1965 to the end of 2006 and is undergoing decommissioning that will continue until around 2097. Dungeness B (an Advanced Gas Cooled twin reactor) started operation in 1983 and ~~is scheduled to~~ end**ed** power generation in 20**1**~~2~~8~~, but operations may continue beyond then~~. The decommissioning of Dungeness B is likely to continue until 2111. (97) Footnote 97 Source: KCC (~~May 2011~~ **November 2021**) **Topic Paper** ~~TRW6~~: Nuclear Wastes, quoting information from both Magnox Ltd and EDF Energy 6.18.2 Both stations lie within an environmentally sensitive area adjacent to sites of international and national importance designated for their geology and biodiversity interests. Dungeness is the largest shingle site in Europe comprising approximately 2000 hectares of vegetated shingle, approximately half the English shingle habitat resource. The extent and compositions of shingle habitats found at Dungeness is unique in the UK and rare in northwest Europe. Designated **Habitat** ~~European~~ Sites which form part of the '**National Site Network' as defined by the Changes to the Habitats and Species Regulations 2017**, ~~protected by the Habitats and Wild Birds Directives,~~ cover large parts of the Dungeness Peninsula. 6.18.3 ~~If Dungeness C power station is built it will need storage facilities for radioactive wastes until the GDF is available, as well as facilities for the storage and/or management of other radioactive waste streams. Policy CSW 17 for the management of nuclear waste at Dungeness does not preclude Dungeness C being planned and constructed.~~ **There are currently no plans to build another nuclear power station at Dungeness. If a nuclear power station were ever proposed in future, it would be considered as a 'Nationally Significant Infrastructure Project' and so its suitability would be considered by the Secretary of State.**

Policy	Proposed Change to Text
	6.18.4 **The Nuclear Decommissioning Authority (NDA) is required to produce a strategy for decommissioning nuclear legacy sites in the UK every five years. The current NDA Strategy[(97B)] (which was subject to prior public consultation) came into force in April 2016 and this included a commitment to prepare a single radioactive waste strategy for the NDA which was published in 2019 ("The Integrated Waste Management Radioactive Waste Strategy (2019)).** ~~Policy CSW 17 does not foreclose possible future solutions for consolidation and waste movements between sites (for treatment and/or storage). At the time of plan preparation~~, e**E**ach Magnox site **may** ~~is currently planned to~~ have its own ILW store and be 'self-sufficient' but the best options for consideration in the future may be for movements of waste between sites for storage. ~~The nuclear power companies are looking at options for local, regional or national storage consolidation to compare these with the current plans.~~ Options include co-locating waste from both Dungeness power stations (A and B) on one of those sites. ~~The study looking at these issues was initiated in 2012~~. The nuclear power operators are required to make best use of processing facilities to minimise the overall impact of radioactive waste processing and disposal subject to due process and Best Available Techniques (BAT) assessment. **Policy CSW 17 does not foreclose possible future solutions for consolidation and waste movements between sites (for treatment and/or storage).** **Footnote 97B Nuclear Decommissioning Authority Strategy effective from April 2016 https://www.gov.uk/government/publications/nda-strategy** 6.18.5 In 2012, Shepway District Council **(now Folkestone and Hythe District Council)** considered whether to submit an expression of interest to host the **Geological Disposal Facility (**GDF**)** in **the district** ~~Shepway~~. As part of this consideration Shepway District Council held a public referendum and on 19th September 2012 decided to recommend not to submit an expression of interest for hosting the GDF. Policy CSW 17 ~~specifically precludes the management of waste from anywhere other than the nuclear power stations at this location and~~ would preclude the development of a GDF at Dungeness.
CSW 18: Non-nuclear Radioactive Low Level Waste (LLW) Management	Proposed Changes to Policy Planning permission will be granted for facilities that manage non-nuclear industry low level waste and very low-level waste arisings where they meet the requirements of all relevant development plan policies, in the following circumstances:

Policy	Proposed Change to Text
Facilities	1. where there is a proven need for the facility**, and** **2.** ~~some of~~ the source material to be managed arises from within Kent **and from areas outside that would be consistent with the principle of proximity in terms of the management of non-nuclear industry low level waste and very low-level waste.**

Development Management Policies

Policy	Proposed Change
DM 1: Sustainable Design	Proposed Changes to Supporting Text*:* 7.1.1 It is important that all minerals and waste developments are designed to minimise the impact upon the environment and Kent's communities. There is a need to reduce the amount of greenhouse gas emissions and other forms of emissions, minimise energy and water consumption, reduce waste production and reuse or recycle materials. **Emissions arising from construction include those embedded in the materials used in the development, and low carbon materials should therefore be used.** Proposed Changes to Policy: Proposals for minerals and waste development will be required to demonstrate that they have been designed **in accordance with best practice** to: 1. minimise greenhouse gas emissions **which may arise from the construction and operation of the development;**

Policy	Proposed Change
	2. minimise ~~and~~ other emissions **of pollutants which may arise from construction and operation;** ~~2~~**3**. minimise energy and water consumption **during their construction and operation** and incorporate measures for water recycling and **utilisation of low carbon** renewable energy ~~technology and design in new facilities where possible~~**;** ~~3~~ **4**. **minimise waste and** maximise the re-use or recycling of materials **during their construction and operation;** ~~4~~**5**. **incorporate climate change adaptation measures including** ~~utilise~~ sustainable **urban** drainage systems, **suitable shading of pedestrian routes and open spaces and drought resistant landscaping** ~~wherever practicable~~ **unless there is clear evidence that this would be inappropriate;** ~~5~~**6**. protect and enhance the character and quality of the site's setting and its biodiversity interests or mitigate and if necessary compensating for any predicted loss**;** **7. maximise opportunities to contribute to green and blue infrastructure;** ~~6~~**8**. minimise the loss of Best and Most Versatile Agricultural Land**;** **9. achieve a BREEAM 'Very Good' standard or equivalent; and** **10. where possible, utilise existing buildings and achieve an efficient re-use of land**
DM 2: Environmental and Landscape Sites of International, National and Local	Proposed Changes to Policy: Proposals for minerals and/or waste development will be required to ensure that there is no unacceptable adverse impact on the integrity, character, appearance and function, biodiversity **and geodiversity** interests~~, or geological interests~~ of sites of international, national and local importance.

Policy	Proposed Change
Importance	1. International Sites Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact on international designated sites, including Ramsar, Special Protection Areas and Special Areas of Conservation (‘**National Site Network’ as defined by the Changes to the Habitats and Species Regulations 2017 and ‘Habitat Sites’ as defined by the NPPF**[2] ~~European Sites~~), will need to be evaluated in combination with other projects and plans **and be in accordance with the established management objectives for the national site network (‘network objectives’**[3]**)**. Before any such proposal will be granted planning permission or identified in the Minerals and Waste Sites Plan~~s~~, it will need to be demonstrated that: **a.** there are no alternatives; b. there is a robust case established as to why there are imperative reasons of overriding public interest; **and** c. there is sufficient provision for adequate timely compensation. 2. National Sites 2.1 Designated Areas of Outstanding Natural Beauty (AONB)(101) have the highest status of protection in relation to landscape and scenic beauty. Regard must be had to the purpose of the designation when exercising or performing any functions in relation to, or so as to affect land, in an AONB. For the purposes of this policy, such functions include the determination of planning applications and the allocation of sites in a development plan. Planning permission for major minerals and waste development in a designated AONB will be refused except in exceptional circumstances and where it can be demonstrated that it is in public interest. In relation to other

[2] **NPPF defines ‘habitat sites’ as ‘any site which would be included within the definition at Regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites’**

[3] **Changes to the Conservation of Habitats and Species Regulations 2017 - https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017**

Policy	Proposed Change
	minerals or waste proposals in an AONB, great weight will be given to conserving **and enhancing** its landscape and scenic beauty. Proposals ~~outside, but~~ within the setting of an AONB **should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.** ~~Will be considered having regard to the effect on the purpose of conserving and enhancing the natural beauty of the AONB.~~ Consideration of such applications will assess: ~~a.~~ the need for the development, including in terms of any national considerations and the impact of granting, or refusing, the proposal upon the local economy**;** b. the cost of, and scope for developing elsewhere outside the designated area, or meeting the need in some other way**; and** c. any detrimental impact on the environment, the landscape and recreational opportunities, and the extent to which the impact could be moderated taking account of the relevant AONB Management Plan. Sites put forward for allocation for minerals or waste development in **updates to** the Minerals Site Plan or **a** ~~the~~ Waste Sites Plan will be considered having regard to the above tests. Those that ~~appear to~~ the Minerals and Waste Planning Authority **considers** ~~to be~~ unlikely to meet the relevant test(s) will not be allocated. 2.2 Proposals for minerals and/or waste developments within or outside of designated Sites of Special Scientific Interest, that are considered likely to have any unacceptable adverse impact on a Site of Special Scientific Interest, will not be granted planning permission or identified in **updates to** the Minerals **Sites Plan** and **any** Waste Sites Plan~~s~~ except in exceptional circumstances where it can be demonstrated that: a. the benefits of the development outweigh any impacts that it is likely to have on the features of the site that make it of special scientific interest**; and** b. the benefits of the development outweigh any impacts that it is likely to have on the national network of Sites of Special Scientific Interest. 2.3 Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact on Ancient Woodland will not be granted planning permission, or identified in **updates to** the

Policy	Proposed Change
	Minerals **Sites Plan** and **any Waste** Sites Plans, unless the need for, and the benefits of the development in that location clearly outweigh any loss. 3. Local Sites Minerals and/or waste proposals within the Local Sites listed below will not be granted planning permission, or identified in **updates to** the Minerals **Sites Plan** and **any Waste** Sites Plans, unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net planning benefit: a. Local Wildlife Sites; b. Local Nature Reserves; c. Priority Habitats and Species; d. land that is of regional or local importance as a wildlife corridor or for the conservation **and enhancement** of **geodiversity and** biodiversity**;** e. Local Geological Sites; f. irreplaceable habitat including aged and veteran trees**;** g. Country Parks, common land and village greens and other important areas of open space or green areas within built-up areas Proposed Change to Supporting Text 7.2.1 Minerals and waste developments can have adverse impacts on sites of international, national and local importance. Kent has a wide range of landscapes and habitats that play an important role in supporting a variety of flora and fauna. The county also has an abundance of important heritage assets. Significant weight in planning terms is given to conserving **and enhancing** landscape and scenic beauty of AONBs in which the conservation **and enhancement** of wildlife and cultural heritage are important considerations. **Development within the setting of AONBs should also be sensitively located and designed to avoid or minimise impacts on the designated areas. The policy recognises that some sites are designated due to their importance in terms of geodiversity.**

Policy	Proposed Change
	7.2.2 Locally important sites are also designated in recognition of their significance at the local level**, as contained in the Kent State of the Environment Report 2015 and The Kent Environment Strategy 2016,** but do not normally carry the same level of protection as international or nationally designated sites. These sites include L**ocal** W**ildlife Sites** (LWS), priority habitat identified in BAP, Local Geological Sites, Locally Listed Heritage Assets, **Local Nature Reserves** (LNR), Country Parks, Ancient Woodland and aged or veteran trees, waterbodies and other green infrastructure features. **These sites will play an important role in the success of Local Nature Recovery Strategies.**
DM 3: Ecological Impact Assessment	Proposed Change to Policy: Proposals for minerals and waste developments will be required to ensure that they result in no unacceptable adverse impacts on Kent's important biodiversity assets. These include internationally, nationally and locally designated sites, ~~European~~ **internationally** and nationally protected species, and habitats and species of principal importance for the conservation**, protection and enhancement** of biodiversity**, geodiversity and** ~~/~~ Biodiversity Action Plan habitats and species. Proposals that are likely to have unacceptable adverse impacts upon important **geodiversity and** biodiversity assets will need to demonstrate that an adequate level of ecological assessment has been undertaken and **should provide a positive contribution to the protection, enhancement, creation and management of biodiversity. Such proposals** will only be granted planning permission following: 1. an ecological assessment of the site, including preliminary ecological appraisal and, where likely presence is identified, specific protected species surveys**;** 2. consideration of the need for, and benefits of, the development and the reasons for locating the development in its proposed location**;** 3. the identification and securing of measures to mitigate any adverse impacts (direct, indirect and cumulative)**;** 4. the identification and securing of compensatory measures where adverse impacts cannot be avoided or mitigated for**; and** 5. ~~the identification and securing of opportunities to make a positive contribution to the protection, enhancement, creation and management of biodiversity~~ **where it has been demonstrated that at least**

Policy	Proposed Change
	10% biodiversity net gain will be achieved. Proposed Change to Supporting Text: 7.2.4 In addition to Policy DM 2, Policy DM 3 seeks to ensure that an adequate level of ecological assessment will be undertaken for Kent's biodiversity assets**, and ensure that a biodiversity net gain of at least 10% can be provided.**
DM 5: Heritage Assets and Policy	Proposed Change to Policy: Proposals for minerals and waste developments will be required to ensure that Kent's heritage assets and their settings, including locally listed heritage assets, registered historic parks and gardens, Listed Buildings, conservation areas, World Heritage Sites, Scheduled Ancient Monuments, archaeological sites and features and defined heritage coastline,([110]) are conserved in a manner appropriate to their significance. Proposals should result in no unacceptable adverse impact on Kent's historic environment and, wherever possible, opportunities must be sought to maintain or enhance historic assets affected by the proposals. Minerals and/or waste proposals that would have an **unacceptable adverse** impact on a heritage asset will not be granted planning permission unless it can be demonstrated that there is an overriding need for development and any impacts can be mitigated or compensated for, such that there is a net planning benefit.
DM 6: Historic Environment Assessment	Proposed Changes to Supporting Text: 7.4.1 Kent's historic environment requires protection for the enjoyment and benefit of future generations. The historic environment covers all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged as well as landscaped and planted or managed flora.([108]) The NPPF identifies the conservation of such heritage assets as one of the core land-use planning principles that underpin both plan-making and decision-taking; it states that heritage assets should be conserved in a manner appropriate to their significance,

Policy	Proposed Change
	so that they can be enjoyed for their contribution to the quality of life by today's and future generations.(103) **The 'Historic England (2015) Historic Environment Good Practice Advice in Planning Notes 1 to 3' also provides information on the implementation of historic environment policy, and emphasises that all information requirements and assessment work, in support of heritage protection, needs to be proportionate to the significance of the heritage assets affected and the impact on the significance of those heritage assets.**
Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development	Proposed Change to Policy: Planning permission for, or incorporating, mineral extraction in advance of development will be granted where the resources would otherwise be permanently sterilised provided that: 1. the mineral extraction operations are only for a temporary period **linked to the timing of the associated surface development**; and 2. the proposal will not cause unacceptable adverse impacts on the environment or to communities Where planning permission is granted for the prior extraction of minerals, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.
DM 10: Water Environment	Proposed Change to Policy: Planning permission will be granted for minerals or waste development where it does not: 1. result in the deterioration of physical state, water quality or ecological status of any water resource and waterbody, including **aquifers**, rivers, streams, lakes and ponds; 2. have an unacceptable impact on groundwater Source Protection Zones (as shown in Figure 15) **or threaten the development of future groundwater abstractions and associated source protection zones in principle or secondary aquifers; and**

Policy	Proposed Change
	3. exacerbate flood risk in areas prone to flooding (as shown in Figure 15) and elsewhere, both now and in the future All minerals and waste proposals must include measures to ensure the achievement of both no deterioration and improved ecological status of all waterbodies within the site and/or hydrologically or **hydrogeologically** connected to the site. ~~A h~~**H**ydrogeological **and/or hydrological** assessment**(s)** may be required to demonstrate the effects of the proposed development on the water environment and how these may be mitigated to an acceptable level. Proposed Changes to Supporting Text: 7.8.5 To ensure compliance with the Water Framework Directive,([115]) minerals and waste developments must not cause any unacceptable adverse impact on local water bodies. Applications for minerals and waste proposals within **Source Protection Zones** (SPZ**) and Groundwater Vulnerability and Aquifer Designation areas** should be accompanied by a hydrogeological **and/or hydrological** assessment**(s) that investigate the potential present and future risks of unacceptable adverse impacts on the water environment associated with the proposed development and how these will be adequately mitigated to prevent such impacts.** Waste operations are not usually considered compatible within SPZ1. 7.8.6 Policy DM 10 embraces issues of flood, groundwater, SPZs and the protection of waterbodies. Add text to Footnote [(115)] **and equivalent legislation following exit from the European Union.**
DM 11: Health and Amenity	Proposed Change to Policy: Minerals and waste development**s** will be permitted if it can be demonstrated that they are unlikely to generate unacceptable adverse impacts from noise, dust, vibration **(including vibration from blasting)**, odour, emissions **(including emissions from vehicles associated with the development)**, bioaerosols, illumination,

Policy	Proposed Change
	visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. This may include production of an air quality assessment of the impact of the proposed development and its associated traffic movements and necessary mitigation measures required through planning condition and/or planning obligation. This will be a particular requirement where a proposal might adversely affect the air quality in an AQMA. (See Figure 15). Proposals for minerals and waste development will also be required to ensure that there is no unacceptable adverse impact on the ~~use of other~~ **surrounding** land ~~for other purposes.~~**and associated permitted land uses.**
DM 12: Cumulative Impact	Proposed Changes to Supporting Text: . 7.10.3 The following policy requires cumulative impacts to be considered when two or more developments are potentially capable of causing significant effects on the environment (including climate change), biodiversity interests or on the amenity of the local community. **This includes cumulative impacts by way of vehicle movements and associated emissions, particularly if the development is within or near to an AQMA.** It is also relevant where a new development may affect communities or the environment cumulatively with existing developments.
DM 13: Transportation of Minerals and Waste	Proposed Change to Policy: Minerals and waste development will be required to demonstrate that emissions associated with road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport. Where development requires road transport, proposals will be required to demonstrate that: 1. the proposed access arrangements are safe and appropriate to the scale and nature of movements associated with the proposed development such that the impact of traffic generated is not detrimental to road safety**;**

Policy	Proposed Change
	2. the highway network is able to accommodate the traffic flows that would be generated, as demonstrated through a transport assessment, and the impact of traffic generated does not have an unacceptable adverse impact on the environment or local community**; and** 3. emission control and reduction measures, such as deployment of low emission vehicles, **installation of electric vehicle charging points (where appropriate)** and vehicle scheduling to avoid movements in peak hours. Particular emphasis will be given to such measures where development is proposed within an AQMA. (Figure 15) Proposed Changes to Supporting Text: **7.11.2 Notwithstanding this, the Plan recognises the importance of reducing vehicle movements and facilitating more sustainable technologies (such as electric vehicles) in achieving the objectives of sustainable development. This has benefits in terms of reducing greenhouse emissions and improving air quality. It is recognised that some 12% of harmful particulates in the atmosphere are as a result of road transportation (Clean Air Strategy, 2019).** 7.11.2~~2~~**3** Any minerals or waste developments that are likely to result in an increase of more than 200 Heavy Duty Vehicles (HDVs)/day(116) on any road that lies within 200m of a designated **Habitat** ~~European~~ Site will need to be subject to **Habitats Regulation Assessment (HRA)** ~~HRA~~ screening to evaluate air quality impacts. It will be necessary for the applicant to demonstrate that either: • the increased traffic will not lead to an increase in nitrogen deposition within all **Habitat** ~~European~~ Sites that lie within 200m that constitutes more than 1% of the critical load for the most sensitive habitat within the site, or • If the increase in deposition will be greater than 1% of the critical load it will nonetheless be sufficiently small that no adverse effect on the interest features and integrity of the **Habitat** ~~European~~ Site will result. 7.11.3~~3~~**4** The aim of ~~the~~ Policy DM 13 is to minimise road miles **and harmful emissions** in relation to the

Policy	Proposed Change
	transportation of minerals and waste across Kent. **Road miles may also be reduced by providing a network of facilities including sites such as transfer stations where waste can be bulked up for onward transport**
DM 18: Land Stability	Proposed Change to Policy: Planning permission will be granted for minerals or waste development where it is demonstrated that it will not result in land instability. ~~All minerals and waste proposals that could give rise to land instability must include a stability report and measures to ensure land stability.~~ Proposed Change to supporting text **7.16.1 Land instability can be an issue resulting from both minerals and waste development leading to landslides, subsidence and ground heave. Such situations can be a result of unsafe ground conditions caused by water movement including changes in groundwater levels through dewatering. Proposals should demonstrate measures to ensure that quarry faces and slopes are stable and will not result in landslip, either within the site or on adjoining land, both during and after the lifetime of the development and during restoration and aftercare. All minerals and waste proposals that could give rise to land instability must include a stability report and measures to ensure land stability.** 7.16.1~~1~~**2** Minerals and waste development can give rise to land instability if proposals are not properly planned and implemented. The issue needs to be considered and satisfactorily addressed when planning applications are determined. Where there is the possibility of land instability, applications for minerals and waste development should be accompanied by a stability report **to ensure that adequate and environmentally acceptable mitigation measures are identified**. Such a report should assess~~es~~ the physical capability of the land, possible adverse impacts of any instability, possible adverse impacts on adjacent land, possible impacts on local amenity and conservation interests and any proposed remedial or precautionary measures.

Policy	Proposed Change
DM 19: Restoration, Aftercare and After-use	Proposed Change to Policy: Planning permission for minerals extraction and temporary waste management development will be granted where satisfactory provision has been made for high standards of restoration and aftercare such that the intended after-use of the site is achieved in a timely manner, including where necessary for its long-term management. Restoration plans should be submitted with the planning application which reflect the proposed after-use, **be carried out to a standard that reflects best practice and provide for restoration and aftercare at the earliest opportunity. Restoration proposals must include measures to provide biodiversity gains.** **Where appropriate, restoration plans should** ~~be submitted with the planning application which reflect the proposed after-use and, where appropriate, include the details set out below:~~ **address the following issues in relation to the restoration, aftercare and after-use of minerals extraction and temporary waste management development:** 1. a site-based landscape strategy for the restoration scheme; 2. the key landscape and biodiversity opportunities and constraints ensuring connectivity with surrounding landscape and habitats; 3. the geological, archaeological and historic heritage and landscape features and their settings 4. the site boundaries and areas identified for soil and overburden storage; 5. an assessment of soil resources and their removal, handling and storage; **6.** an assessment of the overburden to be removed and stored; 7. the type and depth of workings and information relating to the water table; 8. storage locations and quantities of waste/fill materials and quantities and types of waste/fill involved; 9. proposed infilling operations, sources and types of fill material 10. the arrangements for monitoring and the control and management of landfill gas; 11. consideration of land stability after restoration; 12. directions and phasing of working and restoration and how they are integrated into the working scheme; 13. the need for and provision of additional screening taking account of degrees of visual exposure;

Policy	Proposed Change
	14. details of the proposed final landform including pre and post settlement levels; 15. types, quantities and source of soils or soil-making materials to be used; 16. a methodology for management of soils to ensure that the pre-development soil quality is maintained; 17. proposals for meeting targets or biodiversity gain in relation to the Kent Priority Habitats (or its replacement), the Kent Biodiversity Opportunity Areas and the Greater Thames Marshes Nature Improvement area; 18. removal of all buildings, plant, structures, accesses and hardstanding not required for long term management of the site; 19. planting of new native woodlands; 20. installation of drainage to enable high quality restoration and after-use; 21. measures to incorporate flood risk mitigation opportunities; 22. details of the seeding of grass or other crops and planting of trees, shrubs and hedges; 23. a programme of aftercare to include details of vegetation establishment, vegetation; management biodiversity habitat management, field drainage, irrigation and watering facilities; 24. the restoration of the majority of the site back to agriculture, if the site consists of the best and most versatile agricultural land; **25. the potential for financial guarantees such as bonds** Aftercare schemes should incorporate an aftercare period of at least five years. Where appropriate, voluntary longer periods for certain uses will be sought through agreement between the applicant and minerals planning authority. Proposed Changes to Supporting Text: 7.17.2 Restoration, aftercare and after-use will usually seek to assure that the land is restored back to a quality that is at a level at least equivalent to that which it was prior to development commencing and wherever possible provide for the enhancement of the quality of the landscape, local environment or the setting of historic assets to the benefit of the local or wider community. ~~Wherever possible, restoration schemes should include measures to improve biodiversity interests whatever the proposed after-use of the site. Restoration, aftercare and after-use may be secured through Planning Obligations as set out in Policy DM 17.~~

Policy	Proposed Change
	7.17.6 Restoration and aftercare plans should take into consideration community needs and aspirations. Local interest groups and community representatives should be consulted and their viewpoints incorporated into the proposals wherever possible and appropriate. Restoration and aftercare plans for mineral development need to be reviewed and updated periodically, in accordance with legislation.([120]) Policy DM 19 identifies the issues that need to be addressed ~~i~~n relation to the restoration, aftercare and after-use of minerals extraction and temporary waste management development**.**
DM 20: Ancillary Development	Proposed Change to Policy: Ancillary Development Proposals for ancillary development within or in close proximity to mineral and waste development will be granted planning permission provided that: 1. the proposal is necessary to enable the main development to proceed 2. it has been demonstrated that there are environmental benefits in providing a close link with the existing site that outweigh the environmental **and community** impacts. Where permission is granted, the operation and retention of the associated development will be limited to the life of the linked mineral or waste facility.
DM 22: Enforcement	Proposed Change to Policy: The County Council will carry out its planning enforcement functions within the terms of its own Enforcement Plan/Protocols (and any subsequent variations) and specifically for waste-related matters, in light of the European Union **policies subsumed into UK law.** ~~Waste Framework Directive 2008/98/EC.~~

Chapters 1 and 2

List of abbreviations

AD	Anaerobic Digestion
AQMA	Air Quality Management Area
AoS	Area of Search
AMR	Annual Monitoring Report
AONB	Area of Outstanding Natural Beauty
AWP	Aggregate Working Party
BAP	Biodiversity Action Plan
BAT	Best Available Techniques (Assessment)
BERR	Department for Business, Enterprise and Regulatory Reform
BGS	British Geological Society
BIS	Department for Business, Innovation and Skills
BOA	Biodiversity Opportunity Area
CD	Construction and Demolition Waste
CDE	Construction, Demolition and Excavation Waste
CSM	Core Strategy Minerals
CSW	Core Strategy Waste
C&I	Commercial and Industrial Waste
DCLG	Department for Communities and Local Government
DECC	Department of Energy and Climate Change
DEFRA	Department for Environment Food and Rural Affairs
DLUHC	**Department for Levelling Up, Housing and Communities**
DM	Development Management
DMR	**Dry Mixed Recyclate**
DOE	Department of the Environment
EA	Environment Agency

EC	European Commission
EfW	Energy from Waste
EIA	Environmental Impact Assessment
EPR	**Early Partial Review**
ES	Environmental Statement
EU	European Union
GDF	Geological Disposal Facility
GPDO	Town and Country (General Permitted Development) Order
GVA	Gross Value Added
HDV	Heavy Duty Vehicle
HLW	High Level Waste (Radioactive Waste Classification)
HRA	Habitat Regulations Assessment
HWRC	Household Waste Recycling Centre
ILW	Intermediate Level Waste (Radioactive Waste Classification)
JMWMS	Joint Municipal Waste Management Strategy
KCC	Kent County Council
km	Kilometres
KRP	Kent Resource Partnership
LAA	Local Aggregate Assessment
LCE	Low-Carbon Economy
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
LLW	Low Level Waste (Radioactive Waste Classification)
LLWR	Low Level Waste Repository
LNR	Local Nature Reserve
LWS	Local Wildlife Site
m	Metres
MCA	Mineral Consultation Area
MDA	Marine Dredged Aggregates

MPA	Mineral Planning Authority
MPS	Marine Policy Statement
MSA	Mineral Safeguarding Area
MSW	Municipal Solid Waste
mt	Million tonnes
mtpa	Million tonnes per annum
MWLP	Minerals and Waste Local Plan
NDA	Nuclear Decommissioning Authority
NERC	Natural Environment and Rural Communities
NIA	Nature Improvement Area
NIEA	Northern Ireland Environment Agency
NNR	National Nature Reserve
NPPF	National Planning Policy Framework 2012
NPPW	National Planning Policy for Waste 2014
ODPM	Office of the Deputy Prime Minister
PEDL	Petroleum Exploration and Development Licence
PLA	Port of London Authority
PROW	Public Rights of Way
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Site of Community Importance
SEEAWP	South East England Aggregate Working Party
SEP	South East Plan
SEPA	Scottish Environment Protection Agency
SFRA	Strategic Flood Risk Assessment
SPA	Special Protection Area
SPZ	Source Protection Zone
SSSI	Site of Special Scientific Interest

TCPA	Town and Country Planning Act
tpa	Tonnes per annum
TRW	Topic Report on Waste
UNESCO	United Nations Educational, Scientific and Cultural Organisation
VLLW	Very Low Level Waste (Radioactive Waste Classification)
Water FD	Water Framework Directive
WCA	Waste Collection Authority
WFD	Waste Framework Directive
WMU	Waste Management Unit
WPA	Waste Planning Authority

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Chapter 1 – Introduction

Section	Proposed Change to Text
1.1 The Kent Minerals and Waste Local Plan 2013-30	1.1.1 This document, the Kent Minerals and Waste Local Plan 2013-30, is the main Local Plan document **pertaining to minerals supply and waste management in Kent**. It describes: • the overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management of all waste streams that are generated or managed in Kent, and • the spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning. 1.1.2 This Plan identifies and sets out the following subjects for the period up to, and including, the year 2030: • the long term Spatial Vision and Strategic Objectives for Kent's minerals and waste • the delivery strategy for minerals and waste planning that identifies how the objectives will be achieved in the plan period • ~~two~~**the** areas where strategic mineral and waste development is likely to occur • the Development Management (DM) policies that will be used when the County Council makes decisions on

Section	Proposed Change to Text
	planning applications • the framework to enable annual monitoring of the policies within the Plan
1.2 The Status of the Kent Minerals and Waste Local Plan 2013-30	1.2.5 This document was prepared in accordance with national legislation.(2) It has also been prepared to be in general conformity with the National Planning Policy Framework (NPPF),(3) National Planning Policy for Waste (NPPW)(4) and the Waste Management Plan for England.(5) Footnote 2 - The Town and Country Planning (Local Development) (England) Regulations 2004, The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Localism Act (2011), Environmental Assessment of Plans and Programmes Regulations 2004. Footnote 3 - ~~Department of~~**Ministry of Housing,** Communities and Local Government (~~D~~**MH**CLG) (~~March 2012~~**July 2021**) National Planning Policy Framework. Footnote 4 - DCLG (October 2014) National Planning Policy for Waste. Footnote 5 - DEFRA (~~December 2013~~ **January 2021**) Waste Management Plan for England. 1.2.6 The Kent MWLP only applies to the administrative county of Kent. Medway Council ~~are writing~~**maintain** their own local plan. The **replacement of earlier** ~~position regarding saved~~ minerals and waste planning policies **by this Plan** ~~in Medway~~ is set out in Appendix B.
1.3 The Links With Legislation, Other Policies and Strategies (paras 1.3.1 to 1.3.11 1.3.12 to 1.3.14	**1.3 The Links With Legislation, Other Policies and Strategies** 1.3.1 When preparing plans, minerals and waste planning authorities must take account of international and national legislation and national planning policy. Until 2013, regional planning policy formed part of the development plan and was required to be taken into account in the preparation of local plans. The Regional Spatial Strategy (RSS) for the South East of England was **substantially** ~~partially~~ revoked.(7) The remaining part of the RSS relates to a policy about new residential development near the Thames Basin Heaths Special Protection Area (SPA), which is not in Kent. ~~However, the RSS has been tested for soundness through an Examination in Public (EiP), and where relevant, it can still form part of the evidence base for the Kent MWLP.~~ **~~European~~ National Legislation** 1.3.2 **Following the departure of the UK from the** European Union (EU)**, the text of EU** Directives **currently still**

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	provide**s** **much of** the ~~international~~ legislative context for minerals and waste plan-making. **1.3.3 The Waste (Circular Economy) (Amendment) Regulations 2020 (*SI 2020/904*), transpose the European Union's 2020 Circular Economy Package (2020 CEP) in England and Wales, and were made on 25 August 2020. These Regulations implement six amending EU Directives in the field of waste concerning:** - **The Waste Framework Directive;** - **packaging and packaging waste;** - **landfill of waste;** - **end-of life vehicles;** - **batteries and accumulators and waste batteries and accumulators; and,** - **waste electrical and electronic equipment.** **1.3.4 The changes are intended to increase the prevention, reuse and recycling of waste in accordance with the Waste Hierarchy [8] e.g. by strengthening requirements for the separate collection of paper, metal, plastic or glass. The Regulations also put the Government commitments in the 2018 Resources and Waste Strategy to recycle 65% of municipal waste and to have no more than 10% of municipal waste going to landfill by 2035 into law.** **1.3.5 Other important EU Directives which are currently retained as UK legislation** ~~These~~ include: • ~~Waste Framework Directive (WFD) (2008/98/EC) which aims to move the management of waste up the Waste Hierarchy[8] and to encourage the use of waste as a resource. EU member states are required to achieve recycling and composting rates of 50% by 2020 for household waste streams including paper, metal, plastic, glass, and for other waste streams that are similar to household waste. Also by 2020, the preparation for re-use, recycling and recovery of non-hazardous construction and demolition waste (CDE) (excluding naturally occurring materials) must be increased to a minimum of 70% by weight.~~ • Landfill Directive (1999/31/EC) which requires reductions in the quantity of biodegradable waste that is landfilled, and encourages diversion of non-recyclable and non-usable waste to other methods of treatment. • Water Framework Directive (Water FD) (2000/60/EC) which aims to improve the local water environment for people and wildlife, and promote the sustainable use of water. It applies to all surface water bodies, including lakes, streams and rivers as well as groundwater. The aim of the Water FD is for all water bodies to reach good status by 2027. This means improving their physical state, and preventing deterioration in water quality and ecology. The Water FD introduced the concept of integrated river basin management planning. Kent lies within the Thames River Basin District and South East River Basin District.[9]

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	Footnote 8 - The Waste Hierarchy is defined in the Glossary in Appendix A and is shown diagrammatically in the text supporting Policy CSW 2 Footnote 9 - Environment Agency (December 20**15**~~09~~) Thames River Basin Management Plan (RBMP) and the South East RBMP **National Planning Policy and Guidance** 1.3.3**6** The Government **originally** published the NPPF in March 2012. **The NPPF has been amended several times and most recently in July 2021**. The NPPF describes the Government's planning policies for England and how to apply them. It provides a framework for people and their councils to produce distinctive local and neighbourhood plans that reflect local needs and priorities. It includes policies on plan-making and planning for minerals. 1.3.4~~7~~ Specific policies on waste are described in the National Waste Management Plan for England [(10)] and the National Planning Policy for Waste 2014[(11)]. Local authorities preparing waste plans are also advised to consider relevant NPPF policies. **The National Waste Management Plan for England (2021) notes that National Planning Policy for Waste will be updated to align with the changes to the National Planning Policy Framework and the Resources and Waste Strategy.** 1.3.5~~8~~ Since the publication of the NPPF, ~~DCLG~~**Government** has~~ve~~ published the following additional guidance notes which are relevant to minerals and waste plan-making: • Guidance for Local Planning Authorities on Implementing Planning Requirements of the EU WFD (2008/98/EC) [(12)] • ~~updated~~ Planning Practice Guidance on Minerals to accompany the NPPF, including updated guidance on the Managed Aggregate Supply System **and Planning Practice Guidance on Waste** [(13)] Footnote 10 DEFRA (~~December 2013~~ **January 2021**) Waste Management Plan for England. Footnote 11 DCLG (October 2014) National Planning Policy for Waste. Footnote 12 DCLG (December 2012) Guidance for local planning authorities on implementing planning requirements of the EU Waste Framework Directive (2008/98/EC). Footnote 13 ~~DCLG (Revised March 2014)~~ Planning Practice Guidance~~: Minerals~~. Web-based resource available from: http://planningguidance.planningportal.gov.uk/. 1.3.~~6~~**9** The Marine and Coastal Access Act 2009 introduced measures to enable the sustainable management and use of marine resources, including the requirement for a Marine Policy Statement (MPS). The UK MPS contains

Section	Proposed Change to Text
	minerals policy relating to offshore mineral interests. All public authorities taking authorisation or enforcement decisions that affect, or might affect, the UK marine area must do so in accordance with the UK MPS, unless relevant considerations indicate otherwise. The MPS will also guide the development of Marine Plans across the UK. **Local Plans and Strategies** 1.3.~~7~~**10** The Plan also considers other relevant local policies and strategies. **Kent Joint Municipal Waste Strategy** 1.3.~~8~~**11** As Waste Disposal Authority, in 2007 the County Council prepared ~~a~~**the original** Joint Municipal Waste Management Strategy (JMWMS) with the districts in Kent, which was adopted by the Kent Resource Partnership (KRP). The partnership comprises 12 district/borough councils and KCC. The KRP plans and budgets for Kent's household waste so that new facilities can be built where and when they are needed. **1.3.12 The key objectives of the KRP are as follows:** - **Maximising the 'value' of resources that we manage from households, in terms of realising the social, environmental and economic opportunities;** - **Providing the best possible value for money service to the Kent taxpayer, taking into account whole service costs;** - **Realising opportunities to improve services now and in the future through engagement, collaboration and working in partnership with the supply chain; and** - **Supporting future thinking through ongoing research and evidence that will facilitate the transition to a circular economy for Kent.** ~~The aims of the KRP are to:~~ ~~• increase recycling rates all over Kent~~ ~~• reduce the amount of waste produced by each household~~ ~~• reduce the amount of Kent's waste that is put into landfill~~ 1.3.~~9~~**13** Since 2007 the KRP have achieved the following targets: • 40% recycling and composting across Kent • KCC's Household Waste Recycling Centres (HWRCs) to achieve a 60% recycling and composting rate

Section	Proposed Change to Text
	1.3.1~~0~~**4** These targets were achieved in 2011/12. Also the amount of waste sent to landfill has been reduced from around 72% in 2005/06 to ~~22~~**.8**% in 20**16/17**~~11/12~~. 1.3.1~~1~~**5** A **refreshed** ~~review of the~~ Kent JMWMS **was agreed by the KRP in 2018** ~~began in 2011. The KRP prepared~~ **which sets out** new objectives and policies which are being implemented across Kent. These include **a recycling rate of 50%, a landfill target of less than 2% and a year on year reduction in residual waste per household** ~~reducing household waste arisings by at least 10% by 2020/21 (based on 2010/11 levels), recycling and composting rates of at least 50%,and sending no more than 5% of the household waste stream to landfill. The aim is to get as close as possible to 0% for untreated household waste being sent to landfill~~. **Kent Waste Disposal Strategy** **1.1.16 The County Council as Waste Disposal Authority (WDA) is conducting a five year review of its Waste Disposal Strategy originally adopted in July 2017. This strategy is the guiding document for the WDA's assessment of current and future infrastructure operational requirements for the ongoing management of local authority collected waste across Kent.** **Kent County Council Climate Emergency Statement** **1.1.7 In 2019 the County Council adopted a Climate Emergency Statement which states:** ***"Through the framework of the Energy and Low Emissions Strategy, we will facilitate the setting and agreement of a target of net zero emissions by 2050 for Kent and Medway."*** **The Kent and Medway Energy and Low Emissions Strategy** **The Kent and Medway Energy and Low Emissions Strategy sets out how Kent County Council, in Partnership with Medway Council, and Kent district and borough councils, will respond to the UK climate emergency and drive clean, resilient economic recovery across the county. Priorities set out in the document include ensuring that climate change and circular economy principles are integrated into Local Plans, including environmental considerations, reducing carbon emissions, and ensuring management of resource sustainably. The Strategy includes the following statement:**

Section	Proposed Change to Text
	'Principles of Clean Growth (growing our economy whilst reducing greenhouse gas emissions), must be factored into all planning and development polices and decisions, whilst not becoming a barrier to new development.' **The Strategy also expects a clean growth and climate change strategic planning framework for Local Plans and development to be prepared in the short term (by 2023) and clean growth and climate change to be fully integrated into Local Plans in the long term (by 2030).** **Strategic Transport Plans** 1.3.1~~2~~**7** The County Council has a statutory duty to prepare and update its Strategic Transport Plan. The Local Transport Plan for Kent ~~2011-2016~~**2016-2031** was adopted in ~~2011~~**2017**. This Plan explains how the council will work towards its transport vision over **the coming years** ~~a five-year period~~ using the funding that it receives from Government**, bringing together KCC transport policies, looking at local schemes and issues as well as those at a countywide and national significance.** KCC also prepared a 20-year transport delivery plan, Growth Without Gridlock, which focuses on the key strategic transport improvement areas required in Kent, including the Thames Gateway. This aims to relieve the pressure on the Channel Corridor, cut congestion in West Kent along the A21, find a solution in East Kent for Operation Stack(14) and provide a**n** integrated public transport network. 1.3.1~~3~~**8** The~~ Kent~~ Freight **Action** Plan **for Kent** was adopted in 2012. It contains KCC's objectives to tackle key issues and find solutions to the following problems related to lorry movements in Kent: • overnight lorry parking • Operation Stack • managing the routing of Heavy Goods Vehicles to ensure that they remain on the Strategic Road Network for as much of their journey as possible • impacts of freight traffic on communities and the environment • encouraging sustainable distribution Footnote 14 Operation Stack is the name given to the process used to stack lorries on the M20 when cross channel services from the Port of Dover or through the Channel Tunnel are disrupted. **District Local Plans** 1.3.1~~4~~**9** The Kent district local plans form part of the development plan **and these** ~~. While they do not~~

Section	Proposed Change to Text
	~~address minerals and waste matters, their Sustainable Community Strategies~~ have been considered in the preparation of the Kent MWLP.
1.4 The Evidence Base	**1.4 The Evidence Base** 1.4.3 The **Sustainability Appraisal (**SA) identifies and evaluates the impacts that are expected to arise from the Plan's policies regarding social, environmental and economic factors. The SA process is iterative [16] and prepared in parallel with the Kent MWLP. The SA influences the production of the Plan and ensures that plan-making is carried out in accordance with the principles of sustainable development. The SA report for the Plan was prepared independently by ~~URS~~**Amey** Consultants. Each stage of plan-making has been accompanied by an SA. 1.4.4 Kent contains sites of international importance for wildlife including Special Areas of Conservation (SACs), **Special Protection Areas (**SPAs**)** and Ramsar sites.[17] The Plan is accompanied by a **Habitats Regulation Assessment (HRA)** which considers the impacts of the plan policies on the international sites and assesses whether the policies will have a significant impact. The Plan must comply with the requirements of the Habitat Regulations[18] to minimise the possibility of impacts on internationally designated sites. 1.4.5 **When** ~~T~~**t**he Plan **was adopted in 2016 it was** ~~is also~~ accompanied by the following assessments: • S**trategic Flood Risk** A**ssessment (**SFRA**)** describing the impacts of the plan policies on flooding and identifying where mitigation measures could be needed • Strategic Landscape Assessment describing the landscape impact of the Strategic Site for Minerals and the Strategic Site for Waste identified in the Plan • Strategic Transport Assessment describing the potential effects on Kent's transport network (see Figure 2) as a result of the Plan's policies **These assessments remain relevant to the updated Plan. Additional assessments accompanied the Mineral Sites Plan that was adopted in 2020.** 1.4.6 Parts of the Kent MWLP evidence base **were** ~~have been~~ developed in conjunction with other adjoining local authorities, including: • the KCC and Medway Council collaboration on a study of mineral imports into the county **in 2010**[19] • the Kent and Surrey County Council collaboration on an evidence base for their plans for silica sand[20]

Section	Proposed Change to Text
	1.4.7 The evidence base topic reports and other documents that have been prepared to inform and support the preparation of the~~is~~ Plan **adopted in 2016 and its review** and information on public consultation undertaken are available online. (21)
1.5 Planning and Permitting Interface	*No changes proposed*

Chapter 2 – Minerals and Waste Development in Kent: A Spatial Portrait

Section	Proposed Change to Text
2.1 Introduction (inc. Figs 1, 2 & 3)	2.1.2 With an estimated population of ~~1,480,200~~**1,589,100** people,(24 – In September 2021, Office for National Statistics) Kent is the largest non-metropolitan local authority area in England. Projected population growth for Kent is a ~~10.5~~**7.5**% increase between 201~~1~~**8** and 202~~1~~**8**, with the total population of the county expected to be **over** 1.62**7** million people by 202~~6~~**8**.(25- ~~KCC (2012) Business Intelligence Statistical Bulletin, Interim 2011-Based Sub National Population Projections for Kent.~~**KCC (2020) Strategic Commissioning Statistical Bulletin 2018 – Based Subnational Population Projections** Figure 1 – Kent Districts *To be updated with new urban boundaries Figure 2 – Transport Links *To be updated with transport links such as HS1 2.1.3 The population of Kent is spread unevenly throughout the county. North-west Kent is the main urban area as part of the Thames Gateway area. The Thames Gateway stretches along the River Thames from Stratford and Lewisham in London out to Sittingbourne, Kent and Southend, Essex. Within Kent, it contains parts of Dartford, Gravesham and Swale Districts and Medway Council. 2.1.4 Kent is a member of The South East Local Enterprise Partnership (SE LEP). This encompasses East Sussex, Essex, Kent, Medway, Southend and Thurrock. LEPs are voluntary partnerships between local authorities and businesses which were formed in 2011 by the Department for Business, ~~Innovation and Skills~~**Energy and Industrial Strategy** (B**E**IS) to help determine local economic priorities and lead economic growth and job creation within the local areas. LEPs are responsible for some of the functions previously carried out by the regional development agencies which were abolished in March 2012. There were 3~~9~~**8** LEPs in operation in ~~September~~**October** 20~~12~~**21**.
2.2 Kent's Environmental and Landscape Assets (inc. Figs 4, 5, 6, 7, 8, 9, 10,	**2.2 Kent's Environmental and Landscape Assets** 2.2.1 Some of Kent's natural environment and features are formally identified as being of international, national and local importance. Kent also has statutorily protected species, under both ~~European~~ **international** and national legislation. These formal designations include the following:

Section	Proposed Change to Text
11)	**International Importance (see Figure 4):** • Ramsar sites and/or **Special Protection Areas (**SPA**)**s • **Special Areas for Conservation (**SAC)s • UNESCO World Heritage Sites: Canterbury Cathedral, St Augustine's Abbey and St Martin's Church in Canterbury **National Importance (See Figures 5 & 6):** • almost a third of Kent is protected by two Areas of Outstanding Natural Beauty (AONB): the Kent Downs AONB and High Weald AONB • Sites of Special Scientific Interest (SSSIs) and National Nature Reserves **(NNRs)** • nationally important archaeological sites (most of which are Scheduled Ancient Monuments), Registered Parks and Gardens of Historic Interest and Listed Buildings [28] • Kent areas of Heritage Coast including South Foreland and Dover to Folkestone • Green Belt • species and habitats listed as being of principal importance for the conservation of biodiversity in the UK (Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) [29] • Ancient Woodland (Figure 10) **Local Importance:** 2.2.2 Kent's wildlife, geological, geomorphological, landscape and historic environmental areas and features that are of particular importance at county level, or that make a contribution to biodiversity and geological conservation, include: • Local Geological Sites and Local Wildlife Sites (LWSs) (see Figure 7) • Local Nature Reserves (LNRs) (see Figure 8) • Kent Biodiversity Action Plan (BAP) species • the setting of the World Heritage Site (Canterbury Cathedral, St Augustine's Abbey and St Martin's Church) and Locally Listed buildings, conservation areas and their settings • landscape features of importance for wildlife that are essential for migration and dispersal, and which

Section	Proposed Change to Text
	enable the protection, conservation and expansion of native flora and fauna • Kent rivers and waterways and their settings (Figure 9) • Biodiversity Opportunity Areas (BOA) and The Greater Thames Marshes Nature Improvement Area (NIA) (Figure 11) • Groundwater in Kent (Flood Zones, Source Protection Zones) (Figure 15) **Biodiversity Opportunity Areas and the Nature Improvement Area** 2.2.3 The identification of BOAs and the Greater Thames Marshes NIA present opportunities to contribute to large-scale biodiversity conservation in Kent. 2.2.4 Kent's network of BOAs has been identified to implement the Kent BAP. (30) The BOA**s** show where the greatest gains can be made from habitat enhancement, restoration and recreation**, as these areas offer the best opportunities for** ~~by~~ establishing or contributing to large habitat areas and/or networks of wildlife habitats. The BOAs include a range of biodiversity. BOA targets reflect the specific landscape, geology and key habitats that are present within each area. ***Proposed changes to related diagrams:*** **Figure 4 International Designations** - Ebbsfleet Development Corporation needs to be added - Shepway needs to be changed to Folkestone and Hythe - Any changes to updated 'Major Urban Areas' **Figure 5 Nationally Important Designations: Landscape** - Ebbsfleet Development Corporation needs to be added - Shepway needs to be changed to Folkestone and Hythe - Any changes to updated 'Major Urban Areas' **Figure 6 Nationally Important Designations: Heritage & Green Belt** - Ebbsfleet Development Corporation needs to be added - Shepway needs to be changed to Folkestone and Hythe - Any Green Belt changes

Section	Proposed Change to Text
	Figure 7 Local Geological Sites and Local Wildlife Sites - Ebbsfleet Development Corporation needs to be added - Shepway needs to be changed to Folkestone and Hythe - Any changes to updated 'Major Urban Areas' - Local wildlife site changes/additions to be consistent with latest list of local wildlife sites – https://www.kentwildlifetrust.org.uk/what-we-do/protecting-wild-spaces/local-wildlife-sites **Figure 8 Local Nature Reserves** - Ebbsfleet Development Corporation needs to be added - Shepway needs to be changed to Folkestone and Hythe - Any changes to updated 'Major Urban Areas' - Local nature reserve changes/additions to be consistent with latest list of nature reserves – https://www.kentwildlifetrust.org.uk/nature-reserves **Figure 9 Kent Main Rivers and Waterways** - Ebbsfleet Development Corporation needs to be added - Shepway needs to be changed to Folkestone and Hythe - Any changes to updated 'Major Urban Areas' **Figure 10 Ancient Woodland** - Ebbsfleet Development Corporation needs to be added - Shepway needs to be changed to Folkestone and Hythe - Any changes to updated 'Major Urban Areas' **Figure 11 Biodiversity Improvement Areas** - Ebbsfleet Development Corporation needs to be added - Shepway needs to be changed to Folkestone and Hythe - Change 'Medway & Low Weald **Wetlands and** Grassland**s** ~~and Wetland'~~ - Change 'Romney Marshe~~s~~ **& Rye Bay**' - Change 'Low Weald Woodland**s**' - BAP changes/additions to be consistent with http://www.kentnature.org.uk/boas.html
2.3 Kent's	

Section	Proposed Change to Text
Economic Mineral Resources	2.3 Kent's Economic Mineral Resources 2.3.1 The economic mineral resources (31) of Kent reflect its complex geological, economic and social history. Historically, the **Carboniferous** Coal Measures were of major economic importance until the East Kent Coal mines ceased operations by 1989. Until ~~recently~~, **2010** Kent also had a thriving cement industry based on the chalk and clay deposits of the Medway Valley and north-west Kent. There are now no active cement works in Kent. Areas of Kent have also been licensed by the Government for petroleum exploration and development**, though none have been developed**. 2.3.2 Economic minerals that are extracted from Kent quarries include sand**s** and gravel, crushed rock (**a limestone colloquially called Kentish R**agstone **of the Hythe Formation**), silica sand, brickearth, clay for tile-making, chalk for agricultural and industrial uses, and building stone. 2.3.3 Figure 12 shows the geology of Kent. Figure 13 and 14 shows all existing mineral extraction sites, wharves, rail depots, the areas licensed for petroleum exploration and the Strategic Site for Minerals.(32) 2.3.4 Details of operational and inactive quarries, wharves, rail depots and secondary and recycled aggregate sites in Kent are reviewed annually and listed ~~in~~ **alongside** the Kent Minerals and Waste Annual Monitoring Report (AMR). (33) **Construction Aggregates** 2.3.5 Construction aggregates consist of sand, gravel and crushed **(hard)** rock. These are the most significant in **terms of the** quantity ~~terms~~ of all of the minerals extracted in Kent. 2.3.6 Historically, sharp sand and gravel deposits have been extracted along Kent's river valleys **(River Terrace deposits)** and in the Dungeness and Romney Marsh area **(Storm Beach deposits)**. The permitted reserves **have become** ~~are becoming~~ depleted **and are no longer a significant source of supply to meet objectively assessed needs as they historically once were**. 2.3.7 Soft sand or building sand, used to produce asphalt and mortar, is extracted from quarries situated on the Folkestone ~~Beds~~ **Formation** between Charing and Sevenoaks. ~~Most~~ **Some** of these sand quarries produce a combination of soft sand (building sand which is a construction aggregate) and **a** silica sand (a specialist sand **of higher purity that can be used in certain industrial processes, e.g., foundry sands,**

Section	Proposed Change to Text
	ceramics, and chemicals production). 2.3.8 The difference between sharp sand and soft sand is in the particulate shape, and the degree of variation of grain size. Soft sand particles are low in angularity and are more equidimensional, **and their particle size distribution is not high, meaning that the sand particulates generally fall within a narrow size range,** making them suitable for mortar mixes. Sharp sands are more angular and variable in size and they provide the high structural strength **(tensile and compressive)** in concrete mixes. 2.3.9 The only type of crushed **(hard)** rock that is exploited commercially in Kent is Kentish Ragstone, found in a band crossing Kent from east to west. Currently **Kentish R**agstone extraction is carried out to the west of Maidstone. **Another** ~~C~~**c**rushed rock resource~~s~~ ~~also~~ exist**s** in **East Kent, in the form of** a Carboniferous Limestone deposit ~~in east Kent~~. **This potential hard crushed rock resource is found at considerable depth below the ground surface (300m) and has not been exploited for aggregate use. The associated energy mineral, coal, ceased being mined in 1989.** 2.3.10 The use of secondary and recycled aggregates is more sustainable than extracting primary land-won aggregates. The County Council is therefore keen to increase the amount of secondary and recycled aggregates being re-processed. Recycled aggregates can replace sharp sand and gravel in concrete production. There are sites across Kent that screen and/or crush secondary and recycled aggregates for re-use. Some are located in industrial estates, or at existing quarries, wharves and rail depots. 2.3.11 As well as land-won minerals and mineral recycling, Kent handles minerals (construction aggregates and cement) through its wharves and rail depots and is the largest importer of Marine Dredged Aggregates (MDA) in the South East. **Other Minerals** 2.3.12 Chalk and clay resources are very common in Kent. There are four main clay horizons in Kent: London Clay, Gault Clay, Weald Clay and Wadhurst Clay. London Clay has been extensively used as an engineering clay, particularly for sea defence works around the North Kent Marshes. Gault, Weald and Wadhurst Clay have been used**, historically,** in brick making. 2.3.13 Brick and tiles are manufactured from brickearth or clays. These industries have declined in Kent but there remains one operational brick and one operational tile works**.**~~, although some of the brickearth from~~

Section	Proposed Change to Text
	~~north Kent is transported to East Sussex for brick manufacture~~. The **Sittingbourne to** Faversham area is the original source of yellow London stock bricks. Hand-made Kent peg tiles are manufactured at a small Weald Clay site near Maidstone. 2.3.14 The chalk horizon in Kent has formed the North Downs and it forms a major **and highly recognised landscape** feature across the county from Dover in the east to Westerham in the west. It also forms the main bedrock to the Isle of Thanet. Chalk is used in agriculture, e.g. for neutralising acid soils, in construction and as a filler in industrial processes such as a whitening agent. 2.3.15 Building stone, required for specialist or conservation work, is currently provided only from the **Hythe Formation** ~~ragstone~~ (crushed rock) quarries of mid Kent. Other types of building stone, including Tunbridge Wells Sandstone and Bethersden Paludina Limestone, have been worked for local building materials but there are currently no active quarries **in Kent**. 2.3.16 The Kent silica sand deposits found within the Folkestone ~~Beds~~ **Formation,** while not as pure as those in Surrey, are used for industrial processes. These include: glass manufacture, production of foundry castings, horticulture and for sports surfaces such as horse menages and golf course bunker sand. There are no sites in Kent that provide only silica sand. All such sites also produce construction aggregate.(34) Footnote 31 A resource is a concentration or occurrence of workable material of intrinsic economic interest. Footnote 32 See Policy CSM 3: Strategic Site for Minerals for details. Footnote 33 All Annual Monitoring Reports are available online from: www.kent.gov.uk/mwlp. Footnote 34 GWP Consultants (March 2010). A study of Silica sand Quality and End Uses in Surrey and Kent. Final Report for KCC.
2.4 Kent's Waste Infrastructure	**2.4 Kent's Waste Infrastructure** 2.4.1 **It is estimated that** Kent has a population of 1,~~480,200~~ **589,100*** people with major urban areas in North Kent, Maidstone, Ashford and Thanet and smaller towns throughout the county. The county is an area of sustained growth for housing, employment and infrastructure, and retains important manufacturing industries in addition to the service employment that is prevalent in the South East. This infrastructure generates large volumes of household, Commercial and Industrial (C&I), and construction waste. ~~In 2014, an additional 140,299 dwellings were forecast within the county for the period 2013 - 2033.~~ **To accommodate**

Section	Proposed Change to Text
	the forecast increase in population, local authority housing forecasts indicate that some 178,600 housing units are planned across Kent and Medway between 2011 and 2031.**
	Footnote to be added* - Source: Kent Statistical Bulletin, July 2021, Kent County Council
	*Footnote** to be added* - **Kent and Medway Growth and Infrastructure Framework 2018 Update**
	2.4.2 The district councils, as waste collection authorities (WCA), influence the rate of recycling of **Local Authority Collected Waste (LACW)** ~~Municipal Solid Waste (MSW)~~ in their areas. However, the County Council, as the **Waste D**~~d~~isposal **Authority (WDA)** and **the** Waste Planning Authority (WPA), must achieve targets and apply policies for the county as a whole. The JMWMS,[35] which provides guidance for the future direction of household waste management in Kent, has informed the Kent MWLP.
	Footnote 35 - KCC (20~~07~~**18**) **refreshed** Joint Municipal Waste Management Strategy.
	2.4.3 The provision of waste management facilities is influenced by international and national planning constraints. Local geology and hydrology also constrain where non-hazardous and hazardous waste landfill might be sited. Areas with clay geology, outside water Source Protection Zones (SPZs) which are not liable to flooding, may be suitable for future landfill. This is subject to suitable engineering solutions and any local environmental impact being acceptable. Figure 15 shows the SPZs and Flood Zones in Kent.
	2.4.4 Some of Kent's mineral workings are used for waste disposal. At the time of Plan preparation, there are two non-hazardous landfill sites and two hazardous landfill sites.
	2.4.5 The Allington Energy from Waste (EfW) plant near Maidstone can treat residual household waste. It has additional capacity not contracted to the County Council available for **Local Authority Collected Waste (LACW)** ~~MSW~~ from outside Kent, or C&I waste from inside or outside Kent. It enables Kent to divert waste from landfill and to meet the national planning policy objective to move the treatment of waste up the hierarchy (see Figure 18). Blaise Farm, near West Malling has a large, modern enclosed plant for composting of green and kitchen waste. **There is also an EfW facility at Kemsley that has a waste throughput of 550,000 tonnes a year and supplies 49.9MW of power to an adjacent paper mill.**
	2.4.6 Kent neighbours **Medway,** London, Essex, Surrey and East Sussex. Waste crosses the borders into and out of Kent.

Section	Proposed Change to Text
	2.4.7 Construction waste comes into the county from London for disposal in inert landfill sites. MSW is also transported to Kent to take the spare capacity in Kent's ~~new~~ waste treatment infrastructure at the Allington EfW facility and the materials recycling facility in Sittingbourne. 2.4.8 Figure 16 shows the location of key existing facilities. ~~This Plan aims to provide a balanced and accessible network of modern facilities.~~

Chapter 8 Managing and Monitoring the Delivery Strategy

Note that some changes to the monitoring framework may be needed to ensure that the implementation of revised policies can be effectively monitored. Such changes will be considered in the next draft when the proposed changes to policies have been finalised.

Appendix A: Glossary

Note that some changes may be need to explain any new terms used in new proposed text e.g. 'Habitat Site'.

Appendix C: List of Mineral Sites that are included in Landbank Calculations

Note that some updates may be needed to reflect latest position

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Appendix 2 - Summary of the Kent Minerals and Waste Local Plan 5 year Review Report 2021

Summary of the Kent Minerals and Waste Local Plan 5 year Review Report 2021

October 2021

The Kent Minerals and Waste Local Plan (KMWLP) was adopted in July 2016 with changes made as a result of the 'Early Partial Review', adopted in 2020.

The National Planning Policy Framework (2021) (NPPF) and legislation require that Local Plans should be reviewed to assess whether they need updating at least once every five years. Having been adopted five years ago, the Kent Minerals and Waste Local Plan has been reviewed to assess whether updates to the Plan's policies are required.

The review considered whether the Vision, Strategic Objectives and Policies of the Plan are still consistent with national policy and whether the policies have been effective in achieving the intended outcomes relating to the use of land for minerals and waste development in Kent.
National Planning Practice Guidance (PPG) states that "The review process is a method to ensure that a plan and the policies within remains effective". The PPG also sets out what authorities should consider when determining whether a Plan or policies should be updated. Information relevant to this KMWLP Review includes:

- Conformity with national planning policy;
- changes to local circumstances;
- success of policies against indicators in the Kent Minerals and Waste Local Plan;
- significant economic changes that may impact on viability; and,
- whether any new social, environmental or economic priorities may have arisen.

To inform the process, a review of national policy changes was undertaken. This revealed that, amongst other things, there have been changes to the National Planning Policy Framework which require updates to policies in the Kent Minerals and Waste Local Plan to ensure they remain consistent with national planning policy. Locally, since adoption of the Local Plan, the Council has adopted the Kent and Medway Energy and Low Emissions Strategy that provides local impetus for achieving net zero carbon emissions by 2050. Monitoring of the way in which planning applications have been determined has also been undertaken to assist the review of the policies. Other observations regarding the wording of the policies and supporting text have been made and some of these indicate that policies, and supporting text, should be updated to ensure the ongoing effectiveness of the Kent Minerals and Waste Local Plan.

The review of the Local Plan's Vision and Strategic Objectives found that while much of the text is still relevant some needs updating to reflect recent Government policy and legislation concerning climate change, circular economy[1] and biodiversity.

A system of Red/Amber/Green (RAG) scoring was applied to the review of policies which helps summarise whether a policy (and/or supporting text) needs updating. Red indicates the presence of an issue likely to mean that the policy should be updated. Amber indicates that the presence of an issue which, while an update would be useful, does not jeopardise

[1] A circular economy is an alternative to a traditional linear economy (make, use, dispose) in which resources are kept in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life.

the effective implementation of the KMWLP. This may include where an update to the supporting text, rather than a policy, is needed. Green indicates that no issues were identified and so updates are not required. A 'Neutral' score has been applied where applications have not come forward requiring the use of a particular policy and so its effectiveness has not been tested. A summary of the outcome of the review is provided in Table 1 below.

Appendix 2 - Summary of the Kent Minerals and Waste Local Plan 5 year Review Report 2021

Table 1: Summary of the Outcome of the Review Assessment

Policy Number & Title	Monitoring	National & Local Policy	Other Observations	Update Required
Policy CSM 1: Sustainable development	Green	Red	Green	Yes
Policy CSM 2: Supply of Land-won Minerals in Kent	Green	Green	Red	Yes
Policy CSM 3: Strategic Site for Minerals	Green	Green	None	No
Policy CSM 4: Non-identified Land-won Mineral Sites	Green	Green	None	No
Policy CSM 5: Land-won Mineral Safeguarding	Green	Green	None	No
Policy CSM 6: Safeguarded Wharves and Rail Depots	Green	Green	Green	No
Policy CSM 7: Safeguarded Other Mineral Plant Infrastructure	Green	Green	None	No
Policy CSM 8: Secondary and Recycled Aggregates	Green	Green	Red	Yes
Policy CSM 9: Building Stone in Kent	Neutral	Red	Red	Yes
Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons	Neutral	Amber	None	Yes
Policy CSM 11: Prospecting for Carboniferous Limestone	Neutral	Amber	None	Yes
Policy CSM 12: Sustainable Transport of Minerals	Neutral	Red	Red	Yes
Policy CSW 1: Sustainable Development	N/A	Red	Red	Yes
Policy CSW 2: Waste Hierarchy and Policy	Green	Red	Red	Yes
Policy CSW 3: Waste Reduction	Red	Red	Amber	Yes
Policy CSW 4: Strategy for Waste Management Capacity	Red	Amber	Amber	Yes
Policy CSW 5: Strategic Site for Waste	Green	Green	Green	No
Policy CSW 6: Location of Built Waste Management Facilities	N/A	Red	None	Yes
Policy CSW 7: Waste Management for Non-hazardous Waste	Green	Red	Red	Yes
Policy CSW 8: Recovery Facilities for Non-Hazardous Waste	Green	Red	Red	Yes
Policy CSW 9: Non inert Waste Landfill in Kent	Neutral	Red	Red	Yes
Policy CSW 10: Development at Closed Landfill Sites	Neutral	Green	Red	Yes
Policy CSW 11: Permanent Deposit of Inert Waste	Green	Red	Red	Yes

Appendix 2 - Summary of the Kent Minerals and Waste Local Plan 5 year Review Report 2021

Policy Number & Title	Monitoring	National & Local Policy	Other Observations	Update Required
Policy CSW 12: Identifying Sites for Hazardous Waste	Green	Red	Amber	Yes
Policy CSW 13: Remediation of Brownfield Land	Neutral	Green	Green	No
Policy CSW 14: Disposal of Dredgings	Neutral	Green	Green	No
Policy CSW 15: Wastewater Development	Green	Green	Red	Yes
Policy CSW 16: Safeguarding of Existing Waste Management Facilities	N/A	Green	Red	Yes
Policy CSW 17: Nuclear Waste Treatment and Storage Dungeness	Neutral	Red	None	Yes
Policy CSW 18: Non-nuclear Radioactive Low-Level Waste (LLW) Management Facilities	Neutral	Red	None	Yes
Policy DM 1: Sustainable Design	Green	Red	Amber	Yes
Policy DM 2: Environmental and Landscape Sites of International National and Local Importance	Green	Red	Amber	Yes
Policy DM 3: Ecological Impact Assessment	Green	Red	Amber	Yes
Policy DM 4: Green Belt	Green	Green	None	No
Policy DM 5: Heritage Assets	Green	Amber	Red	Yes
Policy DM 6: Historic Environment Assessment	Green	Amber	Green	Yes
Policy DM 7: Safeguarding Mineral Resources	Green	Green	Green	No
Policy DM 8: Safeguarding Minerals Management, transportation Production & Waste Management Facilities	Green	Green	Green	No
Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development	Neutral	Green	Red	Yes
Policy DM 10: Water Environment	Green	Green	Red	Yes
Policy DM 11: Health and Amenity	Green	Red	Red	Yes
Policy DM 12: Cumulative Impact	Green	Amber	None	Yes
Policy DM 13: Transportation of Minerals and Waste	Green	Red	None	Yes
Policy DM 14: Public Rights of Way	Green	Green	Green	No
Policy DM 15: Safeguarding of Transportation Infrastructure	Green	Green	None	No
Policy DM 16: Information Required in Support of an Application	Green	Amber	Red	Yes

Appendix 2 - Summary of the Kent Minerals and Waste Local Plan 5 year Review Report 2021

Policy Number & Title	Monitoring	National & Local Policy	Other Observations	Update Required
Policy DM 17: Planning Obligations	Green	Red	Red	Yes
Policy DM 18: Land Stability	Green	Green	Red	Yes
Policy DM 19: Restoration, Aftercare and After-use	Green	Red	Red	Yes
Policy DM 20: Ancillary Development	Green	Green	Red	Yes
Policy DM 21: Incidental Mineral Extraction	Green	Green	None	No
Policy DM 22: Enforcement	Green	Green	Red	Yes

Recommendations for updates to the Plan's policies are set out in the tables below.

Strategic Minerals Policies

Policy	Recommendation
Policy CSM 1: Sustainable development	Policy and supporting text require updating to ensure consistency with national policy and to ensure that the wording of the policy is effective. Reference to 'associated Planning Practice Guidance' should be deleted.
Policy CSM 2: Supply of Land-won Minerals in Kent	Specific reference to the 'Mineral Sites Plan' should be deleted in the sub-title and the first sentence of the policy prior to the criteria that will be used to screen sites for suitability for identification as future allocations. *N.B. Factual Updates will also be made to reflect most recent monitoring*
Policy CSM 8: Secondary and Recycled Aggregates	Policy remains effective, though modification is required to remove reference to sites being identified in a Mineral Sites Plan and a change to the minimum capacity of such facilities to be maintained over the remainder of the plan period.
Policy CSM 9: Building Stone in Kent	The policy is no longer consistent with national policy and needs to be updated due to a change in the NPPF involving deletion of the term 'small scale'. The policy should also be updated to reflect the fact that stone is extracted in Kent to main historic buildings beyond the County.
Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons	Policy remains effective and is currently consistent with national policy. The supporting text should be updated to reflect the changes to the national planning policy on unconventional hydrocarbons.
Policy CSM 11: Prospecting for Carboniferous Limestone	Policy remains effective and consistent with national policy, though supporting text requires additional text to reflect the Environmental Impact Assessment process.
Policy CSM 12: Sustainable Transport of Minerals	Policy and supporting text require updating to ensure consistency with national policy and to ensure that the wording of the policy is effective.

Appendix 2 - Summary of the Kent Minerals and Waste Local Plan 5 year Review Report 2021

Strategic Waste Policies

Policy	Recommendation
Policy CSW 1: Sustainable Development	Policy and supporting text require updating to ensure consistency with national policy and to ensure that the wording in the policy is effective. Reference to 'associated Planning Practice Guidance' should be deleted.
Policy CSW 2: Waste Hierarchy and Policy	An update to the policy is recommended to avoid confusion when assessing whether waste management proposals are sustainable and consistent with the waste hierarchy.
Policy CSW 3: Waste Reduction	Updates to the policy and supporting text are necessary to ensure development comes forward in a way which is consistent with circular economy principles. The supporting text should be updated to confirm how developers may be required to make financial contributions for the provision of capacity required to manage the additional household waste arising.
Policy CSW 4: Strategy for Waste Management Capacity	Updates to the supporting text which set out issues concerning the management of waste in Kent are recommended to cover the need for the development of additional LACW transfer capacity. An amendment to the target for non-inert Construction, Demolition and Excavation waste such that it is expressed as % of the non-inert fraction only.
Policy CSW 6: Location of Built Waste Management Facilities	Updates to the policy are required to ensure consistency with other policies in the KMWLP and with national policy. Updates are recommended to ensure the Plan is effective with regard to how the location of facilities takes account of the water environment and flood risk.
Policy CSW 7: Waste Management for Non-hazardous Waste	Policy CSW7 should be updated to avoid duplication with policies CSW2 and CSW8. Other updates to Policy CSW7 are considered necessary to ensure it is effective.
Policy CSW 8: Recovery Facilities for Non-Hazardous Waste	Policy CSW8 and supporting text should be updated to strengthen the need for energy recovery facilities to utilise heat and to ensure Carbon Capture Utilisation and Storage is included in proposals. The supporting text should be updated to include a cross reference to CSW2 and the Policy title should be amended to ensure consistent use of the term 'recovery'. The monitoring framework for Policy CSW8 includes a duplicate indicator and trigger and so updates are needed to address this matter.
Policy CSW 9: Non inert Waste Landfill in Kent	The policy should be strengthened to ensure proposals consider how methane will be captured and utilised while a non-inert landfill site is operational. The policy should be reworded to ensure it can be implemented effectively and its meaning is clear.
Policy CSW 10: Development at Closed	A minor update to the text of criterion 1 is required to ensure it is clear and effective. Updates to criteria 2 and 3 are needed to

Landfill Sites	avoid duplication and ensure the most effective use of methane gas is promoted.
Policy CSW 11: Permanent Deposit of Inert Waste	Changes to the supporting text and policy are needed to ensure that the policy provides more flexibility for deposit to land options for inert waste, and to ensure disposal of inert waste by landfill is not promoted. Some changes to the monitoring framework are needed to ensure that the implementation of this policy can be effectively monitored.
Policy CSW 12: Identifying Sites for Hazardous Waste	It is considered that the assessment of proposals for the management of hazardous waste on the basis of achieving net self-sufficiency is not consistent with national policy and could lead to confused decisions on the acceptability of such proposals. In addition, the policy ought to allow consideration of provision of replacement hazardous waste landfill capacity. In light of these matters the policy should be updated.
Policy CSW 14: Disposal of Dredgings	Changes to supporting text to clarify how proposals would be considered.
Policy CSW 15: Wastewater Development	Policy CSW 15 requires updating to recognise that the general locational criteria for waste management facilities including in Policy CSW6 does not cover the specific locational requirements of wastewater treatment facilities. The supporting text could also be updated to reflect Ofwat's current position on the sustainable management of sludge. Updating needed to ensure use of biogas as a fuel
Policy CSW 16: Safeguarding of Existing Waste Management Facilities	The text of Policy CSW16 should be updated to remove the reference to the Waste Sites Plan and to expand the scope of safeguarded sites.
Policy CSW 17: Nuclear Waste Treatment and Storage Dungeness	Updates are recommended to address the issue that Policy CSW17 is not, as currently worded, sufficiently flexible in overall radioactive waste management terms, as it does not allow for LLW derived from the Dungeness Nuclear Estate to be flexibly manged, in that it precludes disposal of this material within the nuclear facility site area.
Policy CSW 18: Non-nuclear Radioactive Low-Level Waste (LLW) Management Facilities	Updates are recommended to address the issue that Policy CSW18 is not, as currently worded, sufficiently flexible in overall waste management terms, as it does not allow for LLW derived from locations other than Kent to be managed in Kent. This is inconsistent with national policy.

Development Management Policies

Policy	**Recommendation**
Policy DM 1: Sustainable Design	Policy DM1 should be updated to reflect more stringent targets and policy relating to mitigation of and adaptation to climate change.
Policy DM 2: Environmental and Landscape Sites of International National	Policy DM2 should be updated to reflect changes to the NPPF which expect geodiversity to be enhanced as well as protected as well as changes concerning protection of AONB.

and Local Importance	The supporting text of Policy DM2 should be updated to refer to the County Council environment documents; Kent Environment Strategy 2016 and Kent State of the Environment Report 2015. Depending on when the Environment Bill receives Royal Assent the supporting text should be updated to reflect the requirements concerning biodiversity net gain. Depending on the timing and content of the Third Revision to the Kent Downs AONB Management Plan which replaces the current Management Plan, Policy DM2 and/or the supporting text, should be updated to ensure it is consistent with those changes.
Policy DM 3: Ecological Impact Assessment	Depending on when the Environment Bill receives Royal Assent, the policy wording and supporting text should be updated to reflect requirements concerning biodiversity net gain. Criterion 5 in particular may need to be strengthened to reflect the net-gain objective rather than making a 'positive contribution to the protection, enhancement, creation and management of biodiversity'. The policy and supporting text should be updated to reflect changes to the NPPF which refers to 'European Sites' as 'habitats sites', including the addition of a definition. Updates are also needed to reflect changes to the Conservation of Habitat and Species Regulations, specifically the language of 'European Sites' following the exit from the EU.
Policy DM 5: Heritage Assets	The supporting text should be updated to include reference to the Historic England (2015) Historic Environment Good Practice Advice in Planning Notes. The final sentence of Policy DM5 should be updated to add 'unacceptable adverse' before 'impact' to be consistent with the NPPF.
Policy DM 6: Historic Environment Assessment	The supporting text should be updated to include reference to the Historic England (2015) Historic Environment Good Practice Advice in Planning Notes.
Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development	Policy DM9 is consistent with national policy however the wording of criterion 1 is unclear and does not adequately express the intention of the policy, in light of this it is proposed that it be updated to ensure its effectiveness.
Policy DM10: Water Environment	The policy should be updated to accord with the NPPF on water resources and the need to include sustainable urban drainage in development proposals. Following consultation with the Environment Agency, updates are also recommended to strengthen the requirement for risk assessments to consider impacts to groundwater from minerals and waste development.
Policy DM 11: Health and Amenity	Policy requires review with regard to referencing blasting, and possible strengthening of wording regarding health impacts through vehicle emissions to increase its effectiveness. The final sentence of the policy requires clarification.
Policy DM 12: Cumulative Impact	Supporting text to the policy should be updated to ensure that the policy is effective given the changes to air quality legislation since the Plan's adoption in 2016.
Policy DM 13: Transportation of	The policy and supporting text should be updated to ensure effectiveness and consistency with national policy, with regards to

Appendix 2 - Summary of the Kent Minerals and Waste Local Plan 5 year Review Report 2021

Minerals and Waste	the connection between vehicle movements and climate change and sustainable transport initiatives in the NPPF such as the provision of charging points for electric vehicles.
Policy DM 16: Information Required in Support of an Application	Policy should be removed as it is not justified. The text should be retained elsewhere in the Plan as information but updated to reflect the Habitat Regulations.
Policy DM 17: Planning Obligations	The policy not justified and so should be removed from the Plan, however the text provides useful information and should be retained elsewhere in the Plan.
Policy DM 18: Land Stability	The second sentence of Policy DM18 should be expanded upon to provide additional precision as well as more information in the supporting text as to why land stability might be an issue for waste and minerals development. Alternatively, the second sentence of the Policy could be deleted, and more information added into the supporting text to explain why land stability might be an issue for waste and minerals development e.g. quarries and landfill.
Policy DM 19: Restoration, Aftercare and After-use	Policy DM 19 requires rewording to make the text more precise and informative including the possible need to secure financial instruments to secure restoration.
Policy DM 20: Ancillary Development	Policy DM20 is not consistent with national policy as it does not have regard to potential impacts on communities that may occur as a result of ancillary development. Policy DM20 should be updated to reference impacts on communities.
Policy DM 22: Enforcement	Policy is not considered fully effective and in any event should be deleted as it provides supporting information rather than land use planning policy. The text could be retained elsewhere in the Plan for information purposes.

Planning Practice Guidance indicates that a local planning authority should publish the outcome of the review and the full report will be published on the Council's website. The Review Report can be found here: https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy

Updating of the Kent Minerals and Waste Local Plan in response to the review will require agreement of the Council as this is a Council policy document. To this end, the version of the revised mineral and waste planning policies (and supporting text) that the Council intends to submit to the Planning Inspectorate for independent examination will require consideration by County Council and Cabinet.

The process of updating the Plan will follow a statutory process as set out in the Town and Country (Local Planning) (England) Regulations 2012 (as amended). In anticipation of the need for updates to the Plan the Council's current Mineral and Waste Development Scheme (adopted January 2021) includes a timetable for the process which is set out below.

Appendix 2 - Summary of the Kent Minerals and Waste Local Plan 5 year Review Report 2021

Mineral and Waste Development Scheme (adopted January 2021)

Stage	Dates
Consultation on draft updated policy (Regulation 18)	October-November 2021*
Publication of draft updated policy (Regulation 19) for representations on soundness	March-April 2022
Submission to Secretary of State	July 2022
Independent Examination Hearings	October 2022
Inspector's Report	December 2022
Adoption	January 2023

* In light of the report to Environment and Transport Cabinet Committee in November 2021, consultation on draft updated policy (Regulation 18) is now proposed to be November – January 2022. A revised Mineral and Waste Local Development Scheme is being prepared to reflect this new timetable.

Consultation relating to the update of the Plan will take place in accordance with the Council's recently updated Statement of Community Involvement. Progress on the activities described above against the timetable will be reported on an annual basis in the County Council's Annual Monitoring Report.

In undertaking this review it is recognised the review's recommendations are based on information currently available and there are a number of uncertainties which may have an impact as the process of updating the policies takes place. Uncertainties include the ability of current reserves of crushed rock in Kent to meet future supply requirements which is currently being investigated by the relevant mineral operator.

From: David Brazier, Cabinet Member for Highways and Transportation

Susan Carey, Cabinet Member for Environment

Simon Jones, Corporate Director for Growth, Environment and Transport

To: Environment & Transport Cabinet Committee – 3 November 2021

Subject: Performance Dashboard

Classification: Unrestricted

Summary: The Environment and Transport Cabinet Committee Performance Dashboard shows progress made against targets set for Key Performance Indicators (KPIs). The latest Dashboard includes data up to September 2021.

Sixteen of the nineteen KPIs achieved target and are RAG rated Green. Three KPIs were below target but did achieve the floor standard and are RAG rated Amber.

Recommendation(s):
The Environment and Transport Cabinet Committee is asked to NOTE the report for Quarter 2 of 2021/22.

1. Introduction

1.1. Part of the role of Cabinet Committees is to review the performance of the functions of the Council that fall within the remit of the Committee. To support this role, Performance Dashboards are regularly reported to each Cabinet Committee throughout the year, and this is the second report for the 2021/22 financial year.

2. Performance Dashboard

2.1. The Dashboard provides a progress report on performance against target for the Key Performance Indicators (KPIs) for 2021/22. These KPIs, activity indicators and targets came before the Cabinet Committee for comment in June 2021. The current Environment and Transport Cabinet Committee Performance Dashboard is attached at Appendix 1.

2.2. The current Dashboard provides results up to the end of September 2021.

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

2.4. All five KPIs in Highways & Transportation achieved or exceeded target for latest month performance and were RAG rated Green. Emergency incidents attended to within 2 hours is still showing Amber for its year-to-date position, this is due to below target performance between April and June as reported at last Committee, with the following 2 months being above target and evidence of a recovery in performance.

2.5. Five of the digital take-up indicators in Highways and Transportation were RAG rated Green, with concessionary bus passes missing target by 1 percentage point following a drop in online applications in August.

2.6. Six of the eight indicators for Environment and Waste were above target, leaving two that were below. Overall recycling and composting continue to be impacted by a reduction in the volume of waste taken to Household Waste Recycling Centres (HWRCs). Municipal waste diverted from landfill is now meeting the 99% target for the 12 months to September. HWRC recycling remains one percentage point below target.

2.7. The Greenhouse Gas Net Zero indicator has now replaced the previous KPI measuring these reductions. The 2021/22 targets have now been set, using March 2020 as a baseline. Reductions are currently ahead of target.

3. Recommendation(s):

The Environment and Transport Cabinet Committee is asked to NOTE the report for Quarter 2 of 2021/22.

4. Contact details

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Environment and Transport Performance Dashboard

Financial Year 2021/22

Results up to September 2021

Produced by Kent Analytics

Publication Date: October 2021

Kent County Council
kent.gov.uk

Guidance Notes

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

RAG RATINGS

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

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

Activity Indicators

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

Appendix 1

Key Performance Indicators Summary

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

Digital Take up	RAG
DT01 : Percentage of public enquiries for Highways Maintenance completed online	GREEN
DT03 : Percentage of concessionary bus pass applications completed online	AMBER
DT04 : Percentage of speed awareness courses booking completed online	GREEN
DT06 : Percentage of Highway Licence applications completed online	GREEN
DT15 : Percentage of KCC travel Saver applications completed online	GREEN
DT16 : Percentage of 16+ Travel Saver applications completed online	GREEN

Environment & Waste	RAG
WM01 : Municipal waste recycled and composted	AMBER
WM02 : Municipal waste converted to energy	GREEN
WM01 + WM02 : Municipal waste diverted from landfill	GREEN
WM03 : Waste recycled and composted at HWRCs	AMBER
WM04 : Percentage of customers satisfied with HWRC services	GREEN
EPE14 : Greenhouse Gas emissions from KCC estate (excluding schools)	GREEN
EW1: Percentage of statutory planning consultee responses submitted within 21 days	GREEN
DT05 : Percentage of HWRC voucher applications completed online	GREEN

Division	Corporate Director	Cabinet Member
Highways & Transportation	**Simon Jones**	**David Brazier**

Key Performance Indicators

Ref	Indicator description	May-21	Jun-21	Jul-21	Aug-21	Month RAG	Year to Date	YTD RAG	Target	Floor	Prev. Yr
HT01	Potholes repaired in 28 calendar days (routine works not programmed)	93%	97%	98%	96%	GREEN	**94%**	GREEN	90%	80%	94%
HT02	Faults reported by the public completed in 28 calendar days	87%	90%	91%	91%	GREEN	**90%**	GREEN	90%	80%	92%
HT04	Customer satisfaction with service delivery (100 Call Back)	96%	88%	93%	98%	GREEN	**95%**	GREEN	85%	70%	95%
HT08	Emergency incidents attended to within 2 hours	97%	97%	98%	100%	GREEN	**97%**	AMBER	98%	95%	97%
HT12	Streetlights, illuminated signs and bollards repaired in 28 calendar days	94%	91%	89%	91%	GREEN	**92%**	GREEN	90%	80%	86%

HT08 – Performance improved in July and August, following below target performance between April and June as reported at last Committee. The current performance improvement is expected to continue which would see the year to date position move back to Green.

Division	Corporate Director	Cabinet Member
Highways & Transportation	**Simon Jones**	**David Brazier**

Activity Indicators

Ref	Indicator description	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Year to Date	In expected range?	Expected Range Upper	Expected Range Lower
HT01b	Potholes repaired (as routine works and not programmed)	2,007	1,473	1,221	906	879	**6,486**	**Above**	6,050	4,050
HT02b	Routine faults reported by the public completed	5,554	3,890	4,418	5,557	5,161	**24,580**	**Above**	23,800	18,800
HT06	Number of new enquiries requiring further action (total new faults)	5,769	6,554	8,377	8,220	7,586	**36,506**	**Below**	44,900	36,600
HT07	Work in Progress (enquiries waiting for action) - end of month snapshot	6,298	6,086	6,563	7,389	**7,542**	N/a	**Above**	6,800	5,800
HT13	Streetwork permits issued	13,249	12,746	13,497	13,012	11,429	**63,933**	**Above**	59,600	49,600

HT01b – Higher than expected numbers of potholes were reported as the exceptional wet weather had an impact on the roads.

HT02b – Drainage and highway flooding enquiries have been at their highest for the last 5 years placing huge demand on the service meaning more routine faults were due for completion than normal as highways teams raised orders for works to be completed.

HT06 – Whilst the routine faults requiring action in 28 days (drains blocked and potholes etc), have been higher than usual, overall enquiries including longer term repairs, streetlighting queries and pavement issues, have been lower than expected.

HT07 – Work in progress is impacted by higher demand as noted above.

HT13 – The demand from utility companies, developers and indeed our own works to access road space in this quarter reached almost 38,000 permit requests and this is also the highest for the rolling 5 year period. This demand for road space and managing the Kent network continues to put significant pressure on the team and does not show any signs of letting up. Recruitment for additional resource in the team is ongoing.

Division	Corporate Director	Cabinet Member
Highways and Transportation	**Simon Jones**	**David Brazier**

Digital Take-up indicators

Ref	Indicator description	May-21	Jun-21	Jul-21	Aug-21	Year to Date	YTD RAG	Target	Floor	Prev. Year
DT01	Percentage of public enquiries for Highways Maintenance completed online	57%	60%	63%	59%	60%	GREEN	55%	45%	57%
DT03	Percentage of concessionary bus pass applications completed online	66%	81%	68%	48%	69%	AMBER	70%	60%	72%
DT04	Percentage of speed awareness courses bookings completed online	89%	88%	89%	85%	88%	GREEN	85%	75%	84%
DT06	Percentage of Highway Licence applications completed online	98%	99%	100%	98%	99%	GREEN	90%	75%	95%
DT15	Percentage of KCC Travel Saver applications completed online (Rolling 12 months)	99%	99%	99%	100%	#N/A	GREEN	95%	85%	99%
DT16	Percentage of 16+ Travel Saver applications completed online (Rolling 12 months)	100%	100%	100%	100%	#N/A	GREEN	95%	85%	100%

DT03 - A delay in processing applications by the contractor (Euclid) in August led to a drop in online applications. This should be rectified from September onwards.

Division	Corporate Director	Cabinet Members
Environment & Waste	**Simon Jones**	**Susan Carey**

Key Performance Indicators (Rolling 12 months except WM08)

Ref	Indicator description	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	RAG	Target	Floor
WM01	Municipal waste* recycled and composted	46%	46%	46%	47%	**47%**	AMBER	50%	45%
WM02	Municipal waste* converted to energy	53%	52%	52%	51%	**52%**	GREEN	49%	44%
01+02	Municipal waste diverted from landfill	98.5%	97.9%	98.1%	98.1%	**99.0%**	GREEN	99%	95%
WM03	Waste recycled and composted at Household Waste Recycling Centres (HWRCs)	64%	67%	70%	69%	**69%**	AMBER	70%	65%
WM08	Overall score for mystery shopper assessment of Household Waste Recycling Centres	N/a	N/a	N/a	97%	**96%**	GREEN	96%	85%

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

WM01 – Overall recycling and composting is comparable with previous years but remains behind the aspirational target of 50%. Kerbside recycling and composting have remained consistently around 44% throughout the pandemic which is comparable to pre-Covid levels. If the trend for increased volumes of waste being taken to HWRCs continues, it will have a positive effect on this KPI.

WM03 – This remains slightly below the 70% target. Nearly twice the volume of organic waste was taken to HWRCs this summer compared to last and the dry recycling volume was up 8%, but non-recyclable waste was also up, by 36%.

Division	Corporate Director	Cabinet Members
Environment & Waste	**Simon Jones**	**Susan Carey**

Activity Indicators (Rolling 12 months)

Ref	Indicator description	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	In expected range?	Expected Range Upper	Expected Range Lower
WM05	Waste tonnage collected by District Councils	573,257	587,851	602,744	601,274	606,454	**Above**	550,000	530,000
WM06	Waste tonnage collected at HWRCs	86,232	79,993	73,002	89,405	95,747	**Below**	150,000	130,000
05+06	Total waste tonnage collected	659,489	667,844	675,746	690,680	702,200	**Above**	700,000	660,000
WM07	Waste tonnage converted to energy at Allington Waste to Energy Plant	323,622	323,123	327,984	329,380	340,884	**Above**	340,000	320,000

WM05 – Volumes of kerbside waste remain well above expected levels. Most collection authorities continue to collect side waste, which is waste presented by residents next to their containers. Certain Districts have struggled to maintain collection schedules due to personnel shortages and sickness, and over recent months some have invoked business continuity plans; such difficulties result in increased contamination in recyclable waste and recyclable materials being placed with non-recyclable waste.

WM06 – The volume of waste taken to HWRCs continues to increase, with the latest month around 78% of normal levels. Residents continue to bring larger volumes of waste per visit but are visiting less frequently than before the pandemic. Around two-thirds of booking slots are being filled of the total offered, with 180,000 slots booked in August of the 285,000 available.

WM07 – Tonnage for the year is currently forecast at 31,000 above budget, this however is necessary to avoid residual waste being disposed of via landfill. Kerbside tonnage remains 15% higher than in 2019/20, which has resulted in an increase in waste being taken to Allington.

Division	Corporate Director	Cabinet Member
Environment & Waste	**Simon Jones**	**Susan Carey**

Key Performance Indicator (reported quarterly in arrears)

Ref	Indicator description	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	RAG	Target	Floor
EW2	Greenhouse Gas emissions from KCC estate (excluding schools) in tonnes	22,560	19,102	18,235	16,940	16,251	16,519	GREEN	20,788	22,866

EW2 – This is the first quarter reporting of the revised Greenhouse Gas KPI which will monitor progress towards Net Zero by 2030. This now uses the latest emissions factors published by the UK Government which are revised each year. The figures therefore differ to those previously reported for the Greenhouse Gas KPI (EPE14) which used fixed emissions' factors from the 2015 baseline year. The target reflects expectations of an increase in emissions this year during an expected return to greater activity following Covid lockdowns and changes to work patterns.

Key Performance Indicators (monthly)

Ref	Indicator description	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Year to Date	YTD RAG	Target	Floor
EW1	Percentage of statutory planning consultee responses submitted within 21 days	88%	94%	94%	94%	94%	**91%**	GREEN	85%	76%
DT05	Percentage of HWRC voucher applications completed online	99%	99%	100%	98%	99%	**99%**	GREEN	95%	85%

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From: Benjamin Watts, General Counsel

To: Environment and Transport Cabinet Committee on 3 November 2021

Subject: Work Programme 2021-2022

Classification: Unrestricted

Past and Future Pathway of Paper: Standard agenda item

Summary: This report gives details of the proposed work programme for the Environment and Transport Cabinet Committee.

Recommendation: The Environment and Transport Cabinet Committee is asked to consider and agree its Work Programme for 2021/22.

1. Introduction

1.1 The proposed work programme, appended to the report, has been compiled from items in the Future Executive Decision List and from actions identified during the meetings and at agenda setting meetings, in accordance with the Constitution.

1.2 Whilst the chairman, in consultation with the cabinet members, is responsible for the programme's fine tuning, this item gives all members of this cabinet committee the opportunity to suggest amendments and additional agenda items where appropriate.

2. Work Programme 2021/22

2.1 The proposed work programme has been compiled from items in the Future Executive Decision List and from actions arising and from topics, within the remit of the functions of this cabinet committee, identified at the agenda setting meetings [Agenda setting meetings are held 6 weeks before a cabinet committee meeting, in accordance with the constitution].

2.2 The cabinet committee is requested to consider and note the items within the proposed Work Programme, set out in appendix A to this report, and to suggest any additional topics to be considered at future meetings, where appropriate.

2.3 The schedule of commissioning activity which falls within the remit of this cabinet committee will be included in the work programme and considered at future agenda setting meetings to support more effective forward agenda planning and allow members to have oversight of significant services delivery decisions in advance.

2.4 When selecting future items, the cabinet committee should consider the contents of performance monitoring reports. Any 'for information' items will be sent to members of the cabinet committee separately to the agenda and will not be discussed at the cabinet committee meetings.

3. Conclusion

3.1 It is vital for the cabinet committee process that the committee takes ownership of its work programme to deliver informed and considered decisions. A regular report will be submitted to each meeting of the cabinet committee to give updates of requested topics and to seek suggestions for future items to be considered. This does not preclude members making requests to the chairman or the Democratic Services Officer between meetings, for consideration.

4. Recommendation: The Environment and Transport Cabinet Committee is asked to consider and agree its Work Programme for 2021/22.

5. Background Documents: None

6. Contact details

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Environment and Transport Cabinet Committee - WORK PROGRAMME 2021/22

Item	Cabinet Committee to receive item
Performance Dashboard	At each meeting
Work Programme	At each meeting
Budget Consultation	Annually (November/December)
Final Draft Budget	Annually (January)
Risk Register – Strategic Risk Register	Annually (March)
Annual Equality and Diversity Report	Annually (June/July)
Winter Service Policy	Annually (September)
Bus Feedback Portal update	Bi-Annual (every six months)

18 January 2022

No	Item	Key Decision	Additional Comments
	Final Draft Budget	No	Annual
	HWRC public consultation follow-up	No	

17 March 2022

No	Item	Key Decision	Additional Comments
	Risk Register – Strategic Risk Register	No	Annual

24 June 2022

No	Item	Key Decision	Additional Comments
	Annual Equality and Diversity Report	No	Annual

Items for Consideration that have not yet been allocated to a meeting	
North West Maidstone Transfer Station	Requested at E&T Cabinet Committee on 16 July 2019.
A26 cycle route	Requested at E&T Cabinet Committee on 29 June 2021.

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