

**Appendix 1**

# **Kent County Council**

## **Highway Improvement Plans Short Focused Inquiry Report**

**December 2022**



## Headline Findings

- Highway Improvement Plans (HIPs) were introduced in 2019 with the intention of helping to streamline the way the local authority manages requests for highway improvements.
- Many local parish councils have found the introduction and use of HIPs helpful. The support provided by KCC officers has generally been viewed as very positive; once in contact with officers, productive working relationships have often been developed.
- Many parish councils have indicated that the generic point of contact they are currently given by KCC when they need support and guidance on their HIPs is unsatisfactory.
- Unparished areas can often be at a disadvantage when applying for highway improvements, because the process by which they can submit HIPs is not as clearly defined as it is for parishes, and they cannot easily access the administrative and financial support available through HIPs.
- The lack of more extensive and widespread information about HIPs has been identified by a number of parish councils as a key reason for their misunderstandings over the purpose, support and funding of HIPs, leading to unmet expectations.
- Self-enforcing highway improvements are more likely to be carried out. For highway interventions concerning speed limits and safety, the advice from Kent Police, and the use of telematic data, can help local communities to submit HIPs that do not require direct enforcement and comply with national policies.
- Parish councils are often unable to afford the funding of the schemes they propose. In the current financial climate, KCC is unlikely to be able to provide the funding for most HIP interventions. The feasibility of securing funding for HIP projects from other sources – such as developer contributions - could be explored further.

# 1. Introduction and Scope

## 1.1. Introduction

1.1.1. Highway Improvement Plans (HIPs) were introduced in 2019 with the intention of helping to streamline the way the local authority manages requests for highway improvements.

1.1.2. Since parishes were the first elected body in the local government system, it was felt that they would be well placed to coordinate requests for changes to the highway. HIPs list and prioritise highway improvement proposals from parishes. KCC's Highways officers then provide advice and guidance on the technical aspects. In some cases, they also provide estimates of their costs.

1.1.3. HIPs were intended to promote a more manageable and clearer working relationship between the local authority and local parishes on highway changes, but it appears that the current system could be improved. For instance:

- guidance on how to establish HIPs could be shared more widely
- Kent's unparished areas do not currently have HIPs, and
- the funding to deliver the interventions required is insufficient.

1.1.4. The aim of this inquiry was to explore Highway Improvement Plans' mechanisms, governance and funding, to evaluate their effectiveness, and to identify actions that KCC could take to improve the current arrangements.

## **1.2. Committee Membership**

1.2.1. The membership of the inquiry consisted of the following KCC Members:

Mr Rob Thomas (Chairman, Conservative)

Mr Neil Baker (Conservative)

Mr Mike Baldock (Swale Independents)

Mr Ian Chittenden (Liberal Democrat)

Ms Mel Dawkins (Labour)

Mr Mike Dendor (Conservative)

Ms Sarah Hamilton (Conservative)

Mrs Sarah Hudson (Conservative)

Mr Harry Rayner (Conservative)

Mr Andy Weatherhead (Conservative)

## **1.3. Scope**

1.3.1. The scope of the inquiry was:

1 To define, and briefly put into context, Highway Improvement Plans.

2. To explore Highway Improvement Plans' governance and funding arrangements, and to evaluate Highway Improvement Plans' efficacy.

3. To identify measures that KCC could take to enhance Highway Improvement Plans' mechanisms and effectiveness.

## 2. Background

### 2.1. Definitions

2.1.1. Kent County Council (KCC) is the **Local Highway Authority** in Kent. It has a statutory responsibility for maintaining the public highway network in the county.<sup>1</sup>

2.1.2. **The Localism Act 2011** promoted more decision-making at local level and empowered local communities. As parish councils are the elected, corporate bodies at the most local level, it was felt that they were best placed to reflect resident's views on the most necessary local highway improvements.<sup>2</sup>

2.1.3. **Highway Improvement Plans (HIPs)** were introduced in 2019 with the intention of streamlining and improving the process by which parishes requested highway changes. Feedback from parishes had shown that they received insufficient support and inconsistent advice. This made it difficult for them to secure effective highway improvements in their local areas.<sup>3</sup>

2.1.4. **HIPs** are documents in which local parishes and community groups list, prioritise and keep track of interventions to improve the highways in their own areas. HIPs also include professional advice and feedback from KCC officers on the feasibility and implementation of such interventions.<sup>4</sup>

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<sup>1</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>2</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>3</sup> Ibid

<sup>4</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

## 2.2. Highway Improvement Plans - Outline

2.2.1. There are no statutory regulations about the use and promotion of HIPs. Kent is the only highways authority in the country to have adopted this approach.<sup>5</sup>

2.2.2. KCC Members and officers, Kent's parishes, the Kent Association of Local Councils, and individual community groups came together to improve the way KCC's Highway Improvements Team managed, coordinated and prioritised new proposals for improvements to the highways in Kent. This led to the development of the Highway Improvement Plan, which was officially launched in April 2019.<sup>6</sup>

2.2.3. HIPs were devised to ensure that local parishes and community groups could keep a single record of their highway improvement priorities and of the advice that had been given by KCC officers. HIPs are living records that can be modified and updated. KCC is committed to reviewing each HIP annually, so that each parish has a fair opportunity to have their views considered.<sup>7 8 9</sup>

2.2.4. The number of suggested highway improvements in a HIP can vary greatly. Some parishes produce extensive lists of projects, while others identify only a few, or none at all.<sup>10 11</sup>

2.2.5. There is no dedicated funding for HIPs, and there is no guarantee that projects in a HIP can be delivered. Projects in the HIP that *are* implemented are usually funded either by KCC or the parish, or jointly. Work only begins once a project has been approved. This is subject to the agreement of KCC, the allocation of a budget, and a successful consultation process.<sup>12 13 14 15</sup>

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<sup>5</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>6</sup> Kent County Council (2022) Parish/Town Council Highway Improvement Plan (HIP) - Guidance Notes

<sup>7</sup> Ibid

<sup>8</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>9</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>10</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>11</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>12</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>13</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>14</sup> Kent County Council (2022) Parish/Town Council Highway Improvement Plan (HIP) - Guidance Notes

<sup>15</sup> Eythorne Parish Council (2022) Highway Improvement Plan

2.2.6. There are 309 parish councils in Kent. About 230 currently have active HIPs. Figure 1 and figure 2 show the distribution of active HIPs in each Kent District.

**Figure 1:** Distribution of active HIPs by District, East Kent (August 2022).

<b>DISTRICT</b>	<b>NUMBER OF PARISHES</b>	<b>NUMBER OF LIVE HIPs</b>
Ashford	40	31
Canterbury	26	22
Dover	35	30
Folkestone & Hythe	30	9
Swale	38	27
Thanet	10	9
<b>TOTAL</b>	<b>179</b>	<b>128</b>

**Figure 2:** Distribution of active HIPs by District, West Kent (August 2022).

<b>DISTRICT</b>	<b>NUMBER OF PARISHES</b>	
Dartford	8	4
Gravesham	6	4
Maidstone	42	38
Sevenoaks	31	22
Tonbridge & Malling	27	22
Tunbridge Wells	16	11
<b>TOTAL</b>	<b>130</b>	<b>101</b>

**Source:** Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

## 3. Key Issues and Recommendations

### 3.1. Communication and Engagement

#### Communication and engagement - KCC

- 3.1.1. Highway Improvement Plans (HIPs) were introduced in Kent in order to streamline the process by which parish councils and local community groups could request highway improvements in their own areas. An important part of this process was the professional advice and guidance given by KCC officers.<sup>16</sup>
- 3.1.2. Feedback from parish councils suggests that many have found the introduction and use of HIPs helpful. The support provided by KCC officers has generally been viewed as very positive; once in contact with officers, productive working relationships have often been developed.<sup>17 18</sup>
- 3.1.3. Nonetheless, evidence from many parish councils suggests that communication and engagement from KCC could be improved.<sup>19 20</sup> The scope for improvement is recognised by KCC's Road Safety and Active Travel Group. This is largely due to the lack of a dedicated team that can respond to the demand created by HIPs, and the requirement for the service to prioritise statutory casualty reduction programmes and other funded interventions that have delivery deadlines, such as Section 106 schemes.<sup>21</sup>
- 3.1.4. The service is attempting to rectify this shortcoming with the recent establishment of a Community Engagement Team which can engage with local parishes in a more proactive manner.<sup>22</sup> The identification of a single point of contact in each parish would also be helpful. In some cases, KCC officers are contacted by different parish representatives; this can inhibit clear communication and hinder the HIP process.<sup>23</sup>
- 3.1.5. Many parish councils have indicated that the generic point of contact they are currently given by KCC when they need support and guidance on their HIPs is unsatisfactory and does not promote the streamlining of the HIP process.<sup>24</sup>

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<sup>16</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>17</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>18</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>19</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>20</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>21</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>22</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 14 November 2022

<sup>23</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>24</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

- 3.1.6. While KCC's Highway Improvement Teams can signpost them to colleagues who can deal with more technical queries, such as those about highway maintenance, this inevitably lengthens the process.<sup>25</sup>
- 3.1.7. Many parish councils consider that the introduction of a generic email address removes the reassurance that there is a dedicated officer they can contact who can take personal responsibility for a HIP.<sup>26</sup> The use of generic emails, with no clear path for escalation, can cause frustration for many parish councillors, clerks and residents.<sup>27</sup>
- 3.1.8. Communication and engagement could be improved by identifying the most relevant officers who can provide guidance for specific HIPs. Additional support could be provided by enabling greater engagement by Kent County Councillors.
- 3.1.9. KCC Members, as elected representatives of their own divisions, also represent and serve the interests of local communities. They can act as additional conduits between Kent's residents and parishes and KCC services, and facilitate communication between them.<sup>28 29</sup>
- 3.1.10. They can also directly support improvements to local highways by using their Combined Members Grants. These consist of £10,000 (in the financial year 2022-23) that is allocated to each KCC Member annually to support local community projects.<sup>30 31</sup>
- 3.1.11. However, the support that KCC Members can offer is not always maximised and they could be more closely involved. One way of achieving this could be by making sure that they are invited to the meetings where HIPs in their own divisions are discussed, prioritised and finalised. This is not always the case at present.<sup>32 33</sup>
- 3.1.12. Also, as HIPs are living records that can be modified and updated<sup>34</sup>, the Committee believes it is important and beneficial that KCC Members should be kept informed of any changes to the HIPs in their own divisions.

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<sup>25</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 14 November 2022

<sup>26</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>27</sup> Ibid

<sup>28</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>29</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 14 November 2022

<sup>30</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>31</sup> Kent County Council (2022) Combined Members Grants, online, <https://www.kent.gov.uk/leisure-and-community/community-grants-and-funding/our-current-funding-opportunities/community-funding/combined-members-grant#tab-1>

<sup>32</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>33</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 14 November 2022

<sup>34</sup> Kent County Council (2022) Parish/Town Council Highway Improvement Plan (HIP) - Guidance Notes

## Communication and engagement - unparished areas

- 3.1.13. HIPs are normally prepared, communicated and submitted through parish/town councils or local community groups. In Kent there are 309 parishes. Some cover significant geographical areas, with considerable parish precepts and numerous personnel. The size of the HIPs that have been prepared by Kent's parishes varies greatly, ranging from over 75 items to none.<sup>35</sup>
- 3.1.14. In Kent there are also several 'non-civil parish areas' (NCP), or 'unparished areas'. These are areas in a local authority, mostly in urban settings, that are not part of parishes.<sup>36 37</sup>
- 3.1.15. Unparished areas can often be at a disadvantage when applying for highway improvements, because the process by which they can submit HIPs is not as clearly defined as it is for parishes, and they cannot easily access the administrative and financial support available through HIPs.<sup>38 39 40</sup> HIP requests can only be submitted by parish and town councils and, in unparished areas, by local elected bodies.<sup>41</sup> In addition, unlike parish councils, unparished areas do not have the power to raise funds through precepts.<sup>42</sup> While Combined Members Grants can be used to make local highway improvements in these areas, this funding is limited and has reduced in recent years.<sup>43</sup>
- 3.1.16. KCC is trialling an approach in Canterbury, where KCC Members have coordinated and facilitated the preparation of a HIP for their own division, based on feedback from local communities.<sup>44</sup>
- 3.1.17. The involvement of the local county councillor is key, as is community ownership of the HIP's objectives. Schemes with active community support have been shown to be more successful and achieve greater compliance benefits.<sup>45</sup>

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<sup>35</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>36</sup> Office for National Statistics (2022) Detailed information on the administrative structure within England, online, <https://cy.ons.gov.uk/methodology/geography/ukgeographies/administrativegeography/england>

<sup>37</sup> House of Commons Library (2022) Why do Parish Councils Only Exist in Some Parts of England? Online, <https://commonslibrary.parliament.uk/why-do-parish-councils-only-exist-in-some-parts-of-england/>

<sup>38</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>39</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>40</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 25 October 2022

<sup>41</sup> Kent County Council (2022) Parish/Town Council Highway Improvement Plan (HIP) - Guidance Notes

<sup>42</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>43</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>44</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>45</sup> Kent County Council (2022) Parish/Town Council Highway Improvement Plan (HIP) - Guidance Notes

3.1.18. KCC Members are well placed to act as effective conduits between local residents and KCC highway services. They can also help to identify funding streams.<sup>46</sup> As formally elected politicians with a mandate, they can enhance the political legitimacy and authority of locally formed committees when submitting HIP requests.<sup>47</sup>

3.1.19. Having considered all of the above issues, the Committee makes the following recommendations.

#### **Recommendation 1**

**KCC's Road Safety and Active Travel Group should:**

- **Produce a contact list of the most appropriate KCC officers who can provide guidance and support on HIPs, and circulate it to all Kent communities with a HIP.**
- **Ensure that KCC Members are invited to meetings at which HIPs in their own divisions are discussed and finalised, and are kept informed about any changes to those HIPs.**

#### **Recommendation 2**

**KCC's Road Safety and Active Travel Group should enable greater involvement of the relevant KCC Members in Kent's unparished areas, by supporting them when they facilitate the setting up of local community groups that are tasked with the preparation and submission of HIPs.**

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<sup>46</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>47</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 14 November 2022

## 3.2. Information and Training

- 3.2.1. Evidence from parish councils indicates that many have found the introduction of HIPs beneficial. They provide a structure to log and actively discuss local highway issues, ensuring that they remain on both local and county council agendas. They allow experienced local knowledge to be heard, acknowledged and documented, with professionals then advising on appropriate solutions. They offer a useful tool to demonstrate to local communities that highways issues have been recognised by KCC, and that action will be taken where possible.<sup>48 49</sup>
- 3.2.2. HIPs have been adopted widely. 230 of the 309 parish councils in Kent are actively using them. In the 2021-22 financial year alone, 96 HIPs schemes were delivered.<sup>50</sup>
- 3.2.3. KCC's Road Safety & Active Travel Group has sought to be proactive in making the HIP process clear and accessible. The service has developed guidance on what HIPs are, their purpose and process. It has also produced a 'Highway Works Information Pack' which provides information about the different types of highway improvements, their suitability, potential cost and maintenance.<sup>51</sup> However, the evidence suggests that the guidance has not been widely shared. The information pack has not been reviewed since 2019 and is out of date, as Covid-19 and the war in Ukraine have increased maintenance construction costs by at least 30%.<sup>52 53</sup>
- 3.2.4. The lack of more extensive and widespread information about HIPs has been identified by a number of parish councils as a key reason for their misunderstanding the purpose of HIPs, leading to unmet expectations, disillusion and limited involvement with this initiative.<sup>54 55 56</sup>
- 3.2.5. Some parish councils reported that they did not fully understand the HIP process, for example for updating and reviewing their plans. Others were unsure about how often they could submit HIPs, and what happened after their submission or completion. One parish council was even unaware of the existence of guidance on HIPs.<sup>57 58</sup>

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<sup>48</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>49</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>50</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>51</sup> Kent County Council (2022) Parish/Town Council Highway Improvement Plan (HIP) - Guidance Notes

<sup>52</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>53</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>54</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>55</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>56</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>57</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>58</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

- 3.2.6. Although the guidance states that HIPs are intended to bring together requests for highway *improvements*, and that highway maintenance issues should not be included in a HIP but should be reported separately using a different channel, parish councils often use HIPs to report maintenance problems.<sup>59 60</sup>
- 3.2.7. The guidance indicates that KCC cannot guarantee that all requests for highway improvements will be delivered. It explains that KCC has limited resources, and that the majority of the schemes will need to be funded by the parish/town council and/or external sources.<sup>61</sup>
- 3.2.8. However, many local parish councils seem to be unaware that a HIP is simply a list of *potential* highway improvements, not an agreed work programme. They are also unaware that the funding for any highway projects in their list is unlikely to be provided by KCC. This can raise residents' expectations that highway improvements on a HIP will be implemented, and can lead to complaints to parish councils when these expectations are not met.<sup>62 63</sup>
- 3.2.9. There are also misunderstandings over KCC officers' level of support, timescales and the cost of projects. The main statutory functions of the Road Safety & Active Travel Group – such as crash remedial measures, Local Transport Plan schemes and Section 106 improvements – take precedence over HIPs. The fact that HIPs schemes are not the highest priority for delivery can cause frustration amongst local communities.<sup>64</sup>
- 3.2.10. If a parish submits a HIP, there is no guarantee that officers can be deployed immediately to review it. The Road Safety & Active Travel Group works to a 20-working-day service level agreement, within which local communities should expect clear and detailed responses.<sup>65</sup>
- 3.2.11. HIP guidance indicates that, while KCC's Highway Improvement Teams can provide initial advice on HIPs at no cost, officers' time for their design and delivery has to be charged. This is because there are costs associated with developing traffic regulation orders, safety audits and detailed designs that must be met. While officers' rates tend to be lower than those of private consultants, this charging regime is rarely understood and accepted by local parishes.<sup>66</sup>

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<sup>59</sup> Kent County Council (2022) Parish/Town Council Highway Improvement Plan (HIP) - Guidance Notes

<sup>60</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>61</sup> Kent County Council (2022) Parish/Town Council Highway Improvement Plan (HIP) - Guidance Notes

<sup>62</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>63</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>64</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>65</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>66</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

- 3.2.12. The Committee believes that actions could be taken to clarify the purpose and process of HIPs, create more realistic expectations and enhance their effectiveness.
- 3.2.13. There is some evidence that the name 'Highway Improvement Plans' does not fully explain their nature and aims.<sup>67</sup> The Committee believes that this is mainly an issue of semantics, and that no term can fully capture their nature and processes, or the expectations they generate. The widespread provision of information and training about HIPs would be more effective in achieving this aim.
- 3.2.14. It is paramount that the information and guidance about HIPs is current, clear and widely circulated. It would be appropriate and sensible if the Kent Association of Local Councils (KALC) was involved in the presentation and revision of all guidance and information on HIPs, and in ensuring its dissemination.
- 3.2.15. The recent delivery, by the Road Safety & Active Travel Group, of online seminars and presentations on highway topics, was well received by parish councils.<sup>68</sup> Highway Improvement Plans was one of the topics that generated most interest and questions from parish councillors, some of whom said that HIPs would be better understood if there were bespoke tutorials for them, and if they were delivered in person.<sup>69 70</sup>
- 3.2.16. The Committee believes that virtual and in-person seminars would be an excellent way of cascading information and promoting clarity about the purpose, procedures and funding of HIPs, as well as disseminating good practice examples of their use.
- 3.2.17. Kent's Joint Transportation Boards (JTBs) facilitate discussion and co-operation between KCC, District/Borough Councils and other stakeholders on local highway and transportation issues. Although JTBs currently have no defined role in HIPs, it was suggested that they could provide a helpful channel to promote HIPs and share best practice.<sup>71 72</sup>

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<sup>67</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, written evidence

<sup>68</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>69</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>70</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>71</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>72</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 14 November 2022

### **Recommendation 3**

**KCC's Road Safety and Active Travel Group should:**

- **Revise the current guidance and information about HIPs, and ensure that it is disseminated to all parished and unparished areas in Kent. This should be done in collaboration with the Kent Association of Local Councils and the local KCC Members.**
- **Arrange in-person and virtual seminars to provide training on the purpose, procedures and funding of HIPs, and to disseminate good practice examples of their use.**
- **Explore the feasibility for greater involvement of Kent's Joint Transportation Boards in promoting and improving HIPs, and in sharing best practice.**

### **3.3. Enforcement and Funding**

#### **Enforcement**

- 3.3.1. There are projects that are submitted on HIPs, such as the introduction of lower speed limits, that may require a level of enforcement to be effective. Their enforcement is achieved either through direct interventions by Kent Police (for example, by issuing speeding fines), or through self-enforcing engineering solutions.<sup>73</sup>
- 3.3.2. Because of financial and other resource constraints, Kent Police would normally only endorse HIP interventions that are self-enforcing. For instance, national guidance states that compliance with a new lower local speed limit is achieved when at least 85% of vehicles are travelling within that new limit.<sup>74 75</sup>
- 3.3.3. The Committee believes that there are a number of actions that could be taken to minimise the number of HIP proposals that are unlikely to be implemented. The expectations of local communities would then be more likely to be met.
- 3.3.4. Information and guidance on HIPs should make it clear that self-enforcing highway improvements are more likely to be carried out. For all highway interventions concerning speed limits and safety, advice should be sought from Kent Police before their inclusion in a HIP.
- 3.3.5. KCC has recently bought sophisticated telematic data from ordnance surveys in order to carry out high level desktop assessments of highway speeds.<sup>76</sup> This data should be more readily available, on a self-serve basis, to help local communities to submit HIPs that comply with national policies.

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<sup>73</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 26 October 2022

<sup>74</sup> Ibid

<sup>75</sup> Department for Transport (2013) Setting Local Speed Limits

<sup>76</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 14 November 2022

## Funding

3.3.6. There are a number of issues concerning the funding of HIPs. As already indicated, many parish councils are unaware that, in the current financial climate, KCC is unlikely to be able to provide the funding for most HIP interventions. While KCC can provide some support through a ‘Small Works Fund’, and Combined Members’ Grants, many highway improvements are expensive and cannot usually be met solely from these limited resources.<sup>77 78</sup> HIPs information, guidance and training should make this clear.

3.3.7. As KCC’s HIP guidance states, the majority of the schemes have to be funded by the parish/town councils themselves or other sources.<sup>79</sup> However, parish councils – especially smaller ones – are often unable to afford the funding of the schemes they propose.<sup>80</sup>

3.3.8. The Committee believes that the feasibility of securing funding for HIP projects from developer contributions could be explored further.<sup>81</sup> Key types of developer contributions include:

- Section 106 Agreements: these are negotiated between a developer and the Local Planning Authority to meet, or contribute to, the cost of providing new infrastructure to mitigate the impact of a new development.<sup>82</sup>
- Community Infrastructure Levy (CIL): this is a levy that allows local authorities to raise funds from the owners or developers of land who are undertaking new building projects. The CIL helps local authorities to deliver infrastructure to support the development of their areas. In Kent, CIL funding is collected by District Councils.<sup>83 84</sup>
- Section 278 Agreements (S278). Under this legislation, highway authorities are able to secure planning obligations, through legally binding agreements with developers, in order to fund highway alterations or improvements.<sup>85 86</sup>

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<sup>77</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 19 October 2022

<sup>78</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 17 October 2022

<sup>79</sup> Kent County Council (2022) Parish/Town Council Highway Improvement Plan (HIP) - Guidance Notes

<sup>80</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 25 October 2022, Maidstone

<sup>81</sup> Kent County Council (2022) Highway Improvement Plans Short Focused Inquiry, 14 November 2022, Maidstone

<sup>82</sup> House of Commons Library (2019) Planning Obligations (Section 106 Agreements) in England, London

<sup>83</sup> Kent County Council (2021) Infrastructure Funding Statement

<sup>84</sup> MHCLG (2020) The Incidence, Value and Delivery of Planning Obligations and Community Infrastructure Levy in England in 2018-19, London

<sup>85</sup> Ibid

<sup>86</sup> Kent County Council (2021) Infrastructure Funding Statement

3.3.9. The Committee recommends that KCC's Road Safety and Active Travel Group should engage with the relevant planning officers when considering responses to planning applications - at the formal or pre-application stage - and encourage them to consider HIPs when allocating the funding from developer contributions.

3.3.10. Having considered all of the above issues, the Committee makes the following recommendations:

#### **Recommendation 4**

**KCC's Road Safety and Active Travel Group should:**

- **Ensure that advice is sought from Kent Police before HIPs that include safety and speed limit issues are approved.**
- **Ensure that data is more readily available, on a self-serve basis, to help local communities to submit HIPs that comply with national policies.**

#### **Recommendation 5**

**KCC's Road Safety and Active Travel Group should urge the relevant planning officers to consider HIPs when allocating the funding from developer contributions. This should be done at the earliest opportunity in the planning process.**