From: Simon Jones, Corporate Director for Growth, Environment and Transport

To: David Wimble, Cabinet Member for Economic Development and Special Projects

Subject: Kent and Medway Spatial Development Strategy – Kent and Medway Strategic Planning Board

Decision no: 26/00066

Key Decision : *Yes – it is a strategic policy matter which will:*
- *Have a significant impact on a significant number people across multiple Kent County Council Electoral Divisions*

Classification: Unrestricted

Past Pathway of report: Growth, Environment & Transport Cabinet Committee – 10 November 2026

Future Pathway of report: For Cabinet Member Decision

Electoral Division: All Divisions

Is the decision eligible for call-in? Yes

Summary: The report sets out the reintroduction across England of statutory strategic planning and the new duty to prepare a spatial development strategy which will provide a strategic, long-term spatial investment framework for housing, economic growth, infrastructure and environmental priorities across Kent and Medway. The report also outlines the role and purpose of an anticipated Strategic Planning Board comprising Kent County Council and Medway Council, ahead of its establishment by the Government through secondary legislation. The report seeks endorsement of the proposed decision to support and participate in the anticipated Strategic Planning Board, for Kent County Council to act as Host Authority and to delegate authority for the actions needed to establish and support its operations.

Recommendation(s):
The Cabinet Member for Economic Development and Special Projects is asked to agree to the proposed decision to recognise the establishment by the Government of a Strategic Planning Board for Kent and Medway and to approve the required Kent County Council activity to support its establishment and operations (further details are outlined in the Proposed Record of Decision (Appendix A)).

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1. Introduction

1.1 Strategic planning is the co-ordination of activity across wide geographical areas and multiple sectors, including housing, transport, health and the

environment[1]. The case for strategic planning is well-documented, particularly in grappling with the most significant issues facing the planning system and those which fall between the local and national level. These include the quantum and spatial distribution of new homes, transport infrastructure and water and energy distribution.

1.2 The value of strategic planning was recognised by consecutive governments over multiple decades as an integral part of the planning system, most recently through the Kent and Medway Structure Plan 2006 and South East Regional Spatial Strategy 2009. In 2010, the coalition Government announced its intention to abolish Regional Spatial Strategies and since this time, there has not been a duty to prepare strategic plans.

1.3 The 'duty to cooperate' - a legal requirement introduced by the Localism Act 2011 - was intended to fill the strategic planning vacuum by addressing strategic planning matters which cross administrative boundaries through the preparation of local plans (currently undertaken by the districts and boroughs in Kent, and Medway Council). However, it was widely regarded as ineffective, particularly in terms of its technical implementation, and the Government abolished the duty as part of a wider set of planning reforms earlier this year.

2. Spatial Development Strategies

2.1 The Government published its English Devolution White Paper in December 2024. It set out the intention to reintroduce strategic planning by requiring all areas - regardless of the pace of Local Government Reorganisation or Devolution - to prepare new strategic plans, known as spatial development strategies. The duty is the centrepiece of the housing and strategic planning component of the Devolution Framework set out in the White Paper.

2.2 The Planning and Infrastructure Act 2025 (amending the Planning and Compulsory Purchase Act 2004) subsequently established the relevant legislative framework and provisions which (when brought into force) will place a duty on combined authorities, combined county authorities, upper-tier councils and unitary authorities to prepare a spatial development strategy for their areas. The legislation also gives the Secretary of State for Housing, Communities and Local Government the power to establish Strategic Planning Boards, comprising specified groupings (see 3.1) of these authorities to exercise the statutory strategic planning functions for their combined areas.

2.3 The Planning and Infrastructure Act 2025 also sets out extensive powers for the Secretary of State for Housing, Communities and Local Government to intervene in the preparation of spatial development strategies, in the backdrop of the Government's ambition to achieve universal strategic planning coverage by the end of the current parliament. These include the power to direct strategic planning authorities to prepare a strategy, prescribe its content and, where deemed necessary, the power to prepare and adopt a strategy on behalf of the relevant strategic planning authorities.

[1] Royal Town Planning Institute (2023).

2.4 The National Planning Policy Framework (2026) sets out that spatial development strategies should establish a positive vision for future growth and change, and provide a clear spatial framework for investment and growth over a period of at least 25 years. This includes the apportionment across local planning authorities (currently Medway Council, and the districts and boroughs in Kent) of the objectively assessed needs for housing and other uses which are more appropriately considered at a strategic scale.

2.5 Spatial development strategies will also identify broad locations for growth and regeneration, including major housing and employment opportunities, and provide a spatial framework to support economic growth and investment, reflecting the economic priorities identified through Local Growth Plans (a separate paper at today's Cabinet Committee). They will also coordinate the delivery of strategic infrastructure (e.g. transport, water and energy) needed to support growth while addressing strategic environmental priorities, including those identified through Local Nature Recovery Strategies and the protection and enhancement of the historic environment.

2.6 Once adopted, spatial development strategies will form part of the statutory development plan. In accordance with the National Planning Policy Framework (2026), local plans will need to support the delivery of the spatial development strategy for their area. They will set out detailed proposals to accommodate development needs, including the housing requirement set out in the adopted spatial development strategy.

2.7 The preparation of the Kent and Medway Spatial Development Strategy is included as a priority within Reforming Kent 2025-2028 under Aim 4: Building Better Communities:

"Building on the Kent and Medway Infrastructure Framework, ensure the new Spatial Development Strategy fully captures Kent's strategic infrastructure needs and delivers a requirement into the planning system to deliver infrastructure first"

3. Key Considerations

<u>Confirmation of the geographies for spatial development strategies:</u>

3.1 In February 2026, the Government consulted on the proposed geographies over which spatial development strategies should be prepared. Kent and Medway was a proposed geography and both Kent County Council and Medway Council were identified as the strategic planning authorities. A requirement for the establishment of a Strategic Planning Board was also identified, comprising (pre devolution) Kent County Council and Medway Council, as the relevant strategic planning authorities set out in the Planning and Infrastructure Act 2025 (amending the Planning and Compulsory Purchase Act 2004).

3.2 The Government's response to the consultation is anticipated in October 2026. However, given Kent and Medway is a well-established and recognised geography for both administrative and functional purposes, it is highly likely to be confirmed as a geography for the preparation of a spatial development strategy. The subsequent establishment of a Strategic Planning Board (see 3.6) will require separate secondary legislation.

Commencement of the statutory duty to prepare spatial development strategies:

3.3 The statutory duty to prepare a Spatial Development Strategy is anticipated to commence in November 2026 when the relevant provisions of the Planning and Infrastructure Act 2025 are brought into force by commencement regulations.

3.4 This is likely to trigger a requirement for Kent County Council and Medway Council to submit a draft timetable to the Secretary of State for Housing, Communities and Local Government for the preparation of the spatial development strategy for Kent and Medway, and within a time period prescribed by regulations. This is currently anticipated to be 90 days.

3.5 The proposed decision, as outlined in this report and set out in the Proposed Record of Decision (Appendix A), includes relevant delegated authority to the Corporate Director for Growth, Environment and Transport, in consultation with the Cabinet Member for Economic Development and Special Projects, to submit the timetable to the Government.

Establishment of the Kent and Medway Strategic Planning Board:

3.6 Separate secondary legislation will be required to establish the Kent and Medway Strategic Planning Board as a joint committee of Kent County Council and Medway Council, and this is anticipated in early 2027. Kent County Council and Medway Council will be the two constituent authorities comprising the Strategic Planning Board, as the relevant strategic planning authorities set out in the Planning and Infrastructure Act 2025.

3.7 Once the relevant regulations take effect, the Strategic Planning Board will become the Strategic Planning Authority for Kent and Medway, and Kent County Council and Medway Council will cease to be strategic planning authorities in their own right for the purposes of preparing the spatial development strategy. This will include responsibility for all decision making associated with the preparation and adoption of the spatial development strategy, and for its monitoring and review.

3.8 The regulations will set out the composition of the Strategic Planning Board in terms of the number of elected members from Kent County Council and Medway Council. It is expected that representation will broadly reflect the difference in population between Kent and in Medway i.e. there will be a greater number of elected members from Kent County Council than Medway Council. There are existing precedents for weighted representation based on population, including, for example, the governance arrangements supporting Transport for the South East.

3.9 It is recognised that wider engagement with partners and stakeholders, particularly Kent districts and boroughs as the local planning authorities, will be an integral part of the preparation of the first spatial development strategy for Kent and Medway. Regular, informal engagement is already underway via existing structures in Kent and Medway, including Kent Chief Planners, Kent Chief Executives and Kent Leaders. Once established, it will be for the Strategic Planning Board to determine whether it wishes to invite other relevant authorities to participate in its proceedings and the secondary legislation is likely to prescribe the process for appointing co-opted members and observer members (both will be non-voting).

3.10 The proposed decision, as outlined in this report and set out in the Proposed Record of Decision (Appendix A), confirms Kent County Council's support for, agreement to participate in, and commitment to undertake actions to facilitate, where required, the anticipated Kent and Medway Strategic Planning Board, in advance of its formal establishment through secondary legislation.

3.11 The proposed decision will allow Kent County Council to comply with the relevant legislation in a timely manner by evidencing the relevant political and strategic approval of the required arrangements and delegated authority to officers to take the necessary actions to support the Strategic Planning Board functions once established.

4. Other Options Considered but discarded

4.1 Other options considered but discarded were:

- **Take no action or defer –** rejected because KCC needs arrangements in place to participate effectively in the statutory Board.
- **Prepare separate Kent and Medway strategies –** rejected because the Board will be the strategic planning authority for the combined area.
- **Establish a voluntary joint committee –** rejected because it could not replace the statutory Board or exercise its functions.

5. Financial Implications

5.1 The Ministry of Housing, Communities and Local Government has allocated Kent and Medway a ringfenced revenue grant of £765,000 to support the preparation of the Kent and Medway Spatial Development Strategy. The funding has already been received by Kent County Council, however, deployment of long term funding commitments remain subject to this decision that Committee is invited to comment upon today.

5.2 The total revenue grant funding allocation for Kent and Medway is anticipated to be confirmed in winter 2026. The Government has recognised there will be additional resourcing implications (see Section 8) for those areas where the Secretary of State for Housing, Communities and Local Government establishes a Strategic Planning Board and this should be reflected in the funding allocation.

5.3 The total ringfenced revenue grant allocation is likely to exceed £1m and this also fulfils a requirement for a Key Decision (see Section 9). Acceptance of the total grant allocation would be subject to Kent County Council being satisfied with the associated final terms and conditions.

6. Legal implications

6.1 The decision is required to implement the statutory arrangements arising from the proposed Kent and Medway Strategic Planning Board Regulations 2026 and the Planning and Infrastructure Act 2025.

6.2 The intention is to establish a Strategic Planning Board for Kent and Medway, of which Kent County Council and Medway Council will be constituent authorities.

6.3 Once established, the Strategic Planning Board will need to consider appropriate representation from the districts in Kent as the local planning authorities with a duty to prepare Local Plans which will need to be in general conformity with the adopted Kent and Medway Spatial Development Strategy

7. Equalities implications

7.1 An Equality Impact Assessment has been undertaken for the proposed decision and it does not identify any negative impacts for any protected characteristics.

8. Data Protection Implications

8.1 The Data Protection Impact Assessment screening tool has been completed. A Data Protection Impact Assessment is not required.

9. Other corporate implications

9.1 Clerking arrangements are yet to be finalised and consideration will be given to appropriate resourcing between Kent County Council and Medway Council relating to the support and administration for the Strategic Planning Board.

9.2 The Government has recognised there will be additional resourcing implications (see Section 4) for those areas where the Secretary of State for Housing, Communities and Local Government establishes a Strategic Planning Board.

10. Governance

10.1 The proposed decision sets out Kent County Council's approval of the necessary arrangements to support the County Council participating in, and serving as Host Authority for, the anticipated Strategic Planning Board. This will include the general policy decision to confirm approval and the necessary engagement of Kent County Council with the Strategic Planning Board as a constituent member, along with delegations to the Corporate Director for Growth, Environment and Transport to take the necessary implementation

decisions to facilitate the County Council undertaking the relevant Host Authority activity.

10.2 The proposed decision includes accepting and deploying funding from the Government which is intended to support the operations of the Strategic Planning Board. The total ringfenced revenue grant funding allocation for Kent and Medway is anticipated to be confirmed in winter 2026 (see Section 4), however, it is likely to exceed £1m and this therefore fulfils a requirement for a Key Decision.

10.3 The proposed decision nor any delegations included within represent any approval of future specific Strategic Planning Board decisions. In accordance with the arrangements required under the anticipated Strategic Planning Board operations, future Strategic Planning Authority matters for the purposes of preparing the spatial development strategy will be determined by the Board, with Kent County Council facilitating the Board's operations as the Host Authority.

11. Conclusions

11.1 The introduction of statutory spatial development strategies will restore strategic planning across Kent and Medway and provide the platform to establish a long-term vision for the area, including the scale and distribution of housing and economic growth and the timely provision of supporting strategic infrastructure. The Kent and Medway Spatial Development Strategy will provide greater clarity and certainty in the long-term policy environment, support public and private investment decisions and help deliver improved outcomes for residents, businesses and communities.

11.2 The anticipated establishment of the Kent and Medway Strategic Planning Board will provide the governance required to prepare, adopt, monitor and review the forthcoming Kent and Medway Spatial Development Strategy. The proposed decision will enable Kent County Council to respond proactively to the anticipated new statutory requirements by confirming its support and participation, acting as Host Authority and putting in place the necessary operational arrangements.

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12. Recommendation(s):

12.1 The Cabinet Member for Economic Development and Special Projects is asked to agree to the proposed decision to recognise the establishment by the Government of a Strategic Planning Board for Kent and Medway and to approve the required Kent County Council activity to support its establishment and operations (further details are outlined in the Proposed Record of Decision (Appendix A)).

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13. Background Documents

13.1 Equality Impact Assessment
13.2 National Planning Policy Framework (2026)
13.3 English Devolution White Paper (2024)

14. Appendices

14.1 Appendix A – Proposed Record of Decision

15. Contact details

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