

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY

Susan Carey

Cabinet Member for Environment

DECISION NO:

19/00087

For publication

Key decision*

Yes – County Wide impact

Subject: Land Drainage Policy

Decision:

As Cabinet Member for Environment, I agree to adopt the Land Drainage Policy.

Reason(s) for decision:

Kent County Council as the Lead Local Flood Authority has powers as a Land Drainage Authority, under the Land Drainage Act 1991, to regulate ordinary watercourses in Kent. An ordinary watercourse is a watercourse that is not a main river; it may be a small river, stream, ditch or drain and does not always need to flow.

As a land drainage authority KCC has powers to provide consent for any works within an ordinary watercourse. In exercising this role, we must ensure that the works do not increase the risk of flooding. We are also obliged to ensure that there is no loss of habitat or pollution to the watercourse. At present there is no policy statement on how KCC exercises these powers, which would provide clarity on them.

Cabinet Committee recommendations and other consultation:

A public consultation on the revised Drainage and Planning Policy Statement started on 19th August and ran until 30th September 2019. All consultation documents were available online at www.kent.gov.uk/drainageandplanningpolicy and alternative formats including hard copies were available upon request.

The final draft policy will be considered by Members of Environment and Transport Cabinet Committee on 29 November.

Any alternatives considered:

If the policy were not developed, there would be no clear statement of how KCC will exercise its powers as a Land Drainage Authority to regulate ordinary water courses.

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

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signed

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date

Name: