

**ENVIRONMENT & TRANSPORT CABINET COMMITTEE**

**Wednesday, 15th November, 2023**

**10.00 am**

**Council Chamber**







## AGENDA

### ENVIRONMENT & TRANSPORT CABINET COMMITTEE

**Wednesday, 15 November 2023 at 10.00 am**      Ask for:      **Emily Kennedy**  
**Council Chamber, Sessions House, County Hall,**      Telephone:      **03000 419625**  
**Maidstone.**

#### **Membership (16)**

Conservative (12):      Mr S Holden (Chairman), Mr N J Collor (Vice-Chairman),  
Mr T Bond, Mr C Broadley, Mr D Crow-Brown, Mr M Dendor,  
Mr A R Hills, Mrs S Hudson, Mr H Rayner, Mr D Robey,  
Mr A Sandhu, MBE and Mr M Whiting

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
- 3 Declarations of Interest
- 4 Minutes of the meeting held on 14 September 2023 (Pages 1 - 10)
- 5 Initial Draft Budget 2024-25 and Medium Term Financial Plan 2024-27 (Pages 11 - 88)
- 6 Southern Water presentation
- 7 Verbal Update by Cabinet Members and Corporate Director
- 8 Performance Dashboard (Pages 89 - 100)
- 9 23/00099 - Active Travel Schemes (Pages 101 - 110)
- 10 23/00104 - Bus Service Improvement Plan (BSIP) - Tranche 2 Grant Offer (Pages 111 - 122)

- 11 23/00095 - Pencester Road, Dover - Northbound Bus Contraflow (Pages 123 - 142)
- 12 23/00096 - Rennie Drive Fastrack Junction and Bus Lane (Pages 143 - 162)
- 13 Heritage Conservation Strategy - proposed change to Windmills policy (Pages 163 - 172)
- 14 23/00093 - Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 and Kent Minerals and Waste Development Scheme Update (Pages 173 - 472)
- 15 Work Programme (Pages 473 - 476)

**Motion to Exclude the Press and Public**

That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**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, 7 November 2023**

**KENT COUNTY COUNCIL**

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**ENVIRONMENT & TRANSPORT CABINET COMMITTEE**

MINUTES of a meeting of the Environment & Transport Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 14 September 2023.

PRESENT: Mr S Holden (Chairman), Mr N J Collor (Vice-Chairman), Mr I S Chittenden, Mr D Crow-Brown, Ms M Dawkins, Mr M Dendor, Mr A R Hills, Mr M A J Hood, Mr B H Lewis, Mr H Rayner, Mr D Robey and Mr A Sandhu, MBE

**UNRESTRICTED ITEMS****1. Apologies and Substitutes**

*(Item 2)*

Apologies were received from Mr Bond.

**2. Declarations of Interest**

*(Item 3)*

There were no declarations of interest.

**3. Minutes of the meeting held on 5 July 2023**

*(Item 4)*

RESOLVED that the minutes of the meeting held on 5 July 2023 were an accurate record and that they be signed by the Chairman.

**4. Verbal Updates by Cabinet Members and Corporate Director**

*(Item 5)*

*Simon Jones (Corporate Director, GET) was in attendance for this item*

1) Mr Baker said that the Mayor of London's expansion of ULEZ began on 29 August 2023. Any driver of a petrol vehicle over 18 years old or a diesel vehicle over 8 years old would need to pay the £12.50 daily charge to drive within the charging zone. KCC made representations to Transport for London (TFL) throughout their consultation and planning process, setting out clearly the objections to impact to residents and businesses of Kent. Many partner authorities bordering London shared the same concerns and KCC supported the authorities that brought the unsuccessful legal challenge against the scheme. While there remained no expansion of mitigation measures, such as access to a vehicle scrappage scheme for Kent residents and businesses, KCC was to continue to appeal to both London and the government to put in place the support that was needed. Until such time as adequate mitigation measures were put in place for Kent's residents, KCC would not permit TFL to install any signage relating to ULEZ on KCC's local road network. Signage for the ULEZ scheme will need to be on the TFL network.

Thanet Parkway Railway Station opened to passengers on 31 July 2023, marking the culmination of almost a decade of work by KCC to improve rail interconnectivity to Thanet. The delivery of the station was a key strategic transport achievement for KCC, with ambition featured in the Local Transport Plan and the Rail Action Plan for Kent. A formal opening ceremony was held on 8 September. The station plaque was revealed by Huw Merriman, Rail Minister; KCC Leader, Roger Gough; Thanet District Council Leader, Rick Everitt; and local MP, Craig Mackinlay. There was music at the event from Thanet Big Sing Community Choir.

Thanet Parkway Railway Station was a key example of 'infrastructure first' where KCC had championed the delivery of the station and car park infrastructure to accommodate the present and future communities of Cliffsend and Ramsgate. The scheme along with Network Rail's journey time improvement programme meant that passengers were able to travel to London in 70 minutes. The station was fully accessible with lifts, 16 disabled parking bays, tactile paving for wayfinding and help points throughout the site. The station was to be staffed by Southeastern between 8am and 4pm with KCC maintaining overall control of the car park, with an operator managing it on KCC's behalf. Since opening and not including the opening day, station passengers had averaged about 200 passenger journeys per day so it was already half way to achieving the passengers expected after the first year of operation. Weekend passenger numbers had exceeded the business case forecast. It was estimated that  $\frac{3}{4}$  of passenger journeys were being made to the station on foot or by bike. KCC was to continue to work with Network Rail, Southeastern and Thanet District Council to realise the potential of the station as an integrated transport hub at the heart of Thanet's infrastructure.

The examination of Development Consent Order for Lower Thames Crossing, which started in June 2023 was progressing. Issue specific hearings had taken place and KCC officers had made oral representations at the hearings, with more scheduled for October and November. Oral submissions were aligned with the Local Impact report, which was based on analysis of the evidence provided, presented in the application of the positive, neutral and negative impacts of the scheme on the county. The written representation which set out KCC's position on the scheme as approved by the Corporate Director, the former Cabinet Member for Highways and Transport and the Leader of the Council. The position in these submissions was aligned with KCC's statutory Local Transport Plan which set out a policy of support for a new Lower Thames Crossing.

Issues still needed to be resolved with the applicant and the mitigations for the negative impacts that KCC expected to be delivered, were key parts of the written and oral submissions. These included making a case for improvements to the A229 Bluebell Hill to be funded by the Lower Thames Crossing Scheme, as the link between the M20 and the M2/A2 was absolutely essential to the strategic functioning of the new crossing. Members had been asked for their views and these had been incorporated and submitted to the examining authority on 18 July 2023. All submissions were published publicly on the Planning Inspectorate's website, along with instructions how anyone could register to make representations at the hearings. The examination was to continue for the 6-month period and was expected to conclude on 20 December 2023. The inspector's recommendations to the Secretary of State were to be made 3 months after the conclusion of the examination period and a decision on the project was expected to be made 3 months after the

recommendations. If approved, construction which had been re-phased by 2 years was due to start in 2026 with a new road and tunnel likely to be opened around 2032.

There had been a briefing for Members on 23 June on the Local Transport Plan. The public consultation on the emerging Local Transport Plan opened on the 27 June and was to close on 18 September. Once feedback from the consultation was considered, work was to begin on drafting the full plan. This was to include proposals for how and when in Kent KCC should focus on improvements to transport. The Member Task & Finish Group, consisting of Members from Environment & Transport Cabinet Committee and others, was to be an essential part of the next phase and the aim was to complete the work in 2024 before the next round of public consultation on the full plan.

2) Further to questions from Members, it was noted that:

- The approach was 'infrastructure first' and work was to continue developing Thanet Parkway as a travel hub. KCC was in a position to work with railway partners to take forward issues as they arose.
- Concerns were raised that there would be an increase in traffic on the A2 with Lower Thames Crossing Scheme and that the implications for the wider network needed to be considered.

3) Miss Carey said she wanted to highlight the excellent work undertaken by the Plan Bee group who had been awarded a Bees' Needs Champion Award by the government. The difference the work being done was making to pollinators was acknowledged.

Thanks were given to staff at the Household Waste & Recycling Centres at Herne Bay and Canterbury, who had a difficult time and coped brilliantly with double the number of visits during the Canterbury City Council industrial dispute with their waste collection service staff which had resulted in strikes. This was challenging and the booking system had helped to manage the demand.

4) Further to questions from Members, it was noted:

- KCC was leading the way for local authorities with Plan Bee.
- The consultation on Household Waste & Recycling Centres was to come back to the Environment & Transport Cabinet Committee before any decisions were made.
- Items such as batteries and crisp packets were able to be recycled at supermarkets.

5) Mr Jones said the new Kent Travel Saver platform had performed very well since its launch in early July, improvements had been made since the IT back-office difficulties the service encountered in the summer of 2022. As a result Contact Centre call volumes were significantly reduced and there had been no issues getting passes to schools. Where problems had been reported, these had related to issues with Royal Mail or within the schools themselves.

At 6 of September, nearly 25,000 Kent Travel Saver and 16+ passes purchased, which was an increase from last summer. A more detailed analysis would be brought to a future meeting of Environment & Transport Cabinet Committee.

Bus services had not changed in the summer of 2023 as was the case in 2022 and initial indications were that there had been fewer capacity issues, than in previous years. Work had continued with bus operators around providing services to Kent.

It was reported that a recruitment process was underway for Road Closure Inspector roles. Several interviews had taken place, but recruitment was proving to be challenging in the current employment market. It was hoped that some suitable candidates would come forward for each area.

Work was being undertaken with the Streetworks teams to address issues and concerns to drive compliance and help ease the frustrations due to closures. Through the excellent work from both the Kent Streetworks Team and Southern Gas Networks (SGN) the A264 Pembury Road finished 2 weeks ahead of schedule. The original programme was for a 12-week closure, which was challenged by officers and resulted in a revised programme submitted for the school summer break; approximately 6 weeks.

The contractor was flexible and further resources were deployed where this was possible, understanding how critical the route was in the network.

The site had fantastic collaborative working between KCC Highways and various utility companies (KCC operations and Drainage, UK Power Networks [UKPN], South East Water [SEW], SGN). This meant the SGN road closure was fully utilised, reducing the impact for the travelling public, by saving at least a further 10 days of closures on this section of road, for other works.

There was a public meeting relating to Upper Street in Leeds. It was understood that progress had been good and innovative techniques had been used by the contractor.

Mr Jones thanked Members for attending the briefing in August relating to the Highways Term Maintenance Contract. The new arrangement with AMEY provided a platform for and additional focus on AMEY performance.

With the rate increases in the KCC contract; this would allow AMEY to secure additional resources in a competitive highways market. It was anticipated this would make it easier for AMEY to find local SMEs with the right capability and capacity, to deliver for Kent, which in turn was to improve KCC's overall performance.

The Local Electric Vehicle Infrastructure Fund (LEVI) project was progressing well. KCC had submitted their Expression of Interest to the Department for Transport regarding the £12million funding allocation aimed at developing a county wide Electric Vehicle charger network.

KCC was working closely with the Office of Zero Emission Vehicles on plans around this and an initial pilot had been identified for Folkestone and Hythe of 60 additional on street chargers.

Providing reliable and affordable charge points was important in facilitating the transition needed to meet local and national strategic objectives and the intention was to bring a proposal to Environment & Transport Cabinet Committee early in 2024 for a decision on whether to progress to procurement.



KCC was awarded £6 million for 'Pothole Blitz' work. £2.1 million of work had been completed, £3.3 million of work had been committed to by the KCC team for delivery and 47,059m<sup>2</sup> of patching across the Kent road network had been completed. Works were on track to be completed towards the end of October 2023.

The Plan Bee team had secured further funding to continue work for a third year. KCC GET staff had completed a day of volunteering with the Bumblebee Conservation Trust at Brockhill Country Park and in Romney Marsh, building upon the good work of Plan Bee.

6) Further to questions from Members it was noted:

- There were works at Galley Hill Road in Swanscombe. Surveying was still ongoing to establish how best to resolve the issue. The next steps would be reported to the Environment & Transport Cabinet Committee.
- As the Highway authority, KCC was not at liberty to prevent utility companies from gaining access to their equipment. KCC worked hard when given advance notice to make sure that events and local businesses have the opportunity to have those works mitigated. Where emergency works are undertaken, KCC was not informed before works. KCC was lobbying government to secure more powers for more enforcement and regularity.
- There were regular meetings between KCC and utility companies and issues would be raised as part of the agenda with them going forward.

## **5. Decisions taken between committee meetings**

*(Item 6)*

*Simon Jones (Corporate Director for Growth, Environment and Transport) was in attendance for this item*

1) Mr Jones said thank you to Members who attended the briefing on the decision. An update was to be brought to Environment and Transport Cabinet Committee in 2024.

2) RESOLVED to note the report.

## **6. Performance Dashboard**

*(Item 7)*

*Matt Wagner (Interim Chief Analyst) and Simon Jones (Corporate Director, GET) were in attendance for this item*

1) Mr Wagner introduced the report for quarter 2 of the 2023/24 financial year. There were 19 key performance indicators (KPIs); 10 were rated green, 6 amber and 3 red.

The indicators rated red were under Highways and Transport: potholes repaired in 28 calendar days, emergency incidents attended to within 2 hours, priority enquiries completed within 20 working days.

2) Further to Member's questions, it was noted:

- The marking of potholes was an area of improvement being worked on with the term maintenance contractor - it related to the speed at which KCC wanted potholes filled, the level of response expected but it was recognised that there was an opportunity for optimisation.
- Monthly Strategic Steering Groups with Amey were planned to ensure a focus on performance and performance improvement plans. Issues such as delays in line markings and signage were to be raised with Amey.
- The management of soft landscaping had been a challenge over the summer because it had been a very wet and warm summer. Adaptations would need to be made to deal with changes in the expected seasonal weather.

3) RESOLVED to note the Performance Dashboard.

## **7. Winter Service Policy for 2023-24**

*(Item 8)*

*Richard Emmett (Senior Highways Manager) was in attendance for this item and Andrew Loosemore (Head of Highways) was in attendance virtually for this item*

1) Mr Emmett outlined the report.

2) Further to questions from Members, the following points were noted:

- Parish seminars with Highways officers were to take place and dates were to be confirmed.
- More salt was to be put on the highways in the evening instead of doing a second run in the morning but the weather conditions needed to be considered when adopting this technique – as if there was too much water run off, the salt would not last or if more than a certain amount of salt needed to be used, they would still need to do two runs.
- Snow routes on roads that were not A or B roads received service once the primary networks were ‘covered’ in terms of gritting. Trials were being run where local farmers were given salt which they could deploy.
- There was contingency salt being held at Ridham Dock, however, this is supplied by Amey.

3) RESOLVED to note the report.

## **8. Drainage Infrastructure Maintenance**

*(Item 9)*

*Earl Bourner (Drainage Asset Manager) and Simon Jones (Corporate Director – GET) were in attendance for this item*

1) Mr Bourner introduced the report.

2) Further to questions from Members, it was noted:

- KCC was working with Southern Water on a ‘pathfinder’ project which was looking to take as much surface water out of the systems as possible. There were dips in the footway which collected water when there had been

significant rain. Members of the public could make contact in order for flood water to be cleared, if required.

- For a blocked gulley on the highway, members of the public should make a report to KCC. For a sewer, reports should be made to Southern Water.
- The main strategic gulleys were cleansed on a yearly basis, the minor network was cleansed within a 3 year period. An intelligent approach had been adopted to gulley cleansing.
- Should anyone damage KCC infrastructure, KCC will pursue those responsible.
- There was a pro-active programme of asset management and a way to work on backlogs. Asset data was being collected so that KCC could see where KCC's underground assets were and where Southern Water assets were. This was an ongoing project for KCC and there was a national campaign regarding collecting this information.
- Residents in Kent were able to help with flooding with natural solutions such as having water butts, tree pits, ponds, permeable paving, having greenery in their gardens.

3) RESOLVED to note the report.

## **9. Annual Update on the Energy and Low Emissions Strategy**

*(Item 10)*

*Matthew Smyth (Director for Environment and Waste); Katie Traylen (Climate Change Team Leader) and Simon Jones (Corporate Director- GET) were in attendance for this item*

1) Miss Carey introduced the report.

2) Mr Smyth and Ms Traylen outlined the report regarding delivery towards the national target of 2050 to reduce emissions to Net Zero, plus the emerging air quality targets from government.

3) Further to questions from Members, it was noted:

- There was a commitment to new nuclear at Dungeness. It was felt the grid would not cope without the contribution of nuclear as well as schemes such as Solar Together.
- The ambition was for demand to be met in a way that helped Kent to reduce emissions and for residents to enjoy a modern life with choice in cleaner environment.
- Initiatives for individual homeowners varied depending on the property, meaning that the return-on-investment period would vary. Work was being undertaken to understand what would be best for individual households. KCC's role was to think about what information to share with residents around this.
- The government was keen to seed-fund initiatives rather than fully funding them. The challenge was to find the right investment packages.
- There were opportunities around the bus network and taxis using hydrogen. There was a hydrogen plant in Herne Bay.

4) RESOLVED to note the report and endorse the progression of the proposed areas for future delivery.

## **10. Processing of Dry Recyclables (Without Fibre) Contract (SC2058)**

*(Item 11)*

*Matthew Smyth (Director for Environment and Waste) was in attendance for this item*

1) Miss Carey introduced the report.

2) Mr Smyth outlined the report.

3) RESOLVED to endorse the proposed decision to

a) agree to award of a new contractual arrangement for the processing of dry recyclables for Dover District Council, Folkestone & Hythe District Council, Thanet District Council, Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council, for a period of up to 48 months and

b) to delegate authority to the Director for Environment and Circular Economy to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision as shown at Appendix A of the agenda report.

## **11. Updating the Kent Minerals and Waste Local Plan and Kent Minerals Sites Plan - Results of Public Consultation and Next Steps**

*(Item 12)*

*Sharon Thompson (Head of Planning) was in attendance for this item*

1) Mrs Thompson outlined the report.

2) Further to questions from Members, it was noted that:

- Only one site had been identified for county's supply of hard rock and no further sites had come forward.
- An alternative to these materials being found within the county, was for the materials to be imported from Scotland or overseas, which would have environmental impacts including consequences for carbon emissions which would need careful consideration.
- Kentish ragstone from Hermitage Quarry was important in building projects locally and for historic buildings in London.
- Concerns were raised about the environmental impacts from the proposed site.
- It was clarified that the promoted site at Hermitage Quarry was designated as being a Plantation on Ancient Woodland Site (PAWS) site.
- A further update was to be brought to the committee.

3) RESOLVED to note the report.

## **12. National Bus Strategy & Kent Bus Service Improvement Plan - Update**

*(Item 14)*

*Dan Bruce (Public Transport - Policy, Infrastructure & Community Team Leader) and Phil Lightowler (Interim - Director of Highways and Transportation) were in attendance for this item*

1) Mr Bruce introduced the report.

2) Further to debate and questions from Members, it was noted:

- It was disappointing that there was not more flexibility in how the government funding could be spent locally. The content of the Kent Bus Service Improvement Plan reflected the National Bus Strategy.
- There had been problems with capacity and reliability for school buses on particular services and work was being undertaken to resolve the issues.
- The government funded scheme where a Stagecoach single fare had been capped at £2 had increased passenger numbers but numbers had not gone back to the level of before the Covid-19 pandemic.

3) RESOLVED to note the update.

## **13. Work Programme**

*(Item 13)*

RESOLVED to note the work programme.

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From: Roger Gough, Leader of the Council  
Neil Baker, Cabinet Member for Highways and Transport  
Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate & Traded Services

To: Environment and Transport Cabinet Committee

Subject: **Initial Draft Budget 2024-25 and MTFP 2024-27**

Classification: Unrestricted

**Summary:**

The attached report sets out the background to the setting of the capital programme, revenue budget and medium-term financial plan (MTFP) for the forthcoming year. The report includes fuller details of funding, spending, savings, income and reserves estimates in the initial draft revenue budget together with analysis of risks.

The same budget report is being presented to each Cabinet Committee as it is a standard report for the whole council, focussing on the key strategic considerations underpinning the decisions necessary for County Council to agree the budget at the Budget Meeting in February.

The relevant Cabinet Members will outline the key budget points relating to their portfolio as part of the Cabinet Committee consideration, to clarify the budget areas within scope of the Committee and to seek feedback on the relevant proposals.

To support ongoing budget consideration by Members, outside of the particular Cabinet Committee stage of the budget development process, a separate interrogatable dashboard is available to Members, setting out key information about individual elements of the initial draft revenue budget.

**Recommendations:**

The Environment & Transport Cabinet Committee is asked to:

- a) NOTE the initial draft capital and revenue budgets including responses to consultation
- b) SUGGEST any changes which should be made to the section of the budget related to the Cabinet Committee's portfolio area before the draft is considered by Cabinet on 25th January 2024 and presented to Full County Council on 19th February 2024

**Contact details**

Report Author(s)

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# Initial Draft Budget 2024-25 and 2024-27 MTFP

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From Leader of the Council; Roger Gough  
Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services; Peter Oakford  
Cabinet Members

Relevant Director(s) Corporate Director Finance; Zena Cooke  
Interim Chief Executive,  
Corporate Directors, ASCH, CYPE and GET

Report author Head of Finance Policy, Planning and Strategy; Dave Shipton

Circulated to Cabinet Committees and Scrutiny Committee

Classification Unrestricted

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### Directorates – abbreviations in this report

ASCH - Adult Social Care and Health	CYPE - Children, Young People and Education
GET - Growth, Environment & Transport	CED - Chief Executive's Department
DCED – Deputy Chief Executive's Department	NAC - Non-Attributable Costs

1.1 This report sets out the proposals in the administration's initial draft revenue budget 2024-25 and three-year medium term financial plan (MTFP) 2024-27. The report and appendices provide the essential information for the scrutiny process in advance of full Council approval in February 2024. As reported to Policy & Resources committee in July 2023 the draft budget for scrutiny is being published earlier than in recent years for the November 2023 cycle of meetings; initially enabled by the announcement of the settlement principles for 2024-25 in the 2023-24 local government finance settlement, and more importantly to free up capacity in the January 2024 cycle of meetings for key decisions on individual aspects of the budget proposals to be considered and agreed in principle pending County Council approval of the budget on 19<sup>th</sup> February 2024.

1.2 This timescale was planned before the challenge of further significant revenue overspends emerged in the first budget monitoring for 2023-24 as reported to Cabinet on 17<sup>th</sup> August 2023. These overspends are principally in adult social care (older persons and to a lesser extent vulnerable adults), home to school transport, and placement costs for children in care. The level of spending growth in these areas in recent years has been increasing at an unsustainable rate within the constraints of current government spending plans for local government. This growth has added significantly to the revenue budget challenge for 2024-25, not only from the need to reflect the full year effect of unbudgeted activity and costs during 2023-24 (and later stages of 2022-23) into 2024-25, but also on future forecasts for impact from cost drivers and demand. Inevitably an earlier publication for scrutiny also means that the initial draft budget is based on the best estimates available at the time and the final draft budget will need to be based on the latest information available in December/January (including the local government settlement announcement for 2024-25 and tax base estimates). Therefore, all the financials in the initial draft are necessarily provisional.

1.3 The report to Cabinet on 5<sup>th</sup> October "Securing Kent's Future – Budget Recovery Strategy" set out the necessity to address the structural budget deficits that have led to overspends in 2022-23 and 2023-24, and to bring the council back into financial sustainability based on securing the provision of services for Kent residents whilst meeting the statutory Best Value duties. The budget recovery plan set out the broad strategic approach with specific focus on the actions in 2023-24 that would have an immediate impact to bring current year spending back into balance as quickly as possible (many of which are one-offs and would not feed through into 2024-25).

1.4 The recovery plan set out separately the proposed strategies to meet the objective of delivering savings and future cost reductions over the medium to longer term impacting on 2024-25 budget and 2024-27 MTFP. Not all the detail of this second objective has yet been fully worked up in time for the publication of the initial draft budget for November scrutiny and delivering some of the structural changes to resolve deficits will take time. At this stage the administration's initial draft budget for 2024-25 and MTFP 2024-27 is unbalanced with budget gaps, and with indicative amounts from the broad strategic objectives in the recovery plan identified but with further detail to follow. However, this does not preclude scrutiny of the initial draft spending, savings, income and reserves estimates towards balancing the budget against the estimated 2024-25 settlement and council tax. An updated draft will need to be published in January 2024 with any missing detail for further scrutiny and consideration of key decisions in March 2024. As in previous years a final draft will be published on 9<sup>th</sup> February in accordance with publication deadlines for County Council consideration and approval on 19<sup>th</sup> February 2024.

1.5 The budget recovery strategy identified 3 main areas where there is the biggest opportunity for further substantial savings and to reduce costs in 2024-25 to resolve the gap and balance the budget. These include review of demand and cost drivers in adult social care, children's services and home to school transport leading to scope to reduce future cost growth; contract renewals in the next 12 months; and further targeted savings including bringing forward savings in later years of MTFP.

1.6 The financial sustainability of a number of councils is a national concern at this time, and many of the spending growth pressures impacting on KCC are common in other councils. Whilst KCC will seek to take all the necessary steps to manage future spending within resources available through savings, income and future cost avoidance this will not necessarily fully secure the Council's financial resilience and sustainability if future spending growth continues at unsustainable levels. In particular, if the structural deficits in key spending areas in adults and children's are not addressed there will become a point where the council is unable to balance the budget on a sustainable basis from savings in other spending areas.

1.7 The draft revenue estimates for spending, savings, income and reserves have been set out in a more accessible format. This change was planned alongside the earlier publication timescale and the development of outcomes based budgeting. It is designed to enable plans to be considered from the perspective of the main spending areas accounting for over 80% of revenue spending (excluding non-attributable costs), as well as the traditional directorate perspective. The main spending areas cover care support & preventative services for older persons, care support & preventative services for vulnerable adults, care support & preventative services for vulnerable and disabled children, public transport (including home to school transport), waste recycling & disposal, and highways management & maintenance. The more accessible format comprises of dashboards that allow interrogation in more detail of current spending and proposed changes from spending growth, savings, income and reserves that lead to draft net spending plans for 2024-25 and subsequent years, as well as providing background information on key impacts, risks, sensitivities and dependencies. These dashboards replace the previous tabular formats and are only available internally within the Council (link sent with budget papers). The estimates are an early forecast which can, and in all likelihood will, change in the final draft budget. Effectively this means the gap presented is a figure within a likely range.

1.8 The draft capital plan will not be published for November scrutiny. The final draft programme will be published in January to ensure that the plan can fully reflect grant notifications and the latest forecast spending on projects and rolling programmes including rollovers from the 2022-23 outturn.

1.9 As well as the impacts of current year overspends and future forecast cost drivers and demand, inflation is still forecast to remain at historically high levels during 2023-24 and into 2024-25. Inflation impacts on the costs of goods and services in revenue budgets and costs of labour, fees and materials on capital projects. At this stage the impact of inflation built into budget estimates is based on the March 2023 forecasts from the Office of Budget responsibility (OBR). The March 2023 OBR forecasts were for Consumer Price Index (CPI) to peak at 10.7% in quarter 4 2022, thereafter reducing to:

- 9.7% in quarter 1 2023
- 6.9% in quarter 2 2023
- 5.4% in quarter 3 2023
- 2.9% in quarter 4 2023
- 1.5% in quarter 1 2024

1.10 Inflationary uplifts are applied according to the terms of individual contracts including timing. This means that in many cases mid-year uplifts have a part year impact in 2023-24 and full year impact in 2024-25. The rate of inflation in 2023 has not reduced as quickly as the March 2023 OBR forecast, with reported CPI from Office for National Statistics (ONS) of 10.2% quarter 1, 8.4% quarter 2 and 6.7% quarter 3 2023. Revenue spending subject to inflation is around £1.4bn, so each 1% adds £14m to council costs.

1.11 The administration's initial draft budget includes a 4.992% assumed increase in Council Tax charge. This would increase the County Council share of the bill for a typical band D household by £1.47 per week (£76.59 per year). Council Tax is the council's most significant source of income to fund essential services, and whilst the administration seeks to keep increases to a minimum, the assumed amount is in line with the government's principles for 2024-25 announced in the 2023-24 local government finance settlement of a 3% referendum limit and 2% adult social care precept. The tax base (the number of dwellings liable for council tax after discounts, exemptions and assumed collection rates) is assumed to increase by 1.7%, which is around the normal level we would expect from growth in the number of households and anticipated changes to discounts. The council tax precept is based on combination of the council tax band D charge and the estimate of the net number of band D equivalent properties in the tax base for 2024-25. The tax base estimate is ultimately determined by collection authorities (district and borough councils) for the final draft budget and council tax precept for full Council approval on 19<sup>th</sup> February.

2.1 The setting of the budget is a decision reserved for Full Council. The Council's Budget and Policy Framework requires that a draft budget is issued for consultation with the Cabinet and Scrutiny Committees to allow for their comments to be considered before the final budget proposals are made to Full Council.

2.2 The overall strategy for the budget is to ensure that the Council continues to plan for revenue and capital budgets which are affordable, reflect the Council's strategic priorities, allow the Council to fulfil its statutory responsibilities and continue to maintain and improve the Council's financial resilience. This is consistent with the objectives set out in Securing Kent's Future – Budget Recovery Strategy. However, these aims are not always an easy combination and involves some difficult decisions about service levels and provision both for the forthcoming year and over the medium term. In reaching this balance it is essential that the Council has regard to bearing down on spending growth (future price inflation, non inflation related cost increases and demand increases), delivering efficiency/transformation savings, generating income to fund services, and agreeing changes in policies to reduce current recurring spending and/or avoid future spending while making the necessary investments to support service improvement. In this context it is worth clarifying that savings relate to reducing current recurring spend whereas bearing down on future growth is cost avoidance, both amount to the same end outcome of reducing future spending from what it would otherwise have needed to be without action and intervention. The initial draft budget should be assessed against these aims recognising that there are still gaps to close.

2.3 The Council is under a legal duty to set a balanced and sustainable budget and maintain adequate reserves such that it can deliver its statutory responsibilities and priorities. A MTFP covering the entirety of the resources available to the Council is considered to be the best way that resource prioritisation and allocation decisions can be considered and agreed in a way that provides a stable and considered approach to service delivery and takes into account relevant risks and uncertainty. However, it must also be acknowledged that the Government's Autumn Budget 2022 statement only covered a 2-year period, and the Local Government Finance settlement (LGFS) announcements to date only contained high level principles for 2024-25 with little detail and no indicative allocations for individual authorities. This means that the funding for 2024-25 is a best estimate at this stage and the forecasts for later years are speculative, consequently planning has to be sufficiently flexible to respond accordingly. Even so, it is clear that 2024-25 and medium term to 2026-27 are likely to continue to be exceptionally challenging and will require real terms reductions even though overall net cash spending is increasing. This will be a difficult message to convey.

2.4 As the Council develops its detailed proposals it must continue to keep under review those key financial assumptions which underpin the Council's MTFP particularly in the context of wider public spending and geo-economic factors. Over the previous decade the Council had to become ever more dependent on locally raised sources of income through Council Tax and retained business rates, and it is only in recent years that additional central government funding has been made available to local authorities primarily to address spending pressures in social care (albeit at a time when the national public sector deficit has been increasing). However, there is no certainty that this additional central government funding will be baselined for future years.

2.5 In accordance with Financial Regulations, a medium-term capital programme and financing plan is prepared on an annual basis. Where capital estimates are included, funding must be secured and approved prior to any expenditure being incurred.

2.6 Setting the annual budget is one of the most significant decisions the County Council takes each year. It sets the County Council's share of council tax and the overall resource framework in which the Council operates. The administration's budget is the financial expression of the council's strategic priorities. The budget gives delegated authority to manage the budget to Corporate Directors and Directors within the parameters set out in the Council's Constitution and Financial Regulations. Corporate Directors and Directors are accountable for spending decisions within delegated powers reporting to the Chief Executive, and these are monitored through the council's budget monitoring arrangements regularly reported to Cabinet. The draft budget is developed, scrutinised and ultimately approved in compliance with the following six key considerations:

### **A) Strategic Priorities – Strategic Statement**

2.7 The County Council approved a new strategic statement "Framing Kent's Future (FKF)" on 26th May 2022. The statement sets out the challenges and opportunities Kent is faced with and the actions the Council will prioritise to address them over the next four years focussing on four key priorities. The 2023-24 budget recognised that the significant shift in the financial and operating landscape since FKF's approval meant that policy and service decisions had to be taken to balance the budget which could run counter to the priorities and ambition set out in Framing Kent's Future.

2.8 Securing Kent's Future (SKF) has explored these shifts in more depth and acknowledges that given the significance of adults and children's social care within the council's budget, and that spending growth pressures on the council's budget overwhelming (but not exclusively) come from social care, that the priority of delivering New Models of Care and Support within FKF must take precedence over the other priorities. This creates an expectation that council services across all directorates must collectively prioritise delivering the new models of care and support objective as a collective enterprise.

2.9 This does not mean that the other objectives of Levelling Up Kent, Infrastructure for Communities, and Environmental Step Change are not still important and all work on these must stop. However, the scope of these other three objectives will have to be scaled back in terms of additional investment and funding, and management time and capacity that can reasonably be given to them.

## **B) Best Value**

2.10 SKF has recognised that the Council must prioritise its Best Value statutory responsibility. The expansion of the legislative framework in which councils operate in has extended statutory duties without the necessary additional financial resources through increased government funding or income generating/local tax raising powers to cover the additional costs. The government has recently issued revised statutory Best Value guidance (subject to consultation) reminding local authorities of the requirement to secure continuous improvement having regard to economy, efficiency and effectiveness. The revised guidance goes on to explicitly state that this covers delivering a balanced budget, providing statutory services, including adult social care and children's services, and securing value for money in all spending decisions.

2.11 The implication is clear. Those councils that cannot balance competing statutory duties, set a balanced budget, deliver statutory services, and secure value for money are not meeting their legal obligations under the Local Government Act 1999. Consequently, the statutory Best Value duty must frame all financial, service and policy decisions and the council must pro-actively evidence the best value considerations, including budget preparation and approval. The initial draft budget is a step towards this enhanced Best Value compliance and we will look to develop Best Value assessment of individual elements within budget proposals in later drafts (and subsequent budgets) but these will not be ready for this initial draft and until the further detail to resolve budget gaps has been completed.

## **C) Requirement to set a balanced budget**

2.12 The Local Government Finance Act 1992 requires the Council to consult on and ultimately set a legal budget and Council Tax precept for the forthcoming financial year, 2024-25. This requirement applies to the final draft budget presented for County Council approval. It does not apply to interim drafts. Whilst there is no legal requirement to set a balanced MTFP, this is considered good practice with an expectation that the financial strategy is based on a balanced plan in the medium term (albeit the resource equation beyond 2024-25 is still highly uncertain)

2.13 Setting the Council's revenue and capital budgets for the forthcoming year will be incredibly challenging due to the economic circumstances and forecast levels of growth pressures on council services. This has made current year budgets significantly more volatile due to unpredictable cost of providing council services from inflation, market conditions, delivering statutory responsibilities and ultimately client and resident expectations. Demand is also unpredictable although currently this is less volatile in terms of client numbers in most services. This volatility has knock-on consequences for our ability to forecast future spending requirements and income levels.

2.14 The LGFS for 2023-24 provided some additional certainty and increase in the resources available to the local government sector as a whole (and social care in particular) through the announcement of core principles for council tax referendum and grant settlements for 2024-25. The announcement did not include any indicative amounts for individual authorities for 2024-25 although we are able to estimate the likely amount with a reasonable degree of certainty providing the allocation methodology is not significantly altered for 2023-24.

2.15 The Council has a statutory duty to set a balanced budget. However, what is meant by 'balanced' is not defined in law and relies on the professional judgement of the Chief Financial Officer to ensure that the budget is robust and sustainable. A prudent definition of a balanced budget would be a financial plan based on sound assumptions which shows how planned spending and income equals the available funding for the forthcoming year. Plans can take into account deliverable cost savings and/or local income growth strategies as well as useable reserves. The government has confirmed that the Statutory Override for the Dedicated Schools Grant deficits is extended for a further 3 years from 2023-24 to 2025-26. However, despite this extension under the Safety Valve programme the Council will have to start to make provision for a contribution in the 2024-25 budget and subsequent years for the duration of the agreement towards the accumulated DSG deficit.

2.16 While there is no legal definition of a balanced budget, legislation does provide a description to illustrate when a budget is considered not to balance:

- where the increased uncertainty leads to budget overspends of a level which reduce reserves to unacceptably low levels, or
- where an authority demonstrates the characteristics of an insolvent organisation, such as an inability to pay creditors.

2.17 The administration's initial draft budget includes a significant increase in risks, due to the combination of the magnitude of overspends in the current year (including under delivery of savings plans), unsustainable levels of growth and the need to avoid/reduce these, the magnitude of savings/income required for 2024-25, and external factors including geo economic circumstances and the impact of a recent high court order that the Council must take all possible steps to care for all Unaccompanied Asylum Seeking (UAS) children arriving in the county under the Children's Act 1989, unless and until they are transferred to other local authorities under the National Transfer Scheme. The risks from the judgment not only arise from the cost of securing additional care provision for UAS children should government departments not fully compensate the council but also knock-on consequences on the availability and cost of care for other children already in Kent. To date the offer is circa £9m which is insufficient to cover forecast costs for caring for UAS children for the remainder of 2023-24 which if not resolved would leave a forecast deficit, and no offer has yet been made for 2024-25. This combination poses a major threat to the Council's financial sustainability.

2.18 The increased risks means there will need to be a very robust approach to negotiating and agreeing prices for a range of council services to stay within the inflation allocations in the draft budget, an enhanced emphasis on controlling the drivers of non-inflation related cost increases, a more rigorous approach to managing, monitoring and reporting on demand for council services and greater oversight, monitoring and reporting of savings delivery to reduce the risk of further calls on reserves. The level of savings required in 2024-25 and over the medium term continues to be higher than in recent years driven largely by growth in spending rather than cuts in funding, representing a new and very specific challenge.



2.19 To avoid the risk of an unbalanced budget the Council has to be financially resilient. Good financial management is fundamental in establishing confidence in the budget and ensuring that the finances can withstand unexpected shocks. The Council undertook a review of each Directorate's financial management arrangements, following the Council wide financial management review undertaken by the Chartered Institute of Public Finance and Accountancy (CIPFA). The Council is also developing Outcomes Based Budgeting which will see a more integrated approach to budget and service planning over the MTFP period focussing on priority outcomes and value for money.

2.20 Setting a clear medium-term financial plan (MTFP) also strengthens the Council's financial resilience by identifying financial issues early and options for potential solutions.

#### **D) Budget Consultation**

2.21 The Council launched a consultation on the 2024-25 budget on 13<sup>th</sup> July 2023. The consultation was open until 6<sup>th</sup> September 2023 and can still be viewed via the <https://letstalk.kent.gov.uk/budget-consultation-2024-25> [Council's website](#).

2.22 2,620 responses were received which is higher than the 2,161 responses to last year's budget consultation. Responses were received from Kent residents, KCC staff and local businesses. 49.8% of respondents found out about the consultation via Facebook advertising, 19.4% via a KCC e-mail and/or website.

2.23 A supporting document set out the background to the consultation including key facts about Kent, KCC's strategic priorities, the financial challenges the council has had to address in recent years, the 2022-23 budget outturn, and the 2023-24 budget. The document included information on the council tax referendum principles together with the assumed levels for 2024-25 and impact on council tax bills. The document sets out the financial outlook for the forthcoming year and the difficult decisions that will be needed to balance significant forecast spending increases with the forecast resources from council tax and central government settlement.

2.24 The supporting document focuses on the six main spending areas which account for over 80% of revenue spending (excluding non-attributable costs):

- Care, support and preventative services for vulnerable adults (32%)
- Care, support and preventative services for vulnerable and disabled children (17%)
- Care, support and preventative services for older persons (15%)
- Public transport including home to school transport (8%)
- Waste recycling and disposal (7%)
- Highways management and maintenance (4%)

2.25 The consultation sought views on both the general council tax and the adult social care levy, and whether increases up to the referendum level are supported, increases should be less than referendum level, or any increase is opposed. The consultation sought views on spending priorities within the big six areas, and whether current spending is too little, too much or about right. The consultation sought views on if spending has to be reduced in one of the big six areas which should it be. The consultation also sought views on ideas for savings.

2.26 A separate detailed report setting out the responses received is included as a background document to this report.

### **E) Equalities Considerations**

2.27 The Equality Act 2010 requires the Council, in the exercise of its functions to have due regard to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

2.28 To help meet its duty under the Equality Act the council undertakes equality impact assessments to analyse a proposed change to assess whether it has a disproportionate impact on persons who share a protected characteristic. As part of our budget setting process an equality impact assessment screening will be completed for each savings proposal to determine which proposals will require a full equality impact analysis (with mitigating actions set out against any equality risks) prior to a decision to implement being made.

2.29 The amounts for some savings can only be confirmed following consultation and completion of an equalities impact assessment. Consequently, amounts are only planned at the time the budget is approved and can change. Any changes will be reported through the in-year budget monitoring reports which will include separate and specific consideration of delivery of savings plans.

### **F) Treasury Management Strategy**

2.30 The Treasury Management Strategy Statement will be included as an appendix to the report for approval by full Council in accordance with the CIPFA Treasury Management Code of Practice. The Statement sets out the proposed strategy with regard to borrowing, the investment of cash balances and the associated monitoring arrangements.

2.31 The prudential indicators set out in the Treasury Management Strategy and Capital Strategy will be based on the first three years of the 10 year Capital Programme.

3.1 The provisional local government finance settlement for 2023-24 included guiding principles for 2024-25, although no indicative figures for individual councils were set out. The guiding principles related to council tax referendum principles, additional social care grants announced as part of a two-year package for 2023-24 and 2024-25 in the Autumn 2022 Budget, and uplifts to retained business rates and Revenue Support Grant (RSG) linked to business rate multipliers.

3.2 The guiding principle on council tax is that referendum limits for 2024-25 would be the same as 2023-24 i.e. for authorities with adult social care responsibilities an increase in the general precept of up to but not exceeding 3% without the requirement for a referendum, and adult social care levy of up to but not exceeding 2%. The initial draft budget assumes a council tax increase of 4.992%, the maximum that would be allowed without a referendum.

3.3 The additional grants for social care include:

- an extra £532m nationally in the Social Care Grant for adults and children's social care (increasing the total grant from £1,345m to £1,877m). If the same distribution methodology is used for 2024-25 as 2023-24 KCCs estimated share of the extra would be £14.4m (increasing Social Care grant from £88.8m to £103.2m).
- an extra £283m nationally in the Market Sustainability and Improvement Fund (increasing the total grant from £562m to £845m). If the same distribution methodology is used for 2024-25 as 2023-24 KCCs estimated share of the extra would be £7.3m (increasing Market Sustainability and Improvement Fund grant from £14.4m to £21.7m).
- an extra £200m nationally in the local authority 50% share of the Discharge Fund (increasing the total grant from £300m to £500m). If the same distribution methodology is used for 2024-25 as 2023-24 KCCs estimated share of the extra would be £4.7m (increasing Discharge Fund grant from £7.0m to £11.7m).

3.4 On 28<sup>th</sup> July 2023 the government announced a further £600m funding for adult social care over 2023-24 and 2024-25. £570m was added to the Market Sustainability and Improvement Fund (£365m in 2023-24 and a further £205m in 2024-25). KCC's share in 2023-24 was £9.4m with an estimated share of £5.2m in 2024-25. The remaining £30m is to be targeted to those authorities in the most challenged health systems (no details have yet been published).

3.5 The estimated increased social care grants have been included in the initial draft budget assumptions. The additional social care grants and increase in the adult social care council tax precept must be passported into social care budgets. This effectively sets a minimum increase in net spending on social care services between 2023-24 and 2024-25 and caps the amount that can be delivered from efficiency and transformation programmes in social care services to offset increasing costs.

3.6 The Non-Domestic Rating Bill is currently making its way through parliament. Most of this will not affect the retained funding for local authorities other than it will confirm that the annual indexation will be based on Consumer Price Index (CPI) rather than Retail Price Index (RPI) and the increase in the small business and standard multipliers would be decoupled. The impact of these changes on retained business rates funding is subject to technical consultation which closes on 2<sup>nd</sup> November. Ministers will still have the power to approve a lesser increase in the multiplier. Ministers have used the power of a lesser increase in recent years including using CPI rather than RPI (although local authorities have been compensated for the impact on retained business rates through a separate Section 31 grant).

3.7 The initial draft budget assumes that retained business rates (including top-up grant) and RSG will be uplifted by CPI (with no further compensation to RPI) as this was set out in the guiding principles. At this stage there has been no assumption about the decoupling of small business and standard multipliers pending the outcome of the consultation. This could mean that future uplifts are either based on local weighted average tailored for each authority according to the individual mix of small businesses and standard businesses within the tax base, or an England wide national weighted average. The initial draft budget assumes all increases are based on the un-decoupled small business rate multiplier (assumed 1.4p less than standard multiplier for 2024-25). The final impact of the decision on decoupled uplifts will need to be included in subsequent drafts once decisions have been confirmed.

4.1 Traditionally the revenue budget has been determined on an incremental basis. Incremental budgeting starts with the current year's budget and then adds/subtracts for known and forecast changes. These changes include the full year effect of current year forecast variances as well as future forecasts for pay/prices, service demands (largely driven by non-inflation related demand and cost drivers), service improvements and government legislation. These spending forecasts are then balanced against available funding by spending reductions through savings and income. Non inflation related demand and cost drivers would include things like increased costs of additional hours in care packages, longer journey routes, and supplier competition.

4.2 Incremental budgeting is relatively simple to understand and is appropriate if the primary cost drivers do not change from year to year, or changes can be robustly forecast. One of the big challenges in recent years has been the scale and unpredictability of changes in these non-inflation related demand and cost drivers and the difficulty in forecasting them accurately. This has resulted in overspends. There are also other problems with incremental budgeting as it tends to reinforce current practices and can lead to budget slack due to the inbuilt incentive to over-estimate incremental changes or failure to challenge the basis of current budgets. It is also highly susceptible to volatility from external factors.

4.3 Outcomes based budgeting (OBB) seeks to challenge the orthodoxy of incremental budgeting as it seeks to measure the difference that council spending is expected to make to the quality of life for local residents and communities and target spending accordingly. It will take some time to fully move to OBB due to the large amount of recurrent spending that is effectively fixed in the short to medium term due to existing care and support packages, contractual obligations, and long-standing agreements. This means that initially OBB is focused on an alternative approach to determining the distribution of the available year on year change in resources. This continues to be through the calculation of resource envelopes. For 2024-25 budget and MTFP resource envelopes were set for each of the next three years covering 2024-25 and indicative allocations for 2025-26 and 2026-27. The envelopes for 2024-25 are more predictable with the announcement of guiding principles within the 2023-24 settlement which confirmed increases in social care grants and council tax referendum principles for 2024-25.

4.4 The resource envelopes allocate the forecast available additional resources after taking account of corporate issues such as maintaining adequate and prudent reserves, provision for Kent scheme pay award and debt charges to fund capital programme. The resource envelopes for social care (adults and children's) need to ensure that additional resources from targeted government grants and specific council tax levy are passported in full.

4.5 Envelopes have been set on an Outcomes Based approach for the "big six" spending areas:

- care, support and preventative services for older persons
- care, support and preventative services for vulnerable adults
- care, support and preventative services for vulnerable and disabled children
- public transport (including home to school transport)
- waste recycling and disposal
- highways management & maintenance

4.6 The resource envelope calculation for the big six is based on a combination of unavoidable spending increases (largely contractual price increases) and savings from existing incremental MTFP, with the balance of available resources allocated according to outcomes. Effectively this replaces the previous incremental demographic demand growth and service improvements with an Outcomes basis. The envelopes for remaining spending outside the big six (other envelope) are set from the remaining resources based on historical spend and existing incremental MTFP growth and savings/income.

4.7 Services were tasked with identifying the actions they would need to take to manage spending within the resource envelopes. The initial draft plans to date have led to significant gaps in older people & vulnerable adults, integrated children’s and public transport envelopes where spending growth to date is forecast to be greater than the envelope and sufficient new savings/income have not been identified to manage within the envelope. It will be essential in closing the gap that the further outstanding actions seek to find ways to manage down the spending growth in these areas although this will take some time and it is inevitable that spending in other areas will also have to reduce below the levels expected in the envelope allocations. The council will need to engage additional external support to assist with identifying solutions that enable future spending growth in these key areas to be managed within the likely resources available within general fund from local taxation and government settlement and that these services do not take up an ever increasing and disproportionate share of the Council’s overall budget.

4.8 Currently there is a smaller gap in the waste recycling and disposal envelope and small surpluses in highways and other envelopes. The overall gap in the initial draft revenue budget of £48.8m will need to be closed across all envelopes for subsequent and final drafts through the objectives and actions identified in the strategy reported to Cabinet on 5<sup>th</sup> October 2023 “Securing Kent’s Future – Budget Recovery Strategy”. The latest position compared to the envelopes is set out in table 1 below.

Table 1 – Resource Envelopes compared to Initial Draft Spending Plans

	Resource Envelope £m	Initial Draft Plans £m	Gap / (surplus) £m
Older people & vulnerable adults	40.4	52.3	11.9
Integrated Children’s Services	3.7	21.4	17.8
Highways management & maintenance	4.8	4.3	-0.5
Waste recycling & disposal	0.7	3.0	2.3
Transport	3.9	26.3	22.3
Other	-0.4	-1.3	-0.9
Corporate for reserves, pay & financing	46.9	42.7	-4.2
Total	99.8	148.6	48.8

4.9 The spending plan submissions have been captured in a new way using sharepoint templates. This allows for more consistency with strategic business planning, enables more information to be collected and held centrally to inform budget decisions, and allows members to access more information about the draft budget proposals as part of the scrutiny process. The information from the templates is presented in a series of dashboards that can be interrogated. These dashboards have been designed to provide a high level of summary information which can then be drilled down. The information can be viewed from directorate, OBB service category, and the traditional MTFP categories (prices, demand, efficiencies, etc) perspectives.

4.10 A short video demonstration of the dashboards has been prepared to help to use them. The dashboards can only be accessed through a kent.gov e-mail account. The attached appendix C includes screen shots of examples from the dashboards. A brief description of each of the spending growth, savings & income, and reserves entries in the dashboard is set out in appendix D. The templates and dashboards are a new approach to gathering and presenting budget information. This means that inevitably further developments and improvements both to the design and presentation of them, and quality of information, will be needed as these evolve.

4.11 This approach is part of a transition towards Outcomes Based Budgeting ensuring a greater outcome focus on the most significant spending areas. This is not to say that other services are not necessarily a priority and cannot be added to the outcome based approach in later years. As the approach is developed increasingly future years envelopes will be based on finance and performance outcomes metrics. These metrics will need to be developed and agreed.

4.12 The core objectives of the revenue strategy are largely unchanged by an Outcome Based approach. The core budget objectives are as follows:

- Maintain a balanced budget and medium-term financial plan with net expenditure (after income and specific grants) not exceeding available funding from un-ringfenced grants and local taxation
- Set a council tax that does not exceed the government referendum limits
- Ensure the council is financially sustainable minimising the risk that the council could cease to be responsible for its financial and other affairs through government intervention or appointment of commissioners
- Maintain an adequate and prudent level of reserves commensurate with risks
- Maintain and improve the council's overall financial resilience through sustainability of reserves, levels of external borrowing and debt costs, balance of income compared to spend, proportion of council budget spent on social care
- Prudent management of cashflow and liquidity through Treasury Strategy which balances risks and returns on financial investments and low interest costs and certainty on borrowing
- Full cost recovery on charges for discretionary services other than where Cabinet agrees to provide services at a subsidy and/or concession
- Prudent capital investment programme
- Aligns resources to the council's strategic vision and priorities whilst allowing the council to fulfil statutory obligations

5.1 Council Tax income is a key source of funding for council services. The amount generated through Council Tax is based on precept on collection authorities derived from the estimated band D equivalent Council Tax Base (the number of weighted properties in each band adjusted for exemptions, discounts and assumed collection rates) and the county council share of the band D household charge.

5.2 A significant proportion of the funding towards the revenue budget is derived from the County Council’s share of council tax. The County Council share of council tax typically amounts to around 70% of a household council tax bill. The County Council charge is the same for all households in the county (as is the share for Police & Crime Commissioner and Fire and Rescue authority), the amount for district/borough and town/parish councils will vary depending on the local area and the individual decisions of these councils.

5.3 The Council currently can, subject to legislative constraints, increase its Council Tax rate through two mechanisms, the Adult Social Care (ASC) precept and general tax rate increases. Each 1% increase in the Council Tax rate generates circa £8.9m per annum in 2024-25, which equates to an extra 29.5 pence per week for a band D property.

5.4 The guiding principles for 2024-25 allow for up to but not exceeding 3% general tax rate increases without a referendum plus an additional Adult Social Care precept of up to 2%. These increases are based on the total county council share of the household charge for 2023-24 (£1,534.23 for band D household). The administration’s initial draft budget 2023-24 includes an assumed 2.998% increase for the general precept (up to but not exceeding the referendum level) and a further 1.994% increase for the adult social care levy (ASCL). The impact of these assumed council tax increases on individual bands are shown in table 2.

Table 2 – Assumed Council Tax Band Charges

Band	Proportion of Band D Tax Rate	2023-24 (incl. ASCL)	2024-25 (excl. increase in ASCL)	2024-25 (incl. increase in ASCL)
A	6/9	£1,022.82	£1,053.48	£1,073.88
B	7/9	£1,193.29	£1,229.06	£1,252.86
C	8/9	£1,363.76	£1,404.64	£1,431.84
D	9/9	£1,534.23	£1,580.22	£1,610.82
E	11/9	£1,875.17	£1,931.38	£1,968.78
F	13/9	£2,216.11	£2,282.54	£2,326.74
G	15/9	£2,557.05	£2,633.70	£2,684.70
H	18/9	£3,068.46	£3,160.44	£3,221.64

5.5 The County Council’s 2023-24 council tax charge (including Fire and Rescue Authority to ensure valid like for like comparison) is currently 10<sup>th</sup> highest of the 21 counties and 4<sup>th</sup> of the 7 south east counties. We will not know KCC’s relative position on Council Tax for 2024-25 until all county councils have agreed their precept and Council Tax charge for 2024-25.



5.6 The assumed tax base in the initial draft budget is 1.7% increase. This is based on an assumed historical average increase of 1.5% for increases in number of dwellings and changes in discounts, exemptions and assumed collection rates plus a further 0.2% for the assumed impact if the remaining 9 councils remove the remaining discounts on empty dwellings. Removing such discounts would be consistent with reducing the number of empty dwellings and reducing collection costs. Removing empty property discounts would also be more consistent with reforms in the Levelling up and Regeneration Bill which would allow premiums to be charged on dwellings empty for more than one year as otherwise owners of empty dwellings would pay reduced or no council tax in the first year a property became empty but then double council tax in second year. At this stage the tax base includes no assumption of these increased premiums pending progress of the Bill through parliament.

5.7 The final council tax precept and council tax funding levels will have to be based on tax base estimates notified by the 12 collection authorities. This could change from the assumed tax base in the initial draft 2024-25 budget. Collection authorities also have to notify estimated collection fund balance for over/under collection. This must also be reflected in the final budget as over/under collection has to be taken into account as part of the final decision on council tax charge for 2024-25. The initial draft includes an assumed £7m collection fund balance.

6.1 The administration's initial draft capital and revenue budgets are subject to the budget scrutiny process in November (with scrutiny of further detail to follow in January). The estimates in the initial draft budget are early forecasts which can, and in all likelihood will, change in the final draft budget. Following the scrutiny process the administration's final draft budget for approval by County Council will be published by 9<sup>th</sup> February 2024. The full Council is responsible for agreeing the budget at the County Council meeting on 19<sup>th</sup> February 2024 (this is later than previous years to avoid the school holidays but does mean that the council tax precept must be agreed even if other aspects of the budget are deferred to the reserve date as district and borough councils need certainty over the county council precept for their budget setting which is scheduled in the days immediately after the county council meeting). As required by the Council's Constitution and Financial Regulations, the final draft budget for County Council approval will be proposed by the Leader and published in a format recommended by the Corporate Director, Finance and agreed by the Leader.

6.2 The draft proposed ten-year capital spending plans for 2024-34 are being updated to reflect the recent monitoring position and are currently work in progress. The updated plans will need to include some minor changes as detailed below, with the comprehensive refresh scheduled to be published in January:

- Roll overs from the 2022-23 outturn position,
- The transfer of small recurring annual spend to revenue,
- The addition of £26.1m between 2024-25 to 2026-27 to the corporate Modernisation of Assets programme, funded from additional capital receipts,
- Reflection of the 2025-26 basic need grant allocations which resulted in £20.5m additional grant in 2025-26,
- Replacement of £2.6m prudential borrowing with available grant in 2024-25.

6.3 The presentation of the administration's draft revenue budget 2024-25 and 2024-27 MTFP focuses on the key policy and strategic implications of the proposals. The revenue proposals are summarised in appendices A to D of this report. These appendices show the spending, income and savings changes from the current year's approved budget (2023-24) and the financing requirements. Appendix A provides a high-level summary of the proposed three-year plan for the whole council, showing separately the spending growth, savings & income, changes in reserves for core KCC funded activity (funding from the local government settlement and local taxation) from changes in externally funded activities (largely specific grant funded).

6.4 Appendix B provides a directorate high level summary of the proposed plan for 2024-25 again showing separately spending growth, savings & income, changes in reserves and funding for core KCC funded activity (funding from the local government settlement and local taxation) from changes in externally funded activities (largely specific grant funded). Throughout this report the focus is on core funded spending, savings, income and reserves as changes on externally funded spend are financially neutral.

6.5 Appendix C shows examples of the more detailed information available through the dashboards. Appendix D provides a full list of individual spending and savings & income items. Subsequent versions of the draft and final budget will provide more budget details in other formats as the dashboards can only be accessed via a kent.gov e-mail account. The dashboards have been designed specifically to address issues with previous budget presentations for scrutiny purposes.

6.6 The final draft budget presented to County Council will include the key service analysis. The original planned spending on key services is set out in appendix E of the final approved Budget Book for 2023-24 (published in March) and available on KCC website at [https://www.kent.gov.uk/data/assets/pdf\\_file/0006/148947/Budget-Book-2023-24.pdf](https://www.kent.gov.uk/data/assets/pdf_file/0006/148947/Budget-Book-2023-24.pdf)

It is not feasible or appropriate to produce a key service presentation in the initial draft budget for scrutiny as the scrutiny process needs to focus on the proposed changes to the approved budgets for 2023-24 before more detailed delivery plans are completed and these plans will inform the key service budgets for 2024-25.

6.7 Additional proposed spending growth includes the impact of decisions and activities already being delivered in the current year not included in the current base budget and known future contractual obligations. It also includes forecasts for future cost or activity changes for the forthcoming year, or changes in Council policy. These are set out in fuller detail in dashboards including an explanation of the reasons for the change, key impacts and risks, dependencies and sensitivities. As outlined in section 4, the dashboards have been designed as a new approach but inevitably will need further development on design, content and data quality.

6.8 The savings and income options in the dashboards follows a similar pattern with proposed savings amounts derived from the full year effect of 2023-24 plans already agreed; savings and income for 2024-25 in the original 2023-26 MTFP (albeit updated); savings/income from the application of existing policies; savings/income that do not require any changes in policy; and those that require policy changes presented as policy savings, efficiency/transformation savings, income or financing savings. Given the scale of the savings, enhanced detailed delivery plans will need to be prepared and monitoring arrangements will be put in place in addition to the arrangements already embedded through the monthly monitoring with budget managers and regular quarterly budget monitoring reports to Cabinet.

6.9 The high-level equation for changes in planned revenue spending for 2024-25 (growth and savings), income and net budget, together with the balancing changes in funding is shown in table 3 below. This summarises how the requirement to set a balanced budget will be met once the outstanding actions for 2024-25 outlined in Securing Kent's Future have been finalised and confirmed. To improve transparency the spending, savings and reserves from core KCC funds are shown separately from externally funded changes (consistent with revised presentation of appendices A and B).

Table 3 – Net Change in Spending and Funding

<b>Change in Net Spending</b>	<b>Core Funded</b>	<b>External Funded</b>	<b>Change in Net Funding</b>	<b>Core Funded</b>
Assumed additional spending	£201.5m	-£24.1m	Increase in Social Care grants	£31.7m
Proposed savings from spending reductions and future cost avoidance	-£59.2m*		Net Increase in other government grants	£7.9m
Proposed changes in income	-£10.1m*	-£0.3m	Change in council tax base	£14.9m
Savings & future cost avoidance from SKF to be identified	-£48.8m		Assumed increase in council tax charge	£44.5m
Assumed changes in specific government grants		£20.9m	Change in retained business rates	£3.0m
Proposed net change in reserves	£16.4m	£3.5m	Change in net collection fund balances/S31 compensation	-£2.2m
<b>Total Change in Net Spending</b>	<b>£99.8m</b>	<b>£0.0m</b>	<b>Total Change in Net Funding</b>	<b>£99.8m</b>

\*Net figures from original 2023-26 plan updated and new proposals

6.10 The increased and additional grants have been set out in more detail in the section on the principles for 2024-25 local government finance settlement (section 3 of this report). This includes the ASC Discharge Fund, increases in Social Care Grant and Market Sustainability and Improvement Fund.

6.11 The initial draft MTFP does not show a balanced 3 year plan. The initial draft budget for 2024-25 has a gap of £48.8m due to spending growth after savings, income and reserves exceeding the estimated resources from the government settlement and local taxation. The early forecasts on which the initial draft budget is based means that effectively this means the gap presented is a figure within a likely range. The recovery plan has set out indicative amounts from the further actions to close this gap although at this stage these have not been worked in sufficient detail to include as savings and cost reduction plans for the initial draft budget. The recovery plan identified 3 main areas where there is the biggest opportunity for further savings and to reduce costs in 2024-25 to resolve the gap and balance the budget. These include:

- review of demand and cost drivers in adult social care, children's services and home to school transport leading to scope to reduce future cost growth with a particular focus on managing down demand and non-inflationary cost increases in line with the best value principles outlined in section 2B of this report
- Review of all contracts due for renewal in the next 12 months with particular regard to those that can be allowed to lapse and those where there can be a significant change in specification leading to lower tender prices
- Further targeted policy savings in areas of non-statutory spending (including elements of SEN, adult social care and children's services), efficiency/transformation savings such as planning of SEN transport routes, and bringing forward savings in later years of MTFP.

These further detailed plans will need to be presented for scrutiny in January in advance of the publication of final draft budget plans for full Council approval in February. The plans for 2025-26 and 2026-27 have further albeit lesser gaps although the funding and spending forecasts are less reliable for these later years.

6.12 Pressures arising from Special Education Needs & Disabilities (SEND) impact upon both the Dedicated Schools Grant (DSG) and the General Fund. Pressures on DSG are addressed primarily by the Safety Valve mechanism, whereby Department for Education provides a substantial contribution (up to £140m), in return for improvements to the SEND system. Pressures on the General Fund are reflected primarily on the number of requests to assess, produce and then annually review Education & Health Care Plans (EHCP) and the associated increased SEND home to school transport costs.

6.13 There is already substantial work being undertaken to manage down this financial pressure and additional work will focus on identifying and reviewing changes to existing policy and practice so that we are meeting statutory minimum requirements, but ceasing discretionary services where they are not cost effective and only issuing EHCPs where they are necessary, and needs cannot be met by other means.

6.14 Where required consultation and Equality Impact Assessments (EQIA) will need to be undertaken on individual new savings and income proposals. The final planned amounts can only be confirmed following consultation and EQIA. Any variances between the approved budget and final planned amounts will be included in the budget monitoring report to Cabinet, together with progress on delivery.

**Proposed Initial Draft 2024-25 Revenue Budget – key numbers**

£1,415.4m	Assumed net revenue budget for 2024-25. This represents a £99.8m increase on the final approved budget for 2023-24 of £1,315.6m.
£201.5m	Additional assumed core funded spending growth – see paragraph 7.1 for more detail.
-£69.3m	Assumed savings, income and future cost increase avoidance. Of this £28.3m relates to proposed savings, £10.1m additional income generation (mainly fees and charges), and £30.9m reductions in the amount assumed for future demand and cost increases in adult social care and home to school transport – see paragraph 7.2 for more detail.
£16.4m	Assumed net impact on the budget of changes in use of reserves including new contributions and removing previous years drawdown and contributions – see section 8 for more detail
-£48.8m	Outstanding actions yet to be finalised from Securing Kent’s Future – Budget Recovery Strategy. These additional reductions will need to mainly come from further avoidance of future spending increases from reviewing impact of cost and demand drivers, contract renewals and further service savings.
£936.2m	Assumed to be raised from Council Tax precept. An increase of £59.4m on 2023-24. £14.9m is due to a 1.7% assumed increase in the tax base due to additional dwellings, changes in discounts and exemptions and assumed collection rates. £44.5m is from the assumed increase in the household charge up to but not exceeding 5% (including £17.8m from the adult social care levy).
£39.6m	Assumed increase in the local government grant settlement. This comprises: <ul style="list-style-type: none"> <li>• £14.4m increase in Social Care Grant announced in 2023-24 settlement from repurposed funding from social care charging reforms</li> <li>• £12.5m increase in Market Sustainability and Improvement Fund to support capacity and discharge (including £7.3m announced in 2023-24 settlement and £5.2m further announcement in summer 2023)</li> <li>• £4.7m ASC Discharge Fund</li> <li>• £10.2m indexed linked uplifts in business rate top-up, business rate compensation and Revenue Support Grant</li> <li>• -£2.3m removal of New Homes Bonus Grant</li> </ul>

**Revenue spending: a reminder of what it is**  
 Revenue spending is spent on the provision of day to day services, either directly through KCC staff and operational buildings, or commissioned from third parties. Revenue spending is identified as gross spend and net spend after taking account of service income and specific government grants. The net revenue budget requirement is funded by a combination of council tax, locally retained business rates and un-ring-fenced grants from the Department for Levelling-up, Housing and Communities (DLUHC) included in the local government finance settlement. Grants from other government departments are ring-fenced to specific activities and are shown as income to offset the related spending.

7.1 The additional assumed core funded spending growth (i.e. excluding changes arising from external funding changes) of £201.5m for 2024-25 is summarised in appendices A and B and set out in more detail in appendix D together with more detail in the dashboard. It has been subdivided into the following categories:

Net base budget changes £45.5m	Changes to reflect full year effect of variations in the current year's monitoring forecast compared to approved budget. These adjustments are necessary to ensure the draft budget is based on a robust and sustainable basis.
Demand and cost drivers £80.9m	Forecast estimates for future non-inflationary cost and demand increases such as additional care hours, increased journey length's, etc. across a range of services including adult social care, integrated children's services, home to school transport and waste tonnage.
Price uplifts £46.2m	Contractual and negotiated price increases on contracted services, including full year effect of planned mid-year uplifts in current year and forecast future price uplifts.
Pay £14.2m	Additional net cost of assumed pay award and progression after savings from appointing new staff lower in pay ranges.
Service Strategies & Improvements £13.2m	Other assumed spending increases to deliver strategic priorities and/or service improvements and outcomes including financing of capital programme
Government & Legislative £1.4m	Additional spending to meet compliance with legislative and regulatory changes

7.2 The proposed savings, income and future cost increase avoidance of £69.3m for 2024-25 are summarised in appendices A and B and set out in more detail in appendix D together with more detail in the dashboard. It has been subdivided into the following categories:

Policy Savings £6.6m	Savings arising from proposed changes in KCC policies including full year effect of 2023-24 savings and new proposals for 2024-25 (full year effect in later years will be shown in detail in future drafts). Savings in this category are changes to charging policies and changes in our service offer.
Transformation & Efficiency Savings £49.4m	Savings aimed at achieving improved or the same outcomes at less cost including full year effect of 2023-24 savings and new proposals for 2024-25 (full year effect in later years will be shown in detail in future drafts). Savings in this category include future cost increase avoidance as well as reductions to existing recurring spend. Transformation and efficiency savings include contracted spending as well as in-house spending on staffing and premises.
Financing Savings £3.3m	Review of amounts set aside for debt repayment (MRP) based on asset life and increased investment income returns.
Income Generation £10.1m	Increases in fees and charges for council services from applying existing policies on fee uplifts (including contributions from other bodies) and new income generation proposals. Existing policies include increases in client contributions in line with estimated 2024-25 benefits and other personal income increases and increases in contributions to Kent Travel Saver and 16+ pass linked to fare increases.



8.1 Reserves are an important part of the Council's financial strategy and are held to create long-term financial stability. They enable the Council to manage change without undue impact on the Council Tax and are a key element of its financial standing and resilience.

8.2 The Council's key sources of funding face an uncertain future and the Council therefore holds earmarked reserves and a working balance to mitigate future financial risks.

8.3 There are two main types of reserves:

- Earmarked Reserves – held for identified purposes and are used to maintain a resource in order to provide for expenditure in a future year(s).
- General Reserves – these are held for 'unforeseen' events.

8.4 The Council maintains reserves both for its General Fund activities and it accounts for the reserves of its maintained schools. Schools are funded by a 100% government grant, Dedicated Schools Grant (DSG). Local authorities cannot fund DSG activities from the general fund without express approval from the Secretary of State. The Statutory Override on DSG deficits has been extended for 3 years from 2023-24 to 2025-26, however during this period it is essential that the Council makes provision for the local authority contributions to the Safety Valve agreement. The Secretary of State has given the council the necessary approval for KCC's contribution to the Safety Valve to be funded from the general fund. The Safety Valve agreement does not fully eliminate the risk of DSG overspends until the plan has been fully delivered and high needs spending is contained within the block of funding available within DSG.

8.5 There remains a significant risk to reserves from the forecast overspend for 2023-24 and the gap in 2024-25 in the initial draft budget until all the actions to bring spending in 2023-24 back into balance have been delivered and the actions to balance planned spending in 2024-25 finalised and agreed. The level of reserves held is a matter of judgment which takes into account the reasons why reserves are maintained and the Council's potential financial exposure to risks. A Reserves Policy is included as Appendix E to this report. An analysis of budget risks is included as Appendix F, and risk register as Appendix G.

8.6 The Council holds reserves in order to mitigate future risks, such as increased demand and costs; to help absorb the costs of future liabilities; and to enable the Council to initially resource policy developments and initiatives without a disruptive impact on Council Tax. Capital reserves play a similar role in funding the Council's capital investment strategy.

8.7 The Council also relies on interest earned through holding cash and investment balances to support its general spending plans.

8.8 Reserves are one-off monies and, therefore, the Council generally aims to avoid using reserves to meet on-going financial commitments other than as part of a sustainable budget plan. The Council has to balance the opportunity cost of holding reserves in terms of Council Tax against the importance of interest earning and long-term future planning.

8.9 Reserves are therefore held for the following purposes:

- Providing a working balance
- Smoothing the impact of uneven expenditure profiles between years e.g. collection fund surpluses or deficits, local elections, structural building maintenance and carrying forward expenditure between years.
- Holding funds for future spending plans e.g. capital expenditure plans, and for the renewal of operational assets e.g. information technology renewal.
- Meeting future costs and liabilities where an accounting 'provision' cannot be justified.
- Meeting future costs and liabilities so as to cushion the effect on services e.g. the Insurance Reserve for self-funded liabilities arising from insurance claims.
- To provide resilience against future risks.
- To create policy capacity in the context of forecast declining future external resources.

8.10 All earmarked reserves are held for a specific purpose. A summary of the movement on each category of reserves is published annually, to accompany the annual Statement of Accounts.

8.11 The administration's Initial draft budget 2024-25 includes an assumed net £16.4m increase in reserves impacting on the budget including new contributions and removing previous years drawdown and contributions. These changes include the following main changes:

*Increased/new contributions £36.7m*

- £16.2m general reserves including £11.1m repayment of 50% of the amount drawn down to balance 2022-23 and £5.1m for the additional annual contribution to reflect the increase in net revenue budget to maintain general reserves at 5%. The phased repayment of 2022-23 drawdown means general reserves are not planned to be returned to 5% of net revenue until 2025-26
- £15.1m DSG reserve for the planned 2024-25 local authority contribution to the safety valve programme
- £4.3m repayment to smoothing reserves for planned drawdown to support 2023-24 budget
- £1.0m annual contribution to establish new Emergency Capital Events Reserve for emergency capital works and revenue costs related to capital spend such as temporary accommodation, and condition surveys which don't result in capital works

*Drawdowns and Removal of Prior Year Drawdown and Contributions -£20.2m*

- -£5.8m removal of 2023-24 contribution to general reserve for increase in net budget
- -£12m removal of contribution to risk reserve (now treated as contingent spend rather than reserve)
- -£5.6m removal of 2023-24 contribution to Local Taxation Equalisation reserve
- -£1.2m removal of annual contribution for phased repayment of long term reserves borrowed to fund grant reductions in 2011-12 as these are now fully repaid
- +£4.3m replace drawdown from reserves to support 2023-24 budget

## Appendices and background documents



### Appendices

<a href="#">High Level Summary 3 Year Draft Revenue Plan and Financing 2024-27</a>	A
<a href="#">Directorate Summary of 2024-25 Spending, Savings &amp; Income and Reserves</a>	B
<a href="#">Budget 2024-25 Dashboard</a>	C
<a href="#">List of individual spending growth and savings &amp; income items</a>	D
<a href="#">Reserves Policy</a>	E
<a href="#">Budget Risks and Adequacy of Reserves</a>	F
<a href="#">Budget Risk Register</a>	G

### Background documents

Below are click-throughs to reports, more information, etc.  
Click on the item title to be taken to the relevant webpage.

<a href="#">KCC's Budget webpage</a>	1
<a href="#">KCC's Corporate Risk Register (item 9)</a>	2
<a href="#">KCC's Risk Management Strategy, Policy and Programme (item 11)</a>	
<a href="#">KCC's approved 2023-24 Budget</a>	3
<a href="#">2024-25 Budget Consultation (Let's Talk Kent) including the Budget Consultation report</a>	4
June 2023 (high level update for August 2023) <a href="#">Monitoring Report</a>	5
<a href="#">Securing Kent's Future – Budget Recovery Strategy</a>	6
<a href="#">Securing Kent's Future – Budget Recovery Report</a>	7

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## APPENDIX A: HIGH LEVEL 2024-27 REVENUE PLAN AND FINANCING

	2024-25			2025-26			2026-27		
	core funded	externally funded	TOTAL	core funded	externally funded	TOTAL	core funded	externally funded	TOTAL
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s
Revised Base Budget	1,315,610.6		1,315,610.6	1,415,450.7		1,415,450.7	1,473,162.2		1,473,162.2
<b>Spending</b>									
Base Budget Changes	45,470.2	0.0	45,470.2	20,355.0	0.0	20,355.0	20,400.0	0.0	20,400.0
Reduction in Grant Income	35.0	0.0	35.0	0.0	0.0	0.0	0.0	0.0	0.0
Pay	14,205.9	505.1	14,711.0	7,611.8	0.0	7,611.8	7,560.1	0.0	7,560.1
Prices	46,234.9	967.4	47,202.3	28,345.0	0.0	28,345.0	22,513.2	0.0	22,513.2
Demand & Cost Drivers	80,924.7	314.7	81,239.4	84,447.6	0.0	84,447.6	82,879.0	0.0	82,879.0
Service Strategies & Improvements	13,205.7	-2,568.8	10,636.9	572.6	-3,952.0	-3,379.4	738.8	0.0	738.8
Government & Legislative	1,406.5	-23,337.5	-21,931.0	126.5	-4,520.6	-4,394.1	0.0	0.0	0.0
<b>Total Spending</b>	<b>201,482.9</b>	<b>-24,119.1</b>	<b>177,363.8</b>	<b>141,458.5</b>	<b>-8,472.6</b>	<b>132,985.9</b>	<b>134,091.1</b>	<b>0.0</b>	<b>134,091.1</b>
<b>Savings, Income &amp; Grants</b>									
Transformation & Efficiency	-49,387.1	0.0	-49,387.1	-46,852.2	-13.9	-46,866.1	-41,833.7	0.0	-41,833.7
Income	-10,060.5	-281.3	-10,341.8	-5,170.3	0.0	-5,170.3	-4,695.4	0.0	-4,695.4
Financing	-3,279.6	0.0	-3,279.6	222.4	0.0	222.4	-281.8	0.0	-281.8
Policy	-6,569.4	-9.2	-6,578.6	-14,499.1	0.0	-14,499.1	-5,032.9	0.0	-5,032.9
<b>Total Savings &amp; Income</b>	<b>-69,296.6</b>	<b>-290.5</b>	<b>-69,587.1</b>	<b>-66,299.2</b>	<b>-13.9</b>	<b>-66,313.1</b>	<b>-51,843.8</b>	<b>0.0</b>	<b>-51,843.8</b>
Increases in Grants and Contributions		20,949.1	20,949.1		8,136.0	8,136.0		0.0	0.0
<b>Total Savings &amp; Income &amp; Grant</b>	<b>-69,296.6</b>	<b>20,658.6</b>	<b>-48,638.0</b>	<b>-66,299.2</b>	<b>8,122.1</b>	<b>-58,177.1</b>	<b>-51,843.8</b>	<b>0.0</b>	<b>-51,843.8</b>
<b>RESERVES</b>									
Contributions to reserves	36,699.7	0.0	36,699.7	29,910.0	0.0	29,910.0	15,560.0	0.0	15,560.0
Removal of prior year Contributions	-24,739.6	0.0	-24,739.6	-36,699.7	0.0	-36,699.7	-29,910.0	0.0	-29,910.0
Drawdowns from reserves	-829.2	-350.5	-1,179.7	0.0	0.0	0.0	0.0	0.0	0.0
Removal of prior year Drawdowns	5,318.9	3,811.0	9,129.9	829.2	350.5	1,179.7	0.0	0.0	0.0
<b>Net impact on MTFP</b>	<b>16,449.8</b>	<b>3,460.5</b>	<b>19,910.3</b>	<b>-5,960.5</b>	<b>350.5</b>	<b>-5,610.0</b>	<b>-14,350.0</b>	<b>0.0</b>	<b>-14,350.0</b>
<b>NET CHANGE</b>	<b>148,636.1</b>	<b>0.0</b>	<b>148,636.1</b>	<b>69,198.8</b>	<b>0.0</b>	<b>69,198.8</b>	<b>67,897.3</b>	<b>0.0</b>	<b>67,897.3</b>
<b>Outstanding Actions for Securing Kent's Future (-ve)</b>	<b>-48,796.0</b>		<b>-48,796.0</b>	<b>-11,487.3</b>		<b>-11,487.3</b>	<b>-2,385.2</b>		<b>-2,385.2</b>
<b>NET BUDGET REQUIREMENT</b>	<b>1,415,450.7</b>	<b>0.0</b>	<b>1,415,450.7</b>	<b>1,473,162.2</b>	<b>0.0</b>	<b>1,473,162.2</b>	<b>1,538,674.3</b>	<b>0.0</b>	<b>1,538,674.3</b>
<b>MEMORANDUM:</b>									
<b>The net impact on our reserves balances is:</b>									
Contributions to Reserves	36,699.7	0.0	36,699.7	29,910.0	0.0	29,910.0	15,560.0	0.0	15,560.0
Drawdowns from Reserves	-829.2	-350.5	-1,179.7	0.0	0.0	0.0	0.0	0.0	0.0
<b>Net movement in Reserves</b>	<b>35,870.5</b>	<b>-350.5</b>	<b>35,520.0</b>	<b>29,910.0</b>	<b>0.0</b>	<b>29,910.0</b>	<b>15,560.0</b>	<b>0.0</b>	<b>15,560.0</b>
<b>FUNDING</b>									
Revenue Support Grant			11,649.6			11,716.1			11,716.1
Business Rate Top-Up Grant			148,138.7			148,985.2			148,985.2
Business Rate Compensation Grant			46,546.6			46,812.6			46,812.6
Social Care Support Grant			103,212.0			103,212.0			103,212.0
Market Sustainability & Improvement Fund			26,969.4			21,703.9			21,703.9
Hospital Discharge Grant			11,686.6			11,686.6			11,686.6
Services Grant			7,599.4			7,599.4			7,599.4
Improved Better Care Fund			50,014.7			50,014.7			50,014.7
Other un-ringfenced grants			3,257.7			3,257.7			3,257.7
Local Share of Retained Business Rates			63,177.9			63,521.7			63,521.7
Business Rate Collection Fund			0.0			0.0			0.0
Council Tax Income (including increase up to referendum limit but excluding social care levy)			800,774.3			841,243.1			884,201.0
Council Tax Adult Social Care Levy			135,423.8			156,409.2			178,963.4
Council Tax Collection Fund			7,000.0			7,000.0			7,000.0
<b>Total Funding</b>			<b>1,415,450.7</b>			<b>1,473,162.2</b>			<b>1,538,674.3</b>

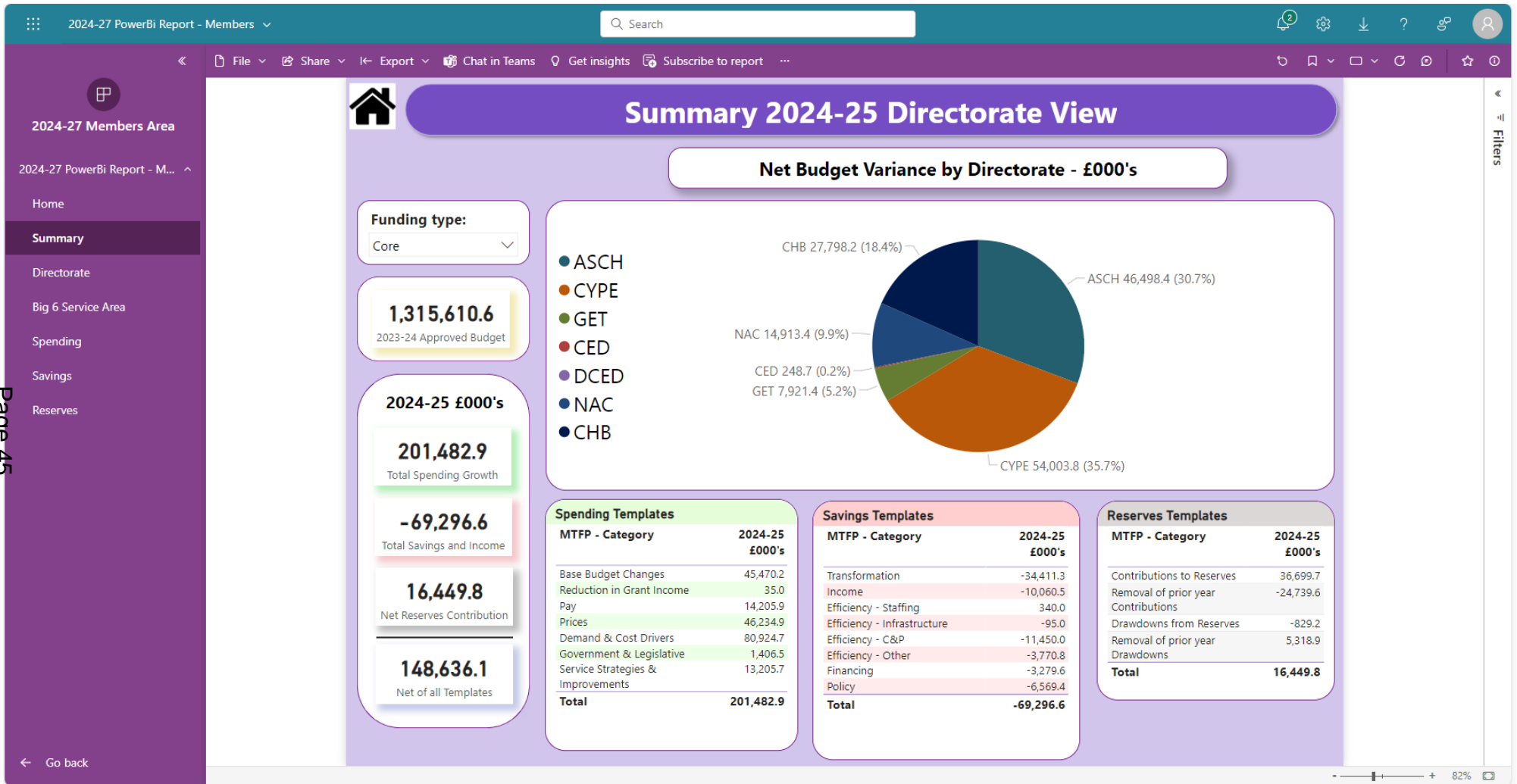
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## APPENDIX B: HIGH LEVEL 2024- 25 REVENUE PLAN BY DIRECTORATE

	TOTAL			ASCH Adult Social Care & Health	PH Public Health	CYPE Children, Young People & Education			GET Growth, Environment & Transport	CED Chief Executive's Department			DCED Deputy Chief Executive's Department	NAC Non Attributable Costs	CHB Corporately Held Budgets		
	core funded	externally funded	TOTAL	core funded	externally funded	core funded	externally funded	TOTAL	core funded	core funded	externally funded	TOTAL	core funded	core funded	core funded	externally funded	TOTAL
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s
Revised Base Budget	1,315,610.6		<b>1,315,610.6</b>	527,430.4	0.0	360,353.0		<b>360,353.0</b>	194,949.0	33,118.9		<b>33,118.9</b>	83,989.0	116,062.2	-291.9		<b>-291.9</b>
<b>Spending</b>																	
Base Budget Changes	45,470.2	0.0	<b>45,470.2</b>	16,900.0	0.0	21,666.0	0.0	<b>21,666.0</b>	-468.9	-55.4	0.0	<b>-55.4</b>	-3,000.0	-3,369.7	13,798.2	0.0	<b>13,798.2</b>
Reduction in Grant Income	35.0	0.0	<b>35.0</b>	0.0	0.0	0.0	0.0	<b>0.0</b>	35.0	0.0	0.0	<b>0.0</b>	0.0	0.0	0.0	0.0	<b>0.0</b>
Pay	14,205.9	505.1	<b>14,711.0</b>	0.0	505.1	553.0	0.0	<b>553.0</b>	85.0	0.0	0.0	<b>0.0</b>	0.0	67.9	13,500.0	0.0	<b>13,500.0</b>
Prices	46,234.9	967.4	<b>47,202.3</b>	28,482.3	967.4	13,384.0	0.0	<b>13,384.0</b>	2,841.5	0.0	0.0	<b>0.0</b>	1,482.1	45.0	0.0	0.0	<b>0.0</b>
Demand & Cost Drivers	80,924.7	314.7	<b>81,239.4</b>	50,602.0	314.7	29,181.5	0.0	<b>29,181.5</b>	1,141.2	0.0	0.0	<b>0.0</b>	0.0	0.0	0.0	0.0	<b>0.0</b>
Service Strategies & Improvements	13,205.7	-2,568.8	<b>10,636.9</b>	296.1	-2,568.8	2,008.0	0.0	<b>2,008.0</b>	5,065.0	656.6	0.0	<b>656.6</b>	-320.0	5,500.0	0.0	0.0	<b>0.0</b>
Government & Legislative	1,406.5	-23,337.5	<b>-21,931.0</b>	0.0	-489.6	0.0	-777.0	<b>-777.0</b>	1,406.5	0.0	59.9	<b>59.9</b>	0.0	0.0	0.0	-22,130.8	<b>-22,130.8</b>
<b>Total Spending</b>	<b>201,482.9</b>	<b>-24,119.1</b>	<b>177,363.8</b>	<b>96,280.4</b>	<b>-1,271.2</b>	<b>66,792.5</b>	<b>-777.0</b>	<b>66,015.5</b>	<b>10,105.3</b>	<b>601.2</b>	<b>59.9</b>	<b>661.1</b>	<b>-1,837.9</b>	<b>2,243.2</b>	<b>27,298.2</b>	<b>-22,130.8</b>	<b>5,167.4</b>
<b>Savings, Income &amp; Grants</b>																	
Transformation & Efficiency	-49,387.1	0.0	<b>-49,387.1</b>	-39,758.1	0.0	-9,240.0	0.0	<b>-9,240.0</b>	-94.0	-250.0	0.0	<b>-250.0</b>	-45.0	0.0	0.0	0.0	<b>0.0</b>
Income	-10,060.5	-281.3	<b>-10,341.8</b>	-8,773.9	-281.3	-417.7		<b>-417.7</b>	-868.9	0.0		<b>0.0</b>	0.0	-500.0	500.0		<b>500.0</b>
Financing	-3,279.6	0.0	<b>-3,279.6</b>	0.0	0.0	0.0		<b>0.0</b>	0.0	0.0		<b>0.0</b>	0.0	-3,279.6	0.0		<b>0.0</b>
Policy	-6,569.4	-9.2	<b>-6,578.6</b>	-1,250.0	-9.2	-3,131.0		<b>-3,131.0</b>	-1,221.0	-102.5		<b>-102.5</b>	-864.9	0.0	0.0		<b>0.0</b>
<b>Total Savings &amp; Income</b>	<b>-69,296.6</b>	<b>-290.5</b>	<b>-69,587.1</b>	<b>-49,782.0</b>	<b>-290.5</b>	<b>-12,788.7</b>	<b>0.0</b>	<b>-12,788.7</b>	<b>-2,183.9</b>	<b>-352.5</b>	<b>0.0</b>	<b>-352.5</b>	<b>-909.9</b>	<b>-3,779.6</b>	<b>500.0</b>	<b>0.0</b>	<b>500.0</b>
Increases in Grants and Contributions		20,949.1	<b>20,949.1</b>		-1,898.8		777.0	<b>777.0</b>			-59.9	<b>-59.9</b>			22,130.8		<b>22,130.8</b>
<b>Total Savings &amp; Income &amp; Grant</b>	<b>-69,296.6</b>	<b>20,658.6</b>	<b>-48,638.0</b>	<b>-49,782.0</b>	<b>-2,189.3</b>	<b>-12,788.7</b>	<b>777.0</b>	<b>-12,011.7</b>	<b>-2,183.9</b>	<b>-352.5</b>	<b>-59.9</b>	<b>-412.4</b>	<b>-909.9</b>	<b>-3,779.6</b>	<b>500.0</b>	<b>22,130.8</b>	<b>22,630.8</b>
<b>RESERVES</b>																	
Contributions to reserves	36,699.7	0.0	<b>36,699.7</b>	0.0	0.0	0.0		<b>0.0</b>	0.0	0.0		<b>0.0</b>	160.0	36,539.7	0.0	0.0	<b>0.0</b>
Removal of prior year Contributions	-24,739.6	0.0	<b>-24,739.6</b>	0.0	0.0	0.0		<b>0.0</b>	0.0	0.0		<b>0.0</b>	-160.0	-24,579.6	0.0	0.0	<b>0.0</b>
Drawdowns from reserves	-829.2	-350.5	<b>-1,179.7</b>	-567.2	-350.5	0.0		<b>0.0</b>	0.0	-262.0		<b>-262.0</b>	0.0	0.0	0.0	0.0	<b>0.0</b>
Removal of prior year Drawdowns	5,318.9	3,811.0	<b>9,129.9</b>	567.2	3,811.0	0.0		<b>0.0</b>	0.0	262.0		<b>262.0</b>	0.0	4,489.7	0.0	0.0	<b>0.0</b>
<b>Net impact on MTFP</b>	<b>16,449.8</b>	<b>3,460.5</b>	<b>19,910.3</b>	<b>0.0</b>	<b>3,460.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>16,449.8</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>NET CHANGE</b>	<b>148,636.1</b>	<b>0.0</b>	<b>148,636.1</b>	<b>46,498.4</b>	<b>0.0</b>	<b>54,003.8</b>	<b>0.0</b>	<b>54,003.8</b>	<b>7,921.4</b>	<b>248.7</b>	<b>0.0</b>	<b>248.7</b>	<b>-2,747.8</b>	<b>14,913.4</b>	<b>27,798.2</b>	<b>0.0</b>	<b>27,798.2</b>
<b>Outstanding Actions for Securing Kent's Future</b>	<b>-48,796.0</b>		<b>-48,796.0</b>												<b>-48,796.0</b>		<b>-48,796.0</b>
<b>NET BUDGET REQUIREMENT</b>	<b>1,415,450.7</b>	<b>0.0</b>	<b>1,415,450.7</b>	<b>573,928.8</b>	<b>0.0</b>	<b>414,356.8</b>	<b>0.0</b>	<b>414,356.8</b>	<b>202,870.4</b>	<b>33,367.6</b>	<b>0.0</b>	<b>33,367.6</b>	<b>81,241.2</b>	<b>130,975.6</b>	<b>-21,289.7</b>	<b>0.0</b>	<b>-21,289.7</b>
<b>MEMORANDUM:</b>																	
<b>The net impact on our reserves balances is:</b>																	
Contributions to Reserves	36,699.7	0.0	36,699.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	160.0	36,539.7	0.0	0.0	0.0
Drawdowns from Reserves	-829.2	-350.5	-1,179.7	-567.2	-350.5	0.0	0.0	0.0	0.0	-262.0	0.0	-262.0	0.0	0.0	0.0	0.0	0.0
<b>Net movement in Reserves</b>	<b>35,870.5</b>	<b>-350.5</b>	<b>35,520.0</b>	<b>-567.2</b>	<b>-350.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>-262.0</b>	<b>0.0</b>	<b>-262.0</b>	<b>160.0</b>	<b>36,539.7</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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The screenshot shows a PowerBI report titled "2024-27 PowerBi Report - Members". The interface includes a top navigation bar with a search box and utility icons, and a left-hand navigation pane with menu items: "2024-27 Members Area", "2024-27 PowerBi Report - M...", "Home", "Summary", "Directorate" (highlighted), "Big 6 Service Area", "Spending", "Savings", and "Reserves".

The main content area features a filter panel with the following sections:

- Funding type:** A dropdown menu currently set to "Core".
- Directorate selected:** An empty text input field.
- Division selected:** A dropdown menu currently set to "--".
- Big 6 Service Area selected:** A dropdown menu currently set to "--".
- Directorate:** A list of checkboxes for ASCH, CYPE, GET, CED, DCED, NAC, CHB, and Public Health.
- Division:** A label with a menu icon.
- Big 6 Service Area:** A label.

Below the filters is a call-to-action button: "Click on the + to see the descriptions of the templates under that Category".

The main data area displays a table titled "Spending Templates" with the following data:

MTFP - Category	No. of Templates	2024-25 £000's
+ Base Budget Changes	23	45,470.2
+ Reduction in Grant Income	1	35.0
+ Pay	7	14,205.9
+ Prices	34	46,234.9
+ Demand & Cost Drivers	14	80,924.7
+ Government & Legislative	2	1,406.5
+ Service Strategies & Improvements	15	13,205.7
<b>Total</b>	<b>96</b>	<b>201,482.9</b>

A black callout box on the right side of the table contains the text: "Please select a Individual Spending Template".

The screenshot shows a PowerBI report titled "2024-27 PowerBi Report - Members". The interface includes a top navigation bar with a search box and various utility icons. A left-hand navigation pane lists menu items: "2024-27 Members Area", "2024-27 PowerBi Report - M...", "Home", "Summary", "Directorate", "Big 6 Service Area" (highlighted), "Spending", "Savings", and "Reserves".

The main content area features a filter section with a home icon, a "Funding type:" dropdown menu set to "Core", and a "Big 6 Service Area selected:" field containing "--". To the right, a "Big 6 Service Area:" section contains a list of checkboxes for "Older People", "Vulnerable Adults", "Integrated Children's Services", "Highways", "Transport", "Waste", "Adult Social Care Staffing", and "Other".

Below the filters is a call-to-action button: "Click on the + to see the descriptions of the templates under that Category".

The "Spending Templates" section displays a table with the following data:

Directorate	No. of Templates	2024-25 £000's
+ ASCH	11	96,280.4
+ CYPE	23	66,792.5
+ GET	36	10,105.3
+ CED	3	601.2
+ DCED	10	-1,837.9
+ NAC	10	2,243.2
+ CHB	3	27,298.2
<b>Total</b>	<b>96</b>	<b>201,482.9</b>

A dark callout box on the right side of the table contains the text: "Please select a Individual Spending Template".

At the bottom left of the report, there is a "Go back" button. The bottom right corner shows a zoom level of 100%.

2024-27 PowerBi Report - Members

Search

File Share Export Chat in Teams Get insights Subscribe to report

2024-27 Members Area

2024-27 PowerBi Report - M...

Home

Summary

Directorate

Big 6 Service Area

**Spending**

Savings

Reserves

Go back

Home

**Funding type:**  
Core

**MTFP Spending category selected:**  
--

Click on the + to see the descriptions of the templates under that Category

**MTFP Spending Category:**

- Base Budget Changes
- Reduction in Grant Income
- Pay
- Prices
- Demand & Cost Drivers
- Government & Legislative
- Service Strategies & Improvements

**Please select a Individual Spending Template**

**Spending Templates**

Directorate	No. of Templates	2024-25 £000's
ASCH	11	96,280.4
CYPE	23	66,792.5
GET	36	10,105.3
CED	3	601.2
DCED	10	-1,837.9
NAC	10	2,243.2
CHB	3	27,298.2
<b>Total</b>	<b>96</b>	<b>201,482.9</b>

Filters

100%

2024-27 PowerBi Report - Members

File Share Export Chat in Teams Get insights Subscribe to report

2024-27 Members Area

2024-27 PowerBi Report - M...

Home

Summary

Directorate

Big 6 Service Area

Spending

**Savings**

Reserves

Go back

Search

Home

**Funding type:**  
Core

**MTFP Savings category selected:**  
--

Click on the + to see the descriptions of the templates under that Category

**MTFP Savings Category:**

- Transformation
- Income
- Increases in Grants and Contribut...
- Efficiency - Staffing
- Efficiency - Infrastructure
- Efficiency - C&P
- Efficiency - Other
- Financing
- Policy

**Please select a Individual Savings Template**

**Savings Templates**

Directorate	No. of Templates	2024-25 £000's
ASCH	22	-49,782.0
CYPE	17	-12,788.7
GET	19	-2,183.9
CED	3	-352.5
DCED	3	-909.9
NAC	3	-3,779.6
CHB	1	500.0
<b>Total</b>	<b>68</b>	<b>-69,296.6</b>

100%

The screenshot displays a PowerBI report interface. At the top, there is a teal header with a search bar and navigation icons. Below this is a purple sidebar with a home icon and a list of navigation items: "2024-27 Members Area", "2024-27 PowerBi Report - M...", "Home", "Summary", "Directorate", "Big 6 Service Area", "Spending", "Savings", and "Reserves" (which is highlighted). The main content area has a grey background and contains several sections:

- Funding type:** A dropdown menu currently set to "Core".
- MTFP Reserves category selected:** A large white box containing "--".
- MTFP Reserves Category:** A list of four categories with checkboxes:
  - Contributions to Reserves
  - Removal of prior year Contributio...
  - Drawdowns from Reserves
  - Removal of prior year Drawdowns
- Please select a Individual Reserves Template:** A black banner with white text.
- Reserves Templates:** A table with the following data:

Directorate	No. of Templates	2024-25 £000's
+ ASCH	2	0.0
+ CED	2	0.0
+ DCED	2	0.0
+ NAC	13	16,449.8
<b>Total</b>	<b>19</b>	<b>16,449.8</b>

At the bottom left of the sidebar, there is a "Go back" button. At the bottom right of the main content area, there is a zoom control showing "100%".

## APPENDIX D: 2024-25 DRAFT BUDGET - SPENDING PROPOSALS

						177,363.8		
A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of spending increase	A6iii - Brief description of spending increase	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Spending Template relate to?	E3i - Is this Externally or Core funded?	
Base Budget Changes	ASCH	Dan Watkins	Adult Social Care	Realignment of Vulnerable Adults budget to reflect underlying pressure forecast in 2023-24	9,900.0	Vulnerable Adults	Core	
Base Budget Changes	ASCH	Dan Watkins	Adult Social Care	Realignment of Older People budget to reflect underlying pressure forecast in 2023-24	7,000.0	Older People	Core	
Base Budget Changes	CED	Roger Gough	Safeguarding Adults	Removal of Review Manager at the end of the two year fixed term appointment for dealing with the increased number of Adult Safeguarding reviews being undertaken and to free up capacity to undertake development work for the Safeguarding Adults Board	-55.4	Adult Social Care staffing	Core	
Base Budget Changes	CHB	Peter Oakford	Corporately Held Contingency	Emerging pressures contingency for risk of inability to deliver against approved budget estimates due to unforeseen changes in external factors that arise after the budget is set	14,000.0	Other	Core	
Base Budget Changes	CHB	Dylan Jeffrey	Pay and Reward	Release of 2023-24 unallocated pay and reward allocation. The costs of the pay award and increase in annual leave entitlement for some staff were less than assumed when the 2023-24 budget was set	-201.8	Other	Core	
Base Budget Changes	CYPE	Rory Love	Home to school transport	Realignment of the home to school transport budget to reflect the full year effect of the cost and number of children being transported in 2023-24	10,900.0	Transport	Core	
Base Budget Changes	CYPE	Sue Chandler	Children's Social Care	Realignment of looked after children's placement budget to reflect the increase in cost of supporting children due to the market and complexity, and the number of children in different placement types in 2023-24	7,950.0	Integrated Children's Services	Core	
Base Budget Changes	CYPE	Sue Chandler	Children's Social Care	Realignment of children in need packages of care budget to reflect the cost of home support services including daycare and direct payments seen in 2023-24	2,121.0	Integrated Children's Services	Core	
Base Budget Changes	CYPE	Sue Chandler	18-25 placements	Realignment of the 18-25 Adult Learning & Physical Disability Community Services budget to reflect the increase in cost of supporting these clients in 2023-24	695.0	Vulnerable Adults	Core	
Base Budget Changes	DCED	Peter Oakford	KCC Estate Energy	Reduction in the price of gas and electricity for the KCC estate in 2023-24 compared to the assumptions at the time of setting the budget	-3,000.0	Other	Core	
Base Budget Changes	GET	Susan Carey	Waste prices	Realignment of prices for a variety of waste streams within the Materials Recycling Facilities contract	960.0	Waste	Core	
Base Budget Changes	GET	Susan Carey	Waste haulage costs	Right sizing of budget for waste haulage contracts due to inflation being higher than the increase assumed in the 2023-24 budget	623.9	Waste	Core	
Base Budget Changes	GET	Susan Carey	Waste Facilities	Right sizing of budget for household waste recycling centre and waste transfer station management fees and rent due to higher inflation than assumed in the 2023-24 budget	257.9	Waste	Core	
Base Budget Changes	GET	Clair Bell	Coroners	Rightsize budget for post mortems, Coroner's pay, Senior Coroner fees, pathologists fees and funeral director costs due to increasing number and complexity of cases	223.0	Other	Core	
Base Budget Changes	GET	Clair Bell	Trading Standards	Delay in achieving income from Trading Standards Checked service due to economic climate which was originally planned for 2021 -22	-40.0	Other	Core	

## APPENDIX D: 2024-25 DRAFT BUDGET - SPENDING PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of spending increase	A6iii - Brief description of spending increase	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Spending Template relate to?	E3i - Is this Externally or Core funded?
Base Budget Changes	GET	Neil Baker	Public Transport	Removal of budget for the public transport smartcard following the winding down of the scheme	-48.0	Transport	Core
Base Budget Changes	GET	Susan Carey	Waste income from paper & card	An increase in the price per tonne received for recycled paper and card	-485.8	Waste	Core
Base Budget Changes	GET	Neil Baker	Streetlight Energy	Figure has been adjusted to reflect additional costs of £475k to upgrade from 3g to 4g due to third party providers removing 3g capability in 24/25. This is required for functionality of the CMS and LED street lighting management	-1,959.9	Highways	Core
Base Budget Changes	NAC	Peter Oakford	Insurance	Rightsize budget for increase in insurance premiums	564.5	Other	Core
Base Budget Changes	NAC	Peter Oakford	Other Non Attributable costs	Payment to Kent Fire and Rescue Service of 3% share of the Retained Business Rates levy in line with the Kent Business Rates pool agreement	90.0	Other	Core
Base Budget Changes	NAC	Peter Oakford	Environment Agency Levy	Rightsize budget for the Environment Agency Levy as the increase in 2023-24 was lower than anticipated when the budget was set	-8.2	Other	Core
Base Budget Changes	NAC	Peter Oakford	Non Attributable Costs	Removal of budget for Transferred Services Pensions as these payments have now ceased	-16.0	Other	Core
Base Budget Changes	NAC	Peter Oakford	Capital Financing Costs	Reduction in debt charges from 2023-24 due to decisions taken by Members to contain the capital programme, significant levels of re-phasing of the capital programme in 2022-23 and changes in interest rates	-4,000.0	Other	Core
<b>TOTAL BASE BUDGET CHANGES</b>					<b>45,470.2</b>		<b>Core</b>
Demand & Cost Drivers	ASCH	Dan Watkins	Adult Social Care	Provision for impact of the full year effect of all current costs of care, further increases in client numbers including young people coming into Adult Social Care through transition, and additional costs arising for existing clients and for those new clients whose needs are becoming more complex- Vulnerable Adults	34,945.3	Vulnerable Adults	Core
Demand & Cost Drivers	ASCH	Dan Watkins	Adult Social Care	Provision for impact of the full year effect of all current costs of care, further increases in client numbers including young people coming into Adult Social Care through transition, and additional costs arising for existing clients and for those new clients whose needs are becoming more complex- Older People	15,656.7	Older People	Core
Demand & Cost Drivers	CYPE	Rory Love	Home to School transport - SEN	Estimated impact of rising pupil population on SEN Home to School and College Transport	15,500.0	Transport	Core
Demand & Cost Drivers	CYPE	Sue Chandler	Children's Social Care	Estimated impact of an increase in the population of children in Kent, leading to increased demand for children's social work and disabled children's services - number of children & increasing packages of support	6,371.5	Integrated Children's Services	Core
Demand & Cost Drivers	CYPE	Sue Chandler	Adult Social Care	Provision for impact of the full year effect of all current costs of care, further increases in client numbers expected through transition into adulthood from Children's Social Care, additional costs arising for existing clients and for those new clients whose needs are becoming more complex.	3,400.0	Vulnerable Adults	Core
Demand & Cost Drivers	CYPE	Sue Chandler	Children's Social Care	Estimated impact of an increase in the population of children in Kent, leading to increased demand for children's social work and disabled children's services - complexity of packages	2,260.0	Integrated Children's Services	Core



## APPENDIX D: 2024-25 DRAFT BUDGET - SPENDING PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of spending increase	A6iii - Brief description of spending increase	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Spending Template relate to?	E3i - Is this Externally or Core funded?
Demand & Cost Drivers	CYPE	Rory Love	Home to School transport - Mainstream	Estimated impact of rising pupil population on Mainstream Home to School transport	1,400.0	Transport	Core
Demand & Cost Drivers	CYPE	Sue Chandler	Care Leavers	Estimated increase in number of children supported by the care leaver service	250.0	Integrated Children's Services	Core
Demand & Cost Drivers	GET	Susan Carey	Waste - tonnage changes	Estimated impact of changes in waste tonnage as a result of population and housing growth	936.7	Waste	Core
Demand & Cost Drivers	GET	Clair Bell	Coroners	Increase in budget for toxicology analysis due to increasing number and complexity of cases	60.0	Other	Core
Demand & Cost Drivers	GET	Clair Bell	Trading Standards	Increase in legal costs as a result of more Crown Court cases	55.0	Other	Core
Demand & Cost Drivers	GET	Susan Carey	Planning Applications	Costs of the independent examination of the Minerals & Waste Local Plan by the Planning Inspectorate in the summer of 2024	50.0	Other	Core
Demand & Cost Drivers	GET	Neil Baker	Streetlight energy & maintenance	Adoption of new streetlights at new housing developments and associated increase in energy costs	27.5	Highways	Core
Demand & Cost Drivers	GET	Clair Bell	Public Rights of Way	Adoption of new routes	12.0	Other	Core
<b>TOTAL DEMAND &amp; COST DRIVERS</b>					<b>80,924.7</b>		<b>Core</b>
Government & Legislative	GET	Neil Baker	Highways	Costs of meeting our statutory duties in relation to inspection of bridges and structures and complying with the Tunnels Regulations	960.0	Highways	Core
Government & Legislative	GET	Susan Carey	Waste charging	Loss of income from removal of charging for disposal of non DIY waste materials at Household Waste Recycling centres following change in legislation	446.5	Waste	Core
<b>TOTAL GOVERNMENT &amp; LEGISLATIVE</b>					<b>1,406.5</b>		<b>Core</b>
Pay	CHB	Dylan Jeffrey	Pay and Reward	Contribution to pay pot and impact on base budget of uplifting pay grades in accordance with single pay reward scheme including the revision of lower Kent Scheme pay scales to further increase the differential between the lowest pay range and the Foundation Living Wage and increasing the annual leave entitlement for some staff. This is the subject of pay bargaining with Trade Unions.	13,500.0	Other	Core
Pay	CYPE	Sue Chandler	Agency Staff	Uplift in pay budget in line with average earnings for posts which are temporarily covered by agency staff- Integrated Children's Services	332.0	Integrated Children's Services	Core
Pay	CYPE	Rory Love	Agency Staff	Uplift in pay budget in line with average earnings for posts which are temporarily covered by agency staff - Special Educational Needs	181.0	Other	Core
Pay	CYPE	Sue Chandler	Agency Staff	Uplift in pay budget in line with average earnings for posts which are temporarily covered by agency staff - lifespan pathway 0-25	40.0	Integrated Children's Services	Core
Pay	GET	Clair Bell	Public Protection	Increase in staffing costs and consumables within Kent Scientific Services to deliver scientific testing which are offset by increased income	49.0	Other	Core
Pay	GET	Clair Bell	Coroners	Increase in pay for senior, area and assistant coroners in accordance with the pay award agreed by the national Joint Negotiating Committee for Coroners	36.0	Other	Core
Pay	NAC	Peter Oakford	Apprenticeship Levy	Increase in the Apprenticeship Levy in line with the pay award	67.9	Other	Core
<b>TOTAL PAY</b>					<b>14,205.9</b>		<b>Core</b>

## APPENDIX D: 2024-25 DRAFT BUDGET - SPENDING PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of spending increase	A6iii - Brief description of spending increase	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Spending Template relate to?	E3i - Is this Externally or Core funded?
Prices	ASCH	Dan Watkins	Adult Social Care	Provision for contractual and negotiated price increases across all adult social care packages including nursing, residential, domiciliary, supporting independence and direct payments - Vulnerable Adults	14,317.2	Vulnerable Adults	Core
Prices	ASCH	Dan Watkins	Adult Social Care	Provision for contractual and negotiated price increases across all adult social care packages including nursing, residential, domiciliary, supporting independence and direct payments - Older People	10,075.9	Older People	Core
Prices	ASCH	Dan Watkins	Adult Social Care	Provision for contractual and negotiated price increases across all adult social care packages funded by the Market Sustainability and Improvement Fund included in the provisional local government finance settlement - Older People	2,155.1	Older People	Core
Prices	ASCH	Dan Watkins	Adult Social Care	Provision for contractual and negotiated price increases across all adult social care packages funded by the Market Sustainability and Improvement Fund included in the provisional local government finance settlement - Vulnerable Adults	1,934.1	Vulnerable Adults	Core
Prices	CYPE	Rory Love	Home to School Transport	Provision for inflation on contracted services and season tickets for mainstream & SEN Home to School and College Transport	4,933.0	Transport	Core
Prices	CYPE	Sue Chandler	Children's Social Care	Provision for price negotiations with external providers, and uplift to in-house foster carers in line with DFE guidance - Integrated Children's Services	4,513.0	Integrated Children's Services	Core
Prices	CYPE	Sue Chandler	Adult Social Care	Provision for contractual and negotiated price increases across all adult social care packages including nursing, residential, domiciliary, supporting independence and direct payments - Vulnerable Adults 18-25	2,447.0	Vulnerable Adults	Core
Prices	CYPE	Sue Chandler	Children's Social Care	Provision for price negotiations with external providers, and uplift to in-house foster carers in line with DFE guidance - lifespan pathway 0-25	937.0	Integrated Children's Services	Core
Prices	CYPE	Rory Love	Kent Travel Saver & Kent 16+ Travel Saver	Provision for price inflation related to the Kent Travel Saver and Kent 16+ Travel Saver which is recovered through uplifting the charge for the pass - Kent 16+ Travel Saver	210.0	Transport	Core
Prices	CYPE	Rory Love	Non specific price provision	Non specific provision for CPI inflation on other negotiated contracts without indexation clauses - Children, Young People & Education	180.0	Other	Core
Prices	CYPE	Rory Love	Facilities Management	Estimated future price uplift to new Facilities Management contracts - schools	91.0	Other	Core
Prices	CYPE	Sue Chandler	Children's Social Care	Provision for price negotiations with external providers, and uplift to in-house foster carers in line with DFE guidance	73.0	Integrated Children's Services	Core
Prices	DCED	Peter Oakford	Facilities Management	Estimated future price uplift to new Facilities Management contracts - Corporate Landlord	867.7	Other	Core
Prices	DCED	Peter Oakford	Corporate Landlord	Provision for price inflation for rates for the office estate	417.4	Other	Core
Prices	DCED	Peter Oakford	Cantium Business Solutions (CBS)	Inflationary uplift on the CBS ICT contract	390.3	Other	Core
Prices	DCED	Peter Oakford	Technology contracts	Provision for price inflation on Third Party ICT related contracts	272.2	Other	Core
Prices	DCED	Peter Oakford	Corporate Landlord	Provision for price inflation for rent for the office estate	269.6	Other	Core
Prices	DCED	Peter Oakford	Kent Commercial Services (KCS)	Inflationary uplift on the KCS HR Connect contract	109.6	Other	Core

## APPENDIX D: 2024-25 DRAFT BUDGET - SPENDING PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of spending increase	A6iii - Brief description of spending increase	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Spending Template relate to?	E3i - Is this Externally or Core funded?
Prices	DCED	Dylan Jeffrey	Contact Centre	Price inflation on Agilisys contract for provision of Contact Centre	103.9	Other	Core
Prices	DCED	Peter Oakford	KCC Estate Energy	Anticipated price change on energy contracts for the KCC estate as estimated by Commercial Services	-948.6	Other	Core
Prices	GET	Neil Baker	Contract related inflation	Provision for price inflation related to Highways, Waste and other contracted services (based on contractual indices) - Highways contracts	1,170.3	Highways	Core
Prices	GET	Susan Carey	Contract related inflation	Provision for price inflation related to Highways, Waste and other contracted services (based on contractual indices) - Waste contracts	1,117.6	Waste	Core
Prices	GET	Neil Baker	Other Transport Related inflation	Provision for price inflation related to other transport services including subsidised bus services - subsidised bus routes	584.0	Transport	Core
Prices	GET	Neil Baker	Kent Travel Saver	Provision for price inflation related to the Kent Travel Saver and Kent 16+ Travel Saver which is recovered through uplifting the charge for the pass - Kent Travel Saver	463.5	Transport	Core
Prices	GET	Neil Baker	Highways Management	The handing back of the urban grass cutting and rural verge mowing contract by Folkestone & Hythe District Council	100.0	Highways	Core
Prices	GET	Clair Bell	Contract related inflation	Provision for price inflation related to Highways, Waste and other contracted services (based on contractual indices) - Public Rights of Way contracts	81.7	Other	Core
Prices	GET	Clair Bell	Contract related inflation	Provision for price inflation related to Highways, Waste and other contracted services (based on contractual indices) - Coroners Funeral Directors contract	37.0	Other	Core
Prices	GET	Clair Bell	Coroners	Provision for inflationary increase in specialist pathologist fees	25.5	Other	Core
Prices	GET	Clair Bell	Contract related inflation	Provision for price inflation related to Highways, Waste and other contracted services (based on contractual indices) - Coroners Post Mortem contract	21.2	Other	Core
Prices	GET	Clair Bell	Contract related inflation	Provision for price inflation related to Highways, Waste and other contracted services (based on contractual indices) - annual uplift to the SLA with Tunbridge Wells Borough Council for the running costs of the Amelia	13.0	Other	Core
Prices	GET	Clair Bell	Other Transport Related inflation	Provision for price inflation related to other transport services including subsidised bus services - Mobile libraries fuel	5.0	Other	Core
Prices	GET	Neil Baker	Streetlight Energy	Provision for price changes related to Streetlight energy as estimated by Commercial Services	-777.3	Highways	Core
Prices	NAC	Peter Oakford	Levies	Estimated increase in Environment Agency Levy together with impact of estimated change in taxbase	23.8	Other	Core
Prices	NAC	Peter Oakford	Non specific price provision	Non specific provision for CPI inflation on other negotiated contracts without indexation clauses - increase in Inshore Sea Fisheries Conservation Area (IFCA) Levy	21.2	Other	Core
<b>TOTAL PRICES</b>					<b>46,234.9</b>		<b>Core</b>
Reduction in Grant Income	GET	Clair Bell	EU funding	Replace a reduction in EU Funding ensuring sufficient resource is available to continue delivering the Positive Wellbeing Service at current levels	35.0	Older People	Core
<b>TOTAL REDUCTION IN GRANT INCOME</b>					<b>35.0</b>		<b>Core</b>

## APPENDIX D: 2024-25 DRAFT BUDGET - SPENDING PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of spending increase	A6iii - Brief description of spending increase	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Spending Template relate to?	E3i - Is this Externally or Core funded?
Service Strategies & Improvements	ASCH	Dan Watkins	Adult Social Care	Increase in the bad debt provision to reflect the anticipated impact of the high cost of living on our income collection rates from client contributions - Older People	256.3	Older People	Core
Service Strategies & Improvements	ASCH	Dan Watkins	Adult Social Care	Increase in the bad debt provision to reflect the anticipated impact of the high cost of living on our income collection rates from client contributions - Vulnerable Adults	81.8	Vulnerable Adults	Core
Service Strategies & Improvements	ASCH	Dan Watkins	Adult Safeguarding	Removal of two year pilot to combat Serious and Organised Crime	-42.0	Adult Social Care staffing	Core
Service Strategies & Improvements	CED	Peter Oakford	Partnership Arrangements with District Councils	Incentive payments for Kent District Councils to remove the remaining empty property discounts to maximise council tax, and reimburse Kent District Councils for temporary discretionary council tax discounts provided for properties affected by fire or flooding	541.1	Other	Core
Service Strategies & Improvements	CED	Peter Oakford	Member Allowances	Uplift to Member Allowances	115.5	Other	Core
Service Strategies & Improvements	CYPE	Rory Love	Special Educational Needs	Increase in staff numbers in SEN service to support improved quality of Education Health & Care Plans	2,000.0	Other	Core
Service Strategies & Improvements	CYPE	Sue Chandler	Adult Social Care	Increase in the bad debt provision to reflect the anticipated impact of the high cost of living on our income collection rates from client contributions - Vulnerable Adults 18-25	8.0	Vulnerable Adults	Core
Service Strategies & Improvements	DCED	Peter Oakford	Oakwood House Development	Removal of holding costs and loss of income in the short term once Oakwood House is no longer operational, offset by savings in the longer term following change of use	-320.0	Other	Core
Service Strategies & Improvements	GET	Neil Baker	Highways	<p>Increased highway spend in line with additional Outcome allocation for 2024/24. Activity focused on supporting the front line operational activities across the highway network as follows:</p> <p>Service improvement: £2.4m to enhance the national pothole funding</p> <p>Unavoidable (realignment): £1.2m committed HTMC operational impact on district teams £1.0m to drainage to realign budget for current activity levels £0.4m to winter service to realign for current activity projections</p>	5,000.0	Highways	Core
Service Strategies & Improvements	GET	Clair Bell	Country Parks	Change the funding of improvements and adaptations to country parks from capital to revenue	70.0	Other	Core
Service Strategies & Improvements	GET	Clair Bell	Sports Facilities	Change the funding of refurbishment and provision of sports facilities and community projects from capital to revenue	37.5	Other	Core
Service Strategies & Improvements	GET	Clair Bell	Village Halls & Community Centres	Change the funding of grants for improvements and adaptations to village halls and community centres from capital to revenue	37.5	Other	Core
Service Strategies & Improvements	GET	Derek Murphy	Economic Development Recovery Plan	Removal of time limited funding for re-design of the service and additional staffing and consultancy capacity to draft and deliver the Economic Recovery Plan/Economic Strategy following the Covid pandemic	-80.0	Other	Core

## APPENDIX D: 2024-25 DRAFT BUDGET - SPENDING PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of spending increase	A6iii - Brief description of spending increase	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Spending Template relate to?	E3i - Is this Externally or Core funded?
Service Strategies & Improvements	NAC	Peter Oakford	Project Prime	Loss of income from a review of contract with Commercial Services Group, specifically due to the removal of buy back of services	3,000.0	Other	Core
Service Strategies & Improvements	NAC	Peter Oakford	Capital Programme	The impact on debt charges of the review of the 2021-24 capital programme.	2,500.0	Other	Core
<b>TOTAL SERVICE STRATEGIES &amp; IMPROVEMENTS</b>					<b>13,205.7</b>		<b>Core</b>
Demand & Cost Drivers	Public Health	Dan Watkins	Public Health	Estimated increase in internal recharges for support services	375.1	Other	External
Demand & Cost Drivers	Public Health	Dan Watkins	Public Health - Healthy Lifestyles	Removal of additional temporary funding for reducing waiting lists for Postural Stability	-60.4	Other	External
<b>TOTAL DEMAND &amp; COST DRIVERS</b>					<b>314.7</b>		<b>External</b>
Government & Legislative	CED	Roger Gough	Domestic Abuse New Burdens	Costs of undertaking domestic abuse support in safe accommodation duties funded by specific grant	59.9	Other	External
Government & Legislative	CHB	Peter Oakford	Household Support Fund	Removal of the extension of the Government funded Household Support Fund into 2023-24 as announced in the Chancellor's Autumn Statement on 17th November 2022	-22,130.8	Other	External
Government & Legislative	CYPE	Sue Chandler	Family Hubs	Estimated reduction in our share of the DfE/DHSC Family Hubs and Start for Life grant	-777.0	Integrated Children's Services	External
Government & Legislative	Public Health	Dan Watkins	Public Health - Substance Misuse	Targeted housing support interventions for people in drug and alcohol treatment funded by Drug Strategy Housing Support Grant from Office for Health Improvement & Disparities	23.1	Other	External
Government & Legislative	Public Health	Dan Watkins	Public Health - Substance Misuse	Investment in substance misuse services funded by Individual Placement and Support in Community Drug and Alcohol Treatment Grant from Office for Health Improvement & Disparities	7.5	Other	External
Government & Legislative	Public Health	Dan Watkins	Public Health - Substance Misuse	Removal of wraparound and engagement and community treatment funded by one-off Rough Sleeping Drug and Alcohol Treatment Grant from Office for Health Improvement & Disparities in 2023-24	-520.2	Other	External
<b>TOTAL GOVERNMENT &amp; LEGISLATIVE</b>					<b>-23,337.5</b>		<b>External</b>
Pay	Public Health	Dan Watkins	Public Health Pay	Estimated net impact of KCC pay award and other adjustments for KCC Public Health staff	505.1	Other	External
<b>TOTAL PAY</b>					<b>505.1</b>		<b>External</b>
Prices	Public Health	Dan Watkins	Public Health contracts	Estimated increase in public health contract values linked to the NHS Agenda for change pay increases	614.2	Other	External
Prices	Public Health	Dan Watkins	Public Health - Sexual Health	Contractual increases in other services including Sexual Health and Health Improvement	353.2	Other	External
<b>TOTAL PRICES</b>					<b>967.4</b>		<b>External</b>
Service Strategies & Improvements	Public Health	Dan Watkins	Public Health - Substance Misuse	Investment in Substance Misuse services funded by Supplemental Substance Misuse Treatment and Recovery grant from Office for Health Improvement & Disparities	1,412.9	Other	External
Service Strategies & Improvements	Public Health	Dan Watkins	Other	Removal of additional temporary investment in other minor service improvements	-20.0	Other	External
Service Strategies & Improvements	Public Health	Dan Watkins	Public Health - Healthy Lifestyles	Removal of temporary investment in Public Health services to promote and support health visiting	-118.4	Other	External

## APPENDIX D: 2024-25 DRAFT BUDGET - SPENDING PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of spending increase	A6iii - Brief description of spending increase	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Spending Template relate to?	E3i - Is this Externally or Core funded?
Service Strategies & Improvements	Public Health	Dan Watkins	Public Health - Healthy Lifestyles	Removal of additional temporary investment in Public Health services to promote and support Healthy Lifestyles	-195.4	Other	External
Service Strategies & Improvements	Public Health	Dan Watkins	Public Health - Sexual Health	Removal of additional temporary investment in Public Health Sexual Health Services	-212.9	Other	External
Service Strategies & Improvements	Public Health	Dan Watkins	Public Health - Healthy Lifestyles	Removal of temporary public health contribution towards the voluntary sector in 2023-24	-350.0	Other	External
Service Strategies & Improvements	Public Health	Dan Watkins	Public Health - Children's Programme	Removal of additional temporary investment in counselling services for children	-1,085.0	Other	External
Service Strategies & Improvements	Public Health	Dan Watkins	Public Health - Mental Health	Removal of one-off public health investment in Live Well Kent in 2023-24	-2,000.0	Other	External
<b>TOTAL SERVICE STRATEGIES &amp; IMPROVEMENTS</b>					<b>-2,568.8</b>		<b>External</b>

## APPENDIX D: 2024-25 DRAFT BUDGET - SAVINGS PROPOSALS

						-48,638.0		
A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of saving/income	A6iii - Brief description of saving/income	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Saving/ Income Template relate to?	E3 - Is this Externally or Core Funded?	
Policy	ASCH	Dan Watkins	Adult Social Care Charging	Review of the Adults Charging Policy, in line with Care Act legislation and the statutory guidance	-1,250.0	Vulnerable Adults	Core	
Policy	CED	Peter Oakford	Partnership arrangements with District Councils	Cease Early Intervention Payments to District Councils	-82.5	Other	Core	
Policy	CED	Peter Oakford	Member Services	End Select Committees and Short Focused Inquiries	-20.0	Other	Core	
Policy	CYPE	Sue Chandler	Review of Open Access - Youth Services & Children's Centres	Review of open access services in light of implementing the Family Hub model	-1,500.0	Integrated Children's Services	Core	
Policy	CYPE	Rory Love	Services to Schools	Review our offer to schools in light of the latest DFE funding changes and guidance including exploring alternative funding arrangements and engaging in efficiency measure to reduce costs	-1,200.0	Other	Core	
Policy	CYPE	Rory Love	SEN Transport	Introduction of charging for post 16 SEN transport and reductions to the Post 19 transport offer	-781.0	Transport	Core	
Policy	CYPE	Sue Chandler	Children's Residential Care	Development of in-house residential units to provide an alternative to independent sector residential care placements (invest to save)	100.0	Integrated Children's Services	Core	
Policy	CYPE	Rory Love	Kent 16+ Travel Saver	Removal of undeliverable 2023-24 saving and review the Kent 16+ Travel Saver scheme	250.0	Transport	Core	
Policy	DCED	Peter Oakford	Corporate Landlord	Review of Office Assets	-763.9	Other	Core	
Policy	DCED	Peter Oakford	Corporate Landlord	Review of Community Delivery including Assets	-101.0	Other	Core	
Policy	GET	Susan Carey	Waste - Household Waste & Recycling Centres (HWRCs)	Review of the number and operation of HWRC sites	-616.0	Waste	Core	
Policy	GET	Clair Bell	Review of Community Wardens	Review of Community Warden Service to deliver a £1m saving which is likely to result in an overall reduction in wardens	-500.0	Other	Core	
Policy	GET	Clair Bell	Reduction of Trading Standards Budget	Adjustment of Trading Standards legal costs as Courts recover post-Covid	-55.0	Other	Core	
Policy	GET	Susan Carey	Planning Applications	Savings from delayed recruitment	-50.0	Other	Core	
<b>TOTAL POLICY SAVINGS</b>					<b>-6,569.4</b>		<b>Core</b>	
Income	ASCH	Dan Watkins	Review of Charges for Service Users - existing service income streams & inflationary increases	Uplift in social care client contributions in line with estimated benefit and other personal income uplifts, together with inflationary increases and a review of fees and charges across all KCC services, in relation to existing service income streams - Older People	-4,773.1	Older People	Core	
Income	ASCH	Dan Watkins	Adult Social Care	Estimated annual inflationary increase in Better Care Fund - Older People	-2,188.0	Older People	Core	
Income	ASCH	Dan Watkins	Review of Charges for Service Users - existing service income streams & inflationary increases	Uplift in social care client contributions in line with estimated benefit and other personal income uplifts, together with inflationary increases and a review of fees and charges across all KCC services, in relation to existing service income streams - Vulnerable Adults	-1,529.1	Vulnerable Adults	Core	
Income	ASCH	Dan Watkins	Adult Social Care	Estimated annual inflationary increase in Better Care Fund - Vulnerable Adults	-179.5	Vulnerable Adults	Core	

## APPENDIX D: 2024-25 DRAFT BUDGET - SAVINGS PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of saving/income	A6iii - Brief description of saving/income	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Saving/ Income Template relate to?	E3 - Is this Externally or Core Funded?
Income	ASCH	Dan Watkins	Adult Social Care	Estimated annual inflationary increase in Better Care Fund - Adult Social Care Staffing	-99.8	Adult Social Care staffing	Core
Income	ASCH	Dan Watkins	Adult Social Care	Estimated annual inflationary increase in Better Care Fund - Integrated Community Equipment Service and Assistive Technology	-4.4	Other	Core
Income	CHB	Peter Oakford	Review of fees & charges	Removal of corporately held saving from a review of all fees and charges as these savings are reflected within the individual directorate proposals	500.0	Other	Core
Income	CYPE	Sue Chandler	Adoption Service	Adoption Service	-200.0	Integrated Children's Services	Core
Income	CYPE	Sue Chandler	Review of Charges for Service Users - existing service income streams & inflationary increases	Uplift in social care client contributions in line with estimated benefit and other personal income uplifts, together with inflationary increases and a review of fees and charges across all KCC services, in relation to existing service income streams - 0-25	-123.7	Vulnerable Adults	Core
Income	CYPE	Rory Love	Kent 16+ Travel Saver	Kent 16+ Travel Saver price realignment to offset bus operator inflationary fare increases	-94.0	Transport	Core
Income	GET	Neil Baker	Kent Travel Saver	Kent Travel Saver price realignment to offset bus operator inflationary fare increases	-463.5	Transport	Core
Income	GET	Neil Baker	Highways	Increase in net income from recovery of costs from third parties for streetworks and permit scheme	-100.0	Highways	Core
Income	GET	Neil Baker	Highways	Income from traffic management penalties including contravening traffic restrictions, box junctions and bus lanes	-100.0	Highways	Core
Income	GET	Clair Bell	Public Protection	Increased income within Kent Scientific Services for toxicology analysis for the Coroners Service	-60.0	Other	Core
Income	GET	Clair Bell	Review of Charges for Service Users - existing service income streams & inflationary increases	A review of fees and charges across all KCC services, in relation to existing service income streams	-50.0	Other	Core
Income	GET	Clair Bell	Review of Charges for Service Users - existing service income streams & inflationary increases	Increased contribution from Medway Council under SLA relating to increasing costs for provision of Coroner service in Medway	-49.0	Other	Core
Income	GET	Clair Bell	Public Protection	Inflationary increase in income levels and pricing policy for Kent Scientific Services	-45.0	Other	Core
Income	GET	Clair Bell	Trading Standards	Inflationary increase in fees and charges	-1.4	Other	Core
Income	NAC	Peter Oakford	Income return from our companies	Estimated increase in the income contribution from our limited companies	-500.0	Other	Core
<b>TOTAL INCOME</b>					<b>-10,060.5</b>		<b>Core</b>
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign phase 2 of the ASCH restructure	Review and reshape the ASCH savings plans set out in the sustainability plan to deliver new models of social care, and reducing costs associated with care and support with a specific focus on growth - Vulnerable Adults	-15,745.3	Vulnerable Adults	Core



## APPENDIX D: 2024-25 DRAFT BUDGET - SAVINGS PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of saving/income	A6iii - Brief description of saving/income	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Saving/ Income Template relate to?	E3 - Is this Externally or Core Funded?
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign phase 2 of the ASCH restructure	Review and reshape the ASCH savings plans set out in the sustainability plan to deliver new models of social care, and reducing costs associated with care and support with a specific focus on growth - Older People	-8,856.7	Older People	Core
Transformation & Efficiency	ASCH	Dan Watkins	Older People's Residential & Nursing Care	Negotiate 5% reduction in Older People's Residential & Nursing contract expenditure	-8,000.0	Older People	Core
Transformation & Efficiency	ASCH	Dan Watkins	Care & Support in the Home	Negotiate 5% reduction in Care & Support in the Home contract expenditure	-3,400.0	Older People	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign	Continuation of of savings from earlier years from the redesign of the Adult Social Care operating model. This saving focuses on increasing the take up of direct payments for use on micro-enterprises, Personal Assistants - Vulnerable Adults	-1,581.4	Vulnerable Adults	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign	Continuation of of savings from earlier years from the redesign of the Adult Social Care operating model. This saving focuses on increasing the take up of Technology Enabled Care - Older People	-1,471.2	Older People	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign	Continuation of of savings from earlier years from the redesign of the Adult Social Care operating model. This saving focuses on increasing the take up of direct payments for use on micro-enterprises, Personal Assistants - Older People	-1,459.7	Older People	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care Equipment contract	Efficiencies from new contract for the supply of equipment for adult social care clients	-900.0	Older People	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign	Continuation of of savings from earlier years from the redesign of the Adult Social Care operating model. This saving focuses on increasing the take up of Technology Enabled Care - Vulnerable Adults	-577.8	Vulnerable Adults	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care	Regular review of new and existing care packages to ensure that they are achieving the best outcomes - Vulnerable Adults	-347.4	Vulnerable Adults	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care	Regular review of new and existing care packages to ensure that they are achieving the best outcomes - Older People	-309.4	Older People	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign	Continuation of of savings from earlier years from the redesign of the Adult Social Care operating model. This saving focuses on digital self service - by developing new, accessible and user-friendly ways for people to access clear information and support from adult social care when they need it. Includes the use of self-assessment and financial assessment tools so people can access this remotely - Vulnerable Adults	-212.1	Vulnerable Adults	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign	Continuation of of savings from earlier years from the redesign of the Adult Social Care operating model. This saving focuses on digital self service - by developing new, accessible and user-friendly ways for people to access clear information and support from adult social care when they need it. Includes the use of self-assessment and financial assessment tools so people can access this remotely - Older People	-195.8	Older People	Core

## APPENDIX D: 2024-25 DRAFT BUDGET - SAVINGS PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of saving/income	A6iii - Brief description of saving/income	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Saving/Income Template relate to?	E3 - Is this Externally or Core Funded?
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign	Rephasing of 2023-24 service redesign saving - Older People	1,356.6	Older People	Core
Transformation & Efficiency	ASCH	Dan Watkins	Adult Social Care service redesign	Rephasing of 2023-24 service redesign saving - Vulnerable Adults	1,942.1	Vulnerable Adults	Core
Transformation & Efficiency	CED	Peter Oakford	Historic Pension Costs	Reduction in the number of Historic Pension Arrangements within CED Directorate	-250.0	Other	Core
Transformation & Efficiency	CYPE	Rory Love	Home to School transport - SEN	Estimated reduction to the impact of rising pupil population on SEN Home to School and College Transport	-6,300.0	Transport	Core
Transformation & Efficiency	CYPE	Sue Chandler	Looked After Children	Implement strategies to reduce the cost of packages for looked after children, including working with Health	-1,000.0	Integrated Children's Services	Core
Transformation & Efficiency	CYPE	Sue Chandler	Adult Social Care	Review of 18-25 community-based services: ensuring strict adherence to policy, review of packages with high levels of support and enhanced contributions from health	-650.0	Vulnerable Adults	Core
Transformation & Efficiency	CYPE	Sue Chandler	Early Help & Preventative Services	Expanding the reach of caseholding Early Help services	-560.0	Integrated Children's Services	Core
Transformation & Efficiency	CYPE	Sue Chandler	Disabled Children's Placement and Support	Review of children with disability packages ensuring strict adherence to policy, review packages with high levels of support and enhanced contributions from health	-550.0	Integrated Children's Services	Core
Transformation & Efficiency	CYPE	Sue Chandler	Children's Social Care	Explore strategies, including statutory guidance, to reduce dependency on social work agency staff	-300.0	Integrated Children's Services	Core
Transformation & Efficiency	CYPE	Rory Love	Initiatives to increase use of Personal Transport Budgets	Initiatives to increase use of Personal Transport Budgets to reduce demand for Hired Transport	-300.0	Transport	Core
Transformation & Efficiency	CYPE	Rory Love	Historic Pension Costs	Reduction in the number of Historic Pension Arrangements - CYPE Directorate	-180.0	Other	Core
Transformation & Efficiency	CYPE	Sue Chandler	Open Access - Youth & Children's Centres	Removal of one-off saving in 2023-24 from vacancy management and avoiding all non-essential spend across open access	600.0	Integrated Children's Services	Core
Transformation & Efficiency	DCED	Peter Oakford	Corporate Landlord	Property savings from a review of specialist assets	-45.0	Other	Core
Transformation & Efficiency	GET	Susan Carey	Improved Food Waste Recycling Rates	Work with Kent District Councils to deliver savings from improving kerbside food waste recycling rates	-160.0	Waste	Core
Transformation & Efficiency	GET	Susan Carey	Waste - Household Waste & Recycling Centres (HWRCs)	Increased waste material segregation, increased re-use, black-bag splitting and trade waste recycling with a view to generating income or reducing cost	-105.0	Waste	Core
Transformation & Efficiency	GET	Neil Baker	Highways	Renegotiate income levels to include inflationary uplift for permit scheme, lane rental scheme & National Driver Offender Retraining Scheme	-50.0	Highways	Core
Transformation & Efficiency	GET	Susan Carey	Windmills	Temporary reduction in spend on weatherproofing windmills	-50.0	Other	Core
Transformation & Efficiency	GET	Clair Bell	Kent Sport	Withdraw the remaining contribution to the KCC hosted Active Kent and Medway.	-28.0	Other	Core

## APPENDIX D: 2024-25 DRAFT BUDGET - SAVINGS PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of saving/income	A6iii - Brief description of saving/income	A8i - 2024-25 Amount £000's - LATEST Figure	B1i - What priority service area (Big 6) does the Saving/ Income Template relate to?	E3 - Is this Externally or Core Funded?
Transformation & Efficiency	GET	Clair Bell	Libraries, Registration & Archives (LRA)	Removal of one-off reduction in 2023-24 in the Libraries Materials Fund and one year contribution holiday for the Mobile Libraries renewals reserve	-1.0	Other	Core
Transformation & Efficiency	GET	Susan Carey	Environment	Removal of one-off saving in 2023-24 from planned delay in recruiting to the new structure in the Environment Team	300.0	Other	Core
<b>TOTAL TRANSFORMATION &amp; EFFICIENCY SAVINGS</b>					<b>-49,387.1</b>		<b>Core</b>
Financing	NAC	Peter Oakford	Investment Income	Increase in investment income largely due to the increase in base rate	-2,279.6	Other	Core
Financing	NAC	Peter Oakford	Debt repayment	Review amounts set aside for debt repayment (MRP) based on review of asset life	-1,000.0	Other	Core
<b>TOTAL FINANCING SAVINGS</b>					<b>-3,279.6</b>		<b>Core</b>
Policy	Public Health	Dan Watkins	Public Health	Review of Public Health Services principally related to Healthy Lifestyles to ensure spending is contained within ringfenced grant	-9.2	Other	External
<b>TOTAL POLICY SAVINGS</b>					<b>-9.2</b>		<b>External</b>
Income	Public Health	Dan Watkins	Additional income linked to HIV prevention	Additional income from NHSE to fund increased costs linked to HIV prevention	-275.2	Other	External
Income	Public Health	Dan Watkins	Public Health	Estimated additional income for externally funded posts	-6.1	Other	External
<b>TOTAL INCOME</b>					<b>-281.3</b>		<b>External</b>
Increases in Grants and Contributions	CED	Roger Gough	Domestic Abuse	Increase in Domestic Abuse Duty grant to fund new burdens in providing domestic abuse support in safe accommodation	-59.9	Other	External
Increases in Grants and Contributions	CHB	Roger Gough	Household Support Fund	Removal of the extension of the Government funded Household Support Fund into 2023-24 as announced in the Chancellor's Autumn Statement on 17th November 2022	22,130.8	Other	External
Increases in Grants and Contributions	CYPE	Sue Chandler	Family Hubs	Estimated reduction in our share of the DfE/DHSC Family Hubs and Start for Life grant	777.0	Integrated Children's Services	External
Increases in Grants and Contributions	Public Health	Dan Watkins	Public Health - Substance Misuse	Supplemental Substance Misuse Treatment and Recovery grant from Office for Health Improvement & Disparities	-1,412.9	Other	External
Increases in Grants and Contributions	Public Health	Dan Watkins	Public Health Grant	Estimated increase in Public Health Grant pending announcement from Department of Health and Social Care	-975.5	Other	External
Increases in Grants and Contributions	Public Health	Dan Watkins	Public Health - Substance Misuse	Drug Strategy Housing Support Grant from Office for Health Improvement & Disparities	-23.1	Other	External
Increases in Grants and Contributions	Public Health	Dan Watkins	Public Health - Substance Misuse	Individual Placement and Support in Community Drug and Alcohol Treatment Grant from Office for Health Improvement & Disparities	-7.5	Other	External
Increases in Grants and Contributions	Public Health	Dan Watkins	Public Health - Substance Misuse	Remove one-off Rough Sleeping Drug and Alcohol Treatment Grant from Office for Health Improvement & Disparities	520.2	Other	External
<b>TOTAL INCREASES IN GRANTS &amp; CONTRIBUTIONS</b>					<b>20,949.1</b>		<b>External</b>

## APPENDIX D: 2024-25 DRAFT BUDGET - RESERVES PROPOSALS

						19,910.3		
A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of reserve template	A6iii - Brief description of reserve template	A8i - 2024-25 Amount £000's - NEW Figure	B1 - What priority service area does the Reserve Template relate to?	E3 - Is this Externally or Core Funded?	
Contributions to reserves	NAC	Peter Oakford	Dedicated Schools Grant (DSG) Deficit - Safety Valve	KCC Contribution towards funding the DSG deficit as agreed with DfE as part of the Safety Valve agreement	15,100.0	Other	Core	
Contributions to reserves	NAC	Peter Oakford	General Reserves repayment	Repay the General Reserve over two years (2024-25 & 2025-26) for the drawdown required in 2022-23 to fund the overspend	11,050.0	Other	Core	
Contributions to reserves	NAC	Peter Oakford	General Reserves	Contribution to reserves in order to maintain general reserve at 5% of net revenue budget	5,100.0	Other	Core	
Contributions to reserves	NAC	Peter Oakford	Corporate Reserves	Contribution to reserves to repay the drawdown required to balance the budget in 2023-24 in order to maintain financial resilience	4,289.7	Other	Core	
Contributions to reserves	NAC	Peter Oakford	Emergency capital events reserve	Annual contribution to a new reserve for emergency capital works and revenue costs related to capital spend such as temporary accommodation, and condition surveys which don't result in capital works	1,000.0	Other	Core	
Contributions to reserves	DCED	Peter Oakford	Facilities Management	Contribution to reserves to smooth the impact of the mobilisation costs of the Facilities Management contracts over the life of the contracts (2022-23 to 2026-27)	160.0	Other	Core	
<b>TOTAL CONTRIBUTIONS TO RESERVES</b>					<b>36,699.7</b>		<b>Core</b>	
Drawdowns from reserves	ASCH	Dan Watkins	Drawdown corporate reserves	Fund the Kent Support and Assistance Service from Corporate Reserves for two years 2023-24 and 2024-25 - ASCH Directorate	-567.2	Other	Core	
Drawdowns from reserves	CED	Roger Gough	Drawdown corporate reserves	Fund the Kent Support and Assistance Service from Corporate Reserves for two years 2023-24 and 2024-25 - CED Directorate	-262.0	Other	Core	
<b>TOTAL DRAWDOWNS FROM RESERVES</b>					<b>-829.2</b>		<b>Core</b>	
Removal of prior year Contributions	NAC	Peter Oakford	Risk Reserve	Removal of prior year one-off contribution to risk reserve (2023-24 increase in annual contribution)	-7,000.0	Other	Core	
Removal of prior year Contributions	NAC	Peter Oakford	General Reserves	Removal of prior year one-off contribution to general reserve	-5,800.0	Other	Core	
Removal of prior year Contributions	NAC	Peter Oakford	Risk Reserve	Removal of prior year one-off contribution to risk reserve (original contribution)	-5,000.0	Other	Core	
Removal of prior year Contributions	NAC	Peter Oakford	Local Taxation Equalisation - Council Tax Collection Fund	Removal of prior year contribution to Local Taxation Equalisation smoothing reserve of Council Tax Collection Fund surplus above £7m assumed	-4,488.7	Other	Core	
Removal of prior year Contributions	NAC	Peter Oakford	Removal of contribution related to repayment of previous "borrowing" from reserves	Reduction & full removal of the annual repayment of the "borrowing" from reserves to support the budget in 2011-12, reflecting when the reserves will be fully repaid	-1,223.3	Other	Core	
Removal of prior year Contributions	NAC	Peter Oakford	Local Taxation Equalisation - Business Rates Collection Fund	Removal of prior year contribution to the Local Taxation Equalisation smoothing reserve of the Business Rates Collection Fund surplus	-1,067.6	Other	Core	
Removal of prior year Contributions	DCED	Peter Oakford	Facilities Management	Removal of prior year contribution to reserves to smooth the impact of the mobilisation costs of the Facilities Management contracts over the life of the contracts (2022-23 to 2026-27)	-160.0	Other	Core	
<b>TOTAL REMOVAL OF PRIOR YEAR CONTRIBUTIONS</b>					<b>-24,739.6</b>		<b>Core</b>	

## APPENDIX D: 2024-25 DRAFT BUDGET - RESERVES PROPOSALS

A9 - MTFP Category	A2 - Directorate	A5 - Cabinet Member	A6ii - Headline description of reserve template	A6iii - Brief description of reserve template	A8i - 2024-25 Amount £000's - NEW Figure	B1 - What priority service area does the Reserve Template relate to?	E3 - Is this Externally or Core Funded?
Removal of prior year Drawdowns	NAC	Peter Oakford	Drawdown corporate reserves	Removal of one-off use of reserves in 2023-24	4,289.7	Other	Core
Removal of prior year Drawdowns	ASCH	Dan Watkins	Drawdown corporate reserves	Removal of use of corporate reserves in prior year to fund the Kent Support and Assistance Service - ASCH Directorate	567.2	Other	Core
Removal of prior year Drawdowns	CED	Roger Gough	Remove prior year drawdown from Covid reserve	Removal of use of corporate reserves in prior year to fund the Kent Support and Assistance Service - CED Directorate	262.0	Other	Core
Removal of prior year Drawdowns	NAC	Peter Oakford	Drawdown corporate reserves	Removal of one-off drawdown from No Use Empty reserve in 2023-24	200.0	Other	Core
<b>TOTAL REMOVAL OF PRIOR YEAR DRAWDOWNS</b>					<b>5,318.9</b>		<b>Core</b>
Drawdowns from reserves	Public Health	Dan Watkins	Public Health Reserves	Use of Public Health reserves to fund one-off costs and invest to save initiatives in 2024-25	-336.6	Other	External
Drawdowns from reserves	Public Health	Dan Watkins	Public Health Reserves	Use of Public Health reserves to balance 2024-25 budget plans	-13.9	Other	External
<b>TOTAL DRAWDOWNS FROM RESERVES</b>					<b>-350.5</b>		<b>External</b>
Removal of prior year Drawdowns	Public Health	Dan Watkins	Public Health Reserves	Removal of use of Public Health reserves to fund one-off costs in previous year	2,440.3	Other	External
Removal of prior year Drawdowns	Public Health	Dan Watkins	Public Health Reserves	Removal of use of Public Health (Kent Community Health NHS Foundation Trust) reserves to fund one-off costs in previous year	1,313.9	Other	External
Removal of prior year Drawdowns	Public Health	Dan Watkins	Public Health Reserves	Removal of use of Public Health (Maidstone & Tunbridge Wells NHS Trust) reserves to fund one-off costs in previous year	56.8	Other	External
<b>TOTAL REMOVAL OF PRIOR YEAR DRAWDOWNS</b>					<b>3,811.0</b>		<b>External</b>

**Key**

ASCH	Adult Social Care & Health
CED	Chief Executive's Department
CHB	Corporately Held Budgets
CYPE	Children, Young People & Education
DCED	Deputy ChiefExecutive's Department
GET	Growth, Environment & Transport
NAC	Non Attributable Costs

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## Reserves Policy

### 1. Background and Context

- 1.1. Sections 32 and 43 of the Local Government Finance Act 1992 require councils to consider the level of reserves when setting a budget requirement. Section 25 of the Local Government Act 2003 requires the Chief Financial Officer (Section 151 Officer) to report formally on the adequacy of proposed reserves when setting a budget requirement. The accounting treatment for reserves is set out in the Code of Practice on Local Authority Accounting.
- 1.2. CIPFA issued Local Authority Accounting Panel (LAAP) Bulletin No.99, Guidance Note on Local Authority Reserves and Balances in July 2014, which updated previous Bulletins to reflect the new requirements of the International Financial Reporting Standards (IFRS) Code of Practice. In addition, during the period of financial austerity for the public sector, the Local Authority Accounting Panel considered it necessary to update the guidance on local authority reserves and balances. Compliance with the guidance is recommended in CIPFA's Statement on the Role of the Chief Financial Officer in Local Government. In response to the above requirements, this policy sets out the Council's approach for compliance with the statutory regime and relevant non-statutory guidance for the Council's cash backed usable reserves.
- 1.3. All reserves are categorised as per the Local Authority Accounting Practice guidance, into the following groups:
  - **Smoothing** – These are reserves which are used to manage large fluctuations in spend or income across years e.g., PFI equalisation reserves. These reserves recognise the differences over time between the unitary charge and PFI credits received.
  - **Trading** – this reserve relates to the non-company trading entities of Laser and Commercial Services to cover potential trading losses and investment in business development.
  - **Renewals for Vehicles Plant & Equipment** – these reserves should be supported by an asset management plan, showing projected replacement profile and cost. These reserves help to reduce fluctuations in spend.
  - **Major projects** – set aside for future spending on projects.
  - **Insurance** - To fund the potential cost of insurance claims in excess of the amount provided for in the Insurance Fund provision, (potential or contingent liabilities)
  - **Unspent grant/external funding** – these are for unspent grants which the Council is not required to repay, but which have restrictions on what they may be used for e.g., the Public Health grant must be used on public health services. This category also consists of time limited projects funded from ringfenced external sources.
  - **Special Funds** – these are mainly held for economic development, tourism and regeneration initiatives.
  - **Partnerships** – these are reserves resulting from Council partnerships and are usually ringfenced for the benefit of the partnership or are held for investing in shared priorities.
  - **Departmental underspends** – these reserves relate to re-phasing of projects/initiatives and bids for use of year end underspending which are requested to roll forward into the following year.
- 1.4. Within the Statement of Accounts, reserves are summarised by the headings above. By categorising the reserves into the headings above, this is limited to the nine groups, plus Public Health, Schools and General. Operationally, each will be divided into the relevant sub reserves to ensure that ownership and effective management is maintained.

- 1.5 Reserves are an important part of the Council's financial strategy and are held to create long-term budgetary stability. They enable the Council to manage change without undue impact on the Council Tax and are a key element of ensuring the Council's strong financial standing and resilience. The Council's key sources of funding face an uncertain future and the Council therefore holds earmarked reserves and a working balance in order to mitigate future financial risks.
- 1.6 Earmarked reserves are reviewed regularly as part of the monitoring process and annually as part of the budget process, to determine whether the original purpose for the creation of the reserve still exists and whether or not the reserves should be released in full or in part or require topping up based on known/expected calls upon them. Particular attention is paid in the annual review to those reserves whose balances have not moved over a three-year period.

## **2. Overview**

- 2.1. The Council's overall approach to reserves will be defined by the system of internal control. The system of internal control is set out, and its effectiveness reviewed, in the Annual Governance Statement (AGS). Key elements of the internal control environment are objective setting and monitoring, policy and decision-making, compliance with statute and procedure rules, risk management, achieving value for money, financial management and performance management. The AGS includes an overview of the general financial climate which the Council is operating within and significant funding risks.
- 2.2. The Council will maintain:
  - a general reserve; and
  - a number of earmarked reserves.
- 2.3. The level of the general reserve is a matter for the Council to determine having had regard to the advice of the S151 Officer. The level of the reserve will be a matter of judgement which will take account of the specific risks identified through the various corporate processes. It will also take account of the extent to which specific risks are supported through earmarked reserves. The level will be expressed as a cash sum over the period of the general fund medium-term financial strategy. The level will also be expressed as a percentage of the general funding requirement (to provide an indication of financial context). The Council's aim is to hold general reserves of 5% of the net revenue budget to recognise the heightened financial risk the Council is facing.

## **3. Strategic context**

- 3.1. The Council continues to face a shortfall in funding compared to spending demands and must annually review its priorities in order to address the shortfall.
- 3.2. The Council also relies on interest earned through investments of our cash balances to support its general spending plans.
- 3.3. Reserves are one-off money. The Council aims to avoid using reserves to meet ongoing financial commitments other than as part of a sustainable budget plan and one of the Council's financial principles is to stop the use of one-off funding to support the base budget. The Council has to balance the opportunity cost of holding reserves in terms of Council Tax against the importance of interest earning and long-term future planning.



#### 4. Management and governance

- 4.1 Each reserve must be supported by a protocol. All protocols should have an end date and at that point any balance should be transferred to the general reserve. If there is a genuine reason for slippage then the protocol will need to be updated.

A questionnaire is completed by the relevant budget holder and reviewed by Finance to ensure all reserves comply with legislative and accounting requirements. A de-minimis limit has been set to avoid small funds being set up which could be managed within existing budgets or declared as an overspend and then managed collectively. This has been set at £250k.

- 4.2 Reserves protocols and questionnaires must be sent to the Chief Accountant's Team within Finance for review and will be approved by the Corporate Director of Finance, Corporate Management Team and then by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services. Protocols should clearly identify contributions to and drawdowns from reserves, and these will be built into the MTFP and monitored on a quarterly basis.

Accessing reserves will only be for significant unusual spend, more minor fluctuations will be managed or declared as budget variances. In-year draw-downs from reserves will be subject to the governance process set out in the revised financial regulations. Ongoing recurring costs should not be funded from reserves. Any request contrary to this will only be considered during the budget setting process. The short term use of reserves may be agreed to provide time to plan for a sustainable funding solution in the following financial year.

Decisions on the use of reserves may be delayed until financial year end and will be dependent on the overall financial position of the council rather than the position of just one budget area.

The current Financial Regulations state:

##### ***Maintenance of reserves & provisions***

A.24 The Corporate Director of Finance is responsible for:

- i. proposing the Council's Reserves Policy.
- ii. advising the Leader and the Council on prudent levels of reserves for the Authority when the annual budget is being considered having regard to assessment of the financial risks facing the Authority.
- iii. ensuring that reserves are not only adequate but also necessary.
- iv. ensuring that there are clear protocols for the establishment and use of each earmarked reserve. Reserves should not be held without a clear purpose or without a planned profile of spend and contributions, procedures for the reserves managements and control, and a process and timescale for review of the reserve to ensure continuing relevance and adequacy.
- v. ensuring that all renewals reserves are supported by a plan of budgeted contributions, based on an asset renewal plan that links to the fixed asset register.
- vi. ensuring that no money is transferred into reserves each financial year without prior agreement with him/herself.
- vii. ensuring compliance with the reserves policy and governance procedures relating to requests from the strategic priority and general corporate reserves.

- 4.3. All reserves are reviewed as part of the monitoring process, the budget preparation, financial management and closing of accounts processes. Cabinet is presented with the monitoring of reserves on a regular basis and in the outturn report and the Council will consider a report from the S151 Officer on the adequacy of the level of reserves in the annual budget setting process. The report will contain estimates of reserves where necessary. The Governance and Audit Committee will consider actual reserves when approving the statement of accounts each year.
- 4.4. The following rules apply:
- Any in year use of the General Reserve will need to be approved by Cabinet and any planned use will be part of the budget setting process.
  - In considering the use of reserves, there will be no or minimal impairment to the Council's financial resilience unless there is no alternative.
- 4.5. The Council will review the Reserves Policy on an annual basis.

## Budget risks and adequacy of reserves

The assessment of budget risks and the adequacy of reserves is even more important for 2024-25 initial draft budget and the medium-term plan due to the priority to restore the council's financial resilience as set out in Securing Kent's Future – Budget Recovery Strategy". The strategy recognises that the current in-year overspend on the scale forecast and the underlying causes from rising costs most notably in adult social care, children in care and home to school transport represent a fundamental risk to the council's ability to set a balanced budget for 2024-25 and a sustainable MTFP to 2026-27. Those risks are assessed in more detail In this section of the budget. In the circumstances it is more essential than ever that the Council is sufficiently financially resilient to avoid the risk of financial failure leading to the Council losing the ability to manage its finances. This section includes a new and separate assessment of the current position of the council against the key symptoms of financial stress identified by CIPFA in its report entitled "Building Financial Resilience".

The administration's initial draft budget and MTFP is informed by the best estimate of service costs and income based on the information currently available. Publishing the initial draft in November inevitably means these estimates are longer range and thus more likely to change for the final budget or when actual costs are incurred. It is also acknowledged that this does not come without risks particularly as the recent trends for changes in key cost drivers makes forecasting them accurately under traditional incremental budgeting very difficult and we have not completed the full transition to an Outcomes Based Budgeting approach (which in any case would not in itself completely remove the risk from cost drivers). In addition, there will always be factors outside of the Council's direct control which have the potential to vary the key planning assumptions that underpin those estimates.

There are a number of significant risks that could affect either the cost of providing key services and/or level of service demand or its main sources of funding. In addition, there are general economic factors, such as the level of inflation and interest rates that can impact on the net cost of services going forward. Pressures from the main cost drivers and in some cases from service demand are evident in children's and adults social care, waste volumes, and home to school and special educational needs transport.

There are also opportunities to either reduce costs or increase income which will not, as yet, be fully factored into the planning assumptions. The main risks and opportunities are summarised below.

### Risks

#### Cost of Living

- Extraordinary increases in the costs of goods and services procured by the Council
- Market instability due to workforce capacity as a result of recruitment and retention difficulties leading to exit of suppliers, increased costs, and supply chain shortages

- Increased demand for Council Services over and above demographic demands, including crisis and welfare support
- Reductions in income from fees and charges
- Under collection of local taxation leading to collection losses and reductions in tax base
- Claimants of Local Council Tax Reduction Scheme discounts

### International Factors

- War in Ukraine and other conflicts causing instability
- Impact of the decision to leave the European Union
- Legacy impact of covid-19
- Ongoing supply chain disruption including energy supplies
- Breakdown of hosting arrangements under Homes for Ukraine scheme

### Regulatory Risk

- **High Court ruling on Unaccompanied Asylum Seeking (UAS) Children** – the judgement that the council is responsible for supporting all UAS children arriving in the county until they are transferred under National Transfer Scheme impacts on the availability and therefore cost of carers for local children as well as risks of shortfalls in funding refugee schemes (see below)
- **Replacement Legislation and Regulation following Brexit** – including additional council responsibilities, impact on businesses and supply chains, and economic instability
- **Statutory overrides** – currently there are a number of statutory overrides in place which reduce short term risks e.g., high needs deficit, investment losses, etc. These are time limited and require a long-term solution
- **Funding settlements** - adequacy of the overall settlement and reliance on council tax over the medium term, and uncertainty over future settlements (especially beyond 2024-25)
- **Delayed Reforms to Social Care Charging** - uncertainty over future plans and funding, and providers' fee expectations
- **Other delayed legislative reforms** – impact on council costs and ability to deliver savings/spending reductions e.g. Extended Producer Responsibilities
- **Departmental Specific Grants** - Unanticipated changes in specific departmental grants and ability to adjust spending in line with changes
- **Asylum and Refugee Related** – increase in numbers of refugees (adults and families) accommodated within the community impacting on council services. Inadequate medium-term government funding for refugee schemes
- **New Burdens** – Adequacy of funding commensurate with new or additional responsibilities
- **Further delay of the Local Government Funding Review** - The government has committed to updating and reforming the way local authority funding is distributed to individual authorities. However, this has now been further delayed until 2025-26 at the earliest. The Fair Funding Review of the distribution methodology for the core grants

was first announced as part of the final local government settlement for 2016-17. The data used to assess funding distributions has not been updated for a number of years, dating from 2013-14 to a large degree, and even as far back as 2000.

### **General Economic & Fiscal Factors**

- Levels of national debt and borrowing
- Inflation continues to be well above the government target for a sustained period with consequential impacts on contracted services (see below) and household incomes (including incomes of KCC staff)
- Economic recession
- Rise in unemployment
- A general reduction in debt recovery levels
- Reductions in grant and third-party funding
- Increase in fraud

### **Increases in Service Costs and Demand**

- Long term impact of Covid-19 pandemic on clients and suppliers
- Higher cost for new clients coming into care than existing clients especially but not exclusively older persons residential and nursing care and children in care
- Adult Social Care demography from increased complexity
- Children's Social Care including sufficiency of Foster carers and numbers of UAS children or those with no recourse to public funds
- Significantly higher than the national average Education and Health Care Plans with consequential impact on both Dedicated Schools Grant High Needs placements/services and General Fund services for assessment and home to school transport
- Waste tonnage
- Public health services
- General demographic trends (including a rising and ageing population and growth in the number of vulnerable persons)

### **Contractual Price Increases**

- Index linked contracts rise above budgeted amounts
- Containing locally negotiated contracts within the amounts provided in the budget
- Financial sustainability of contracted providers

### **Efficiencies and Savings Programme**

- Slippage in the expected delivery of the savings programme
- Non-delivery of planned savings
- Shortfalls in income from fees and charges

### **Opportunities**

- Growth in local taxbase for both housing and businesses
- Service transformation and redesign including digital services
- Invest to save approach to reduce revenue costs
- Service remodelling

## Adequacy of Reserves

Reviewing the level of reserves the Council holds is an important part of the budget setting process. The review must be balanced and reasonable, factoring in the current financial standing of the Council, the funding outlook into the medium term and beyond, and most importantly, the financial risk environment the Council is operating in. The assessment of reserves is based on factors recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA) as set out below together with an indication of the direction of travel (up arrow represents an improved position i.e., the risk is less than it was last year).

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Assumptions for inflation



The direction of travel for this indicator was showing as deteriorating in last year's budget due to the historically high levels of inflation that arose during 2022. The annual rate of inflation (using CPIH) peaked at 9.6% in October 2022 and has been on a downward trajectory in the subsequent months (CPI peaked at 11.1% and RPI at 14.2% in October 2022).

The March Office for Budget Responsibility forecasts were for the rate of inflation to peak in quarter 4 of 2022 (CPI 10.7% in quarter 4 2022), before the rate of prices growth falls back reducing to 9.7% in quarter 1 2023, 6.9% quarter 2, 5.4% quarter 3, 2.9% quarter 4 and 1.5% quarter 1 2024. However, the rate of inflation in 2023 has not reduced as much as the March 2023 OBR forecast with reported CPI from Office for National Statistics (ONS) of 10.2% quarter 1, 8.4% quarter 2 and 6.7% quarter 3. Revenue spending subject to inflation is around £1.4bn so each 1% adds £14m to council costs. One of the principal reasons that inflation is not falling as much as forecast is due to the rise in petrol and diesel prices amid a sharp rise in in global oil costs over recent months offsetting falls in food price inflation.

The higher than forecast inflation is the reason why this measure is still showing as deteriorating for 2024-25 as it makes the impact on future price forecasts in budget plans uncertain and volatile.

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Estimates of the level and timing of capital receipts



The Council uses receipts as part of the funding for the capital programme. The Council has not applied the flexible use of capital receipts to fund revenue costs since the 2018-19 budget and does not propose to use the permitted extension. Delivery of receipts against the target has continued to fall behind in recent years necessitating additional short-term borrowing/use of reserves.

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Performance in the current year has been mixed with the rise in interest rates dampening large new-build housing developments. Although there is a reasonable pipeline of assets for disposal the risk profile for potential delays remains high therefore leading to a continued deterioration in this measure.

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Capacity to manage in-year budget pressures and strategy for dealing with demand and service delivery in the longer term



2022-23 ended with a revenue budget overspend for the first time in 23 years. The net overspend in 2022-23 was £47.1m after roll forwards (3.9% of net revenue). Overspends before roll forwards were reported in Adult Social Care & Health (ASCH) of £24.4m, Children, Young People and Education (CYPE) of £32.7m, Growth Environment and Transport (GET) of £0.9m, Deputy Chief Executive Department (DCED) of £1.6m. These were partly offset by underspends in Chief Executive Department (CED) of £3.5m and Non-Attributable Costs and Corporately held budgets (NAC) of £11.8m

The most significant overspends were:

- £30.5m older persons residential and nursing care in ASCH
- £16.1m home to school transport in CYPE
- £9.9m children in care in CYPE

The most recent 2023-24 revenue budget monitoring presented to Cabinet on 5<sup>th</sup> October 2023 showed a forecast overspend of £37.3m before management action. This overspend was largely driven by higher spending growth than the £182.3m (excluding spending on externally funded activities) provided for in the budget. The largest overspends are in the same main areas as 2022-23 (adult social care, children in care and home to school transport). This is despite including additional spending in the budget for the full year effect of recurring spend from 2022-23 and forecasts for future price uplifts, increases in demand and cost increases unrelated to price uplifts.

At the same Cabinet meeting on 5<sup>th</sup> October 2023 a separate report “Securing Kent’s Future – Budget recovery Strategy” set out the broad strategic approach to providing reassurance on the necessary action to bring 2023-24 budget back into balance and the opportunity areas for further savings and avoidance of future cost increases over the medium term 2024-27.

However, until this strategic plan has been converted into detailed plans and these have been delivered managing in-year spending and spending growth over the medium term presents the most significant risk to

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the Council's financial resilience and sustainability and therefore the highest rating of deterioration.

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Strength of financial reporting and ability to activate contingency plans if planned savings cannot be achieved



There continues to be a reasonable degree of confidence in the validity of financial reporting despite the uncertainties and volatility as a result of overspends. However, the ability to activate contingency plans if planned savings cannot be achieved has to date been severely restricted as a result of these overspends, although every effort is being made to reduce the forecast overspend in 2023-24.

Reporting has been enhanced to include separate analysis of delivery of savings plans, treasury management and council tax collection. Further improvements are planned in terms of the timeliness of financial monitoring and reporting to ensure corrective action is taken as early as possible.

Some areas of spending can still be changed at short notice if required as a contingency response if planned savings cannot be achieved (or there are unexpected changes in spending). A significant plank of the 2023-24 recovery strategy is to reduce non committed spending for the remainder of the year. At this stage it is expected that managers across the whole organisation will exercise this restraint to reduce forecast spending for the remainder of the year. However, if this does not result in sufficient reductions to bring in-year spending back into balance further spending controls will have to be considered. These spending reductions are largely anticipated to be one-offs and will not flow through into 2024-25 or later years.

The increased focus on savings monitoring and delivery has had some impact and the majority of the overspend in 2022-23 and forecast for 2023-24 is due to unbudgeted spend rather than savings delivery, although savings delivery is still a contributory factor and remains a risk, this is no greater risk than in previous years, hence this measure has not been rated as deteriorating.

However, if the further savings necessary to bring 2023-24 back into balance are not proving to be achieved this measure would need to be reassessed for future drafts.

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Risks inherent in any new partnerships, major outsourcing



Partnership working with NHS and districts has improved. However, further sustained improvements are still needed to change the direction of travel.

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arrangements, and major capital developments

Trading conditions for Council owned companies continue to be challenging.

A number of outsourced contracts are due for retender and the Council is still vulnerable to price changes due to market conditions.

The ability to sustain the capital programme remains a significant challenge. It is essential that capital programmes do not rely on unsustainable levels of borrowing and additional borrowing should only be considered where absolutely essential to meet statutory obligations. This will impact on the condition of non-essential assets possibly resulting in the closure of facilities although the planned spending to limit modernisation programmes to essential measures to ensure buildings are safe warm and dry has proved to be inadequate and the programme needs to reflect a realistic level of spend on the assets the council needs to sustain necessary functions. Despite the action taken to limit additional borrowing, a third of the capital programme is still funded by borrowing. Slippage within individual projects remains an issue leading to lower than planned spending in the short-term but potentially higher medium to long term costs due to inflation. This slippage defers borrowing rather than reducing it.

The quarter 1 capital monitoring report showed a forecast net underspend on capital spending of £42.3m comprising net £8.2m increased spending on projects (real variance) and £50.5m reduction due to slippage. The real variance includes spending on grant and externally funded projects where funding has been announced after the capital programme was approved.

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Financial standing of the Authority (level of borrowing, debt outstanding, use of reserves, etc.)



The financial standing of the Council has weakened significantly as a result of the overspend in 2022-23 that was balanced by the drawdown of £47.1m from general and risk reserves (39% of general reserve and all of the risk reserve). Usable reserves were also reduced through the transfer of £17m from earmarked reserves to Dedicated Schools Grant (DSG) reserve as part of KCC's contribution the Safety Valve agreement with DfE in March 2023 (with further transfer of £14.4m planned for 2023-24). Overall, the council's usable revenue reserves have reduced from £408.1m at 31/3/22 (40% of net revenue) to £355.1m at 31/3/23 (29.8% of net revenue) with further reduction to £316.3m (24% of net revenue) forecast for 31/3/24.

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This forecast assumes 2023-24 revenue budget is brought back into balance by year end with no further draw down from reserves.

The reduction in usable reserves has significantly reduced the council's ability to withstand unexpected circumstances and costs, and reduced the scope to smooth timing differences between spending and savings plans. The levels of reserves now pose a more significant risk to the council's financial resilience than levels of debt. Levels of reserves are now considered to be the second most significant financial risk after capacity to deal with in-year budget pressures. Reserves will need to be replenished at the earliest opportunity and will need to be factored into future revenue budget plans.

The Council has an ongoing borrowing requirement of £1.1bn arising from its historic and ongoing capital expenditure, which is expected to remain broadly stable over the medium term. Most of this requirement is covered by existing external debt, which is forecast to decline gradually over the medium term (from around 72% in 2023/24 to 66% in 2026/27. The remaining portion is met via internal borrowing (namely the temporary use of internal cash balances in lieu of investing those balances with external counterparties).

Although the Council has been protected to a significant extent from the material increase in interest rates over the past two years (given that the majority of its borrowing requirement is already met by fixed rate debt) the higher rate environment has increased the expected costs of internal borrowing as well as costs associated with any new external borrowing over the near and medium term.

A small portion of the borrowing requirement (8.4% in 2023/24) is met via "LOBO" (Lender Option Borrower Option) loans. These instruments provide lower cost financing in exchange for giving the lender the periodic opportunity to reset the loan's interest rate. The Council manages the risks around these loans being "called" by restricting their use to only a minor portion of the borrowing portfolio and by avoiding any concentration in the loans' associated option dates.

In managing the structure of its borrowing (the balance between internal and external borrowing, and the portion of the latter that is made up of fixed-rate as opposed to variable-rate loans), the Council is chiefly concerned with risks arising from uncertainty around

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interest rates as well as ensuring it has adequate liquidity over the medium term. The Council reviews its borrowing strategy formally on an annual basis to ensure its approach remains appropriate.

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The Authority's record of budget and financial management including robustness of medium-term plans



The direction of travel for this factor was shown as deteriorating in the final budget presented to County Council on 9<sup>th</sup> February 2023 due to the quarter 3 monitoring for 2022-23 showing a significant £53.7m forecast revenue overspend. The overspend reduced a little by year-end to £44.4m before roll forwards (£47.1m after roll forwards). However, this was not sufficient to change the direction of travel bearing in mind the scale further of the forecast overspends for 2023-24.

The most significant cause of the overspends is higher than budgeted spending growth despite significant increases already factored into the budget. The need to include for the full year effect of current year overspends as a variance to the published medium-term plan means that the capacity to manage in-year budget pressures (highest rated risk assessment) is the most significant factor in MTFP variances rather than robustness of MTFP forecasts. This is the only reason that this particular assessment has not been shown as a significant deterioration with a double arrow. Nonetheless, the robustness of forecasts included in the MTFP does need improvement (hence this assessment is still showing a deterioration until these are improved).

The initial draft budget for 2024-25 and MTFP for 2024-27 is not balanced. As outlined in the budget report this was an acknowledged risk from the earlier publication of the draft for scrutiny. At this stage the unbalanced initial draft has not been taken into account in the assessment of this risk as there is a strategy agreed to bring future drafts into balance. Should that strategy not be successful this aspect would need to be reassessed as further deterioration in future drafts.

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Virement and year-end procedures in relation to under and overspends



The direction of travel for this factor was shown as deteriorating in last year's budget due to monitoring for 2022-23 forecast to overspend and ongoing issues with Whole Government Accounts. The forecast for 2023-24 is further forecast overspend and issues remain with Whole Government Accounts meaning there has not been sufficient progress to date to change the direction of travel on this assessment.

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The Council continues to adhere to its virement and year end procedures as set out in its financial regulations. The Council's ability to close the year-end accounts early or even on time is becoming increasingly difficult. The audit certificate for 2020-21 was issued on the 4<sup>th</sup> September 2023, following confirmation that no further work was required on the Whole Government Accounts. The audit certificate for 2021-22 has not been issued due to the audit of the 2021-22 Whole Government Accounts being outstanding as the external auditors have prioritised the audit of the Council's 2022-23 accounts.

The draft outturn for 2022-23 was reported to Cabinet on 29th June 2023 outlining the main overspends and underspends together with roll-forward requests. This was presented alongside an update to the medium-term financial outlook. A net overspend of £47.1m was reported after roll forwards of £2.7m. The overspend was funded from a drawdown from earmarked and General reserves. The draft accounts for 2022-23 were published on 1st July 2023 and are still being audited. The audit is ongoing as there is still audit work to complete on group accounts and pensions.

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The availability of reserves and government grants/other funds to deal with major unforeseen events



As identified in the assessment of the financial standing of the authority the levels of usable reserves have reduced at the end of 2022-23 and are forecast to reduce further by the end of 2023-34. Furthermore, a number of significant risks remain unresolved (including at this stage balancing 2023-24 revenue budget) which could impact on reserves and the assessment of their adequacy if solutions are not found.

The most significant risk to reserves in previous years has been identified from the accumulated and growing deficit on the DSG reserve largely from the overspending high needs support within the DSG. This has now been addressed over a number of years through the Safety Valve agreement with DfE. However, at this stage the Safety Valve agreement is a recovery plan that will be delivered over a number of years with spending on high needs support gradually bought back into balance with the available grant funding and the historic accumulated deficit cleared with contributions from DfE and local authority. However, this does not fully mitigate the risk as should the plan not be fully delivered there is a risk that DfE could withhold contributions and a residue deficit would remain.

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The reserves forecast includes the transfer to the DSG reserve of the local authority contribution for 2022-23 and a further forecast transfer for the local authority contribution in 2023-24. Provision is included in the 2024-25 initial draft budget and 2024-27 MTFP for the remaining local authority contributions. The DSG reserve forecast also includes the DfE contributions for 2022-23 to 2027-28. These contributions together with the recovery plan to reduce the in-year deficit on high needs spending would see the accumulated deficit cleared by 2027-28. However, resolving this aspect of risk to reserves does represent £82.3m over the term of the agreement of the authority's resources which would otherwise have been available to mitigate other risks.

A new risk has arisen during the course of 2023-24 following the high court order that the Council must take all possible steps to care for all Unaccompanied Asylum Seeking (UAS) children arriving in the county under the Children Act 1989, unless and until they are transferred to other local authorities under the National Transfer Scheme. The council is currently in negotiation with Department for Levelling Up Housing and Communities (DLUHC), Home Office and Department for Education (DfE) over a funding package to support compliance with the judgement. To date the offer is circa £9m which is insufficient to cover forecast costs for caring for UAS children for the remainder of 2023-24 which if not resolved would leave a forecast deficit and no offer has yet been made for 2024-25. This combination poses a major threat to the Council's financial sustainability.

Although this DSG risk has been addressed the risk of the requirement for further draw downs if the 2023-24 current year spend and gaps in 2024-25 initial draft budget and 2024-27 MTFP and the overall forecast level of reserves means the assessment of this risk cannot yet show an improvement and could be a further deterioration'

A register of the most significant risks is published as part of the initial draft 2024-25 revenue budget, 2024-27 medium term plan and 2024-34 capital programme.

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The general financial climate including future expected levels of funding



The Autumn Statement 2022 included departmental spending plans up to 2024-25 and high-level spending plans up to 2027-28. The plans for 2023-24 and 2024-25 included significant additional support for local government including additional grants and increased assumptions for council tax. These plans will be

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updated in the 2023 Autumn budget which is scheduled for 22<sup>nd</sup> November.

The local government finance settlement only included individual grant allocations and core spending power calculations for 2023-24. The settlement did include council tax referendum levels for 2024-25 as well as the overall additional amounts for the main grants for 2024-25 but did not include individual authority allocations. Other departmental specific grants were not included in the settlement..

The Autumn Statement and local government finance settlement confirmed that the planned reforms to social care charging have been delayed until 2025. It is this delay that has enabled Government to redirect the funding allocated for social care reform as a short term increase in funding for current pressures in adult social care. A further tranche of funding for the Market Sustainability and Improvement Fund for workforce reform for 2023-24 and 2024-25 was announced in July 2023.

However, the inadequacy of medium to long term sustainable funding for adults social care remains, and the lack of certainty that the additional funding available in 2023-24 and 2024-25 will be baseline for subsequent years cause the assessment of this risk to remain as a neutral direction of travel at this stage. This can be reassessed following the 2023 Autumn Budget statement.

The long-awaited update and reform to the funding arrangements for local government have also been delayed again until 2025 at the earliest.

Despite increased certainty of funding for 2023-24 and 2024-25 medium term financial planning remains uncertain, particularly future spending and income forecasts . The plans for 2025-26 include a higher level of uncertainty. Plans can only be prepared based on prudent assumptions and forecasts for later years remain highly speculative.

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The adequacy of insurance arrangements



The Council's insurance policies were reviewed for January 2022. A hardening market along with changing levels of risk has resulted in a rise in premiums, with some deductibles being increased to mitigate this. The implications of limiting capital borrowing to absolutely essential statutory services increases the risk of insurance claims where assets have not been adequately maintained. A fund audit confirms the levels of insurance reserve are

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adequate, however as the corporate contribution to the fund is remaining unchanged more reliance will be placed on the reserve to balance insurance claims.

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Of the eleven factors used to assess risk and the adequacy of reserves, only one has shown no change from twelve months ago (the strength of financial reporting and ability to activate contingency plans, and even this is conditional on delivering the contingency plans to bring 2023-24 spending back into balance), the remaining ten are still deteriorating. In the case of capacity to manage in-year budget pressures and strategy for dealing with demand and service delivery in the longer term and financial standing of the Authority (level of borrowing, debt outstanding, use of reserves, etc.) the deterioration is now at a severe level and cause for serious concern. There are aspects of these deteriorations as well as number of the others that are largely due to outside factors but still need to be managed and mitigated as much as possible. No weighting has been applied to the individual factors, but the general financial risk to the Council should now be regarded as substantially and severely increased compared with a year ago, which in turn, was increased from the year before.

The amounts and purposes for existing reserves have been reviewed to ensure the Council achieves compliance with Local Authority Accounting Panel (LAAP) Bulletin 99. This bulletin sets out the recommendations on the purposes for holding reserves. Reserves are split between general reserves (working balance to help cushion the impact of uneven cashflows/avoiding unnecessary temporary borrowing and contingency to cushion the impact of unexpected events/emergencies) and earmarked reserves to build up funds for known/predicted specific events.

The administration's initial draft 2024-25 budget includes a £16.4m net increase from changes in contributions and draw down from reserves. This is largely for the to replenish the draw down from general reserves in 2022-23 over two years 2024-25 and 2025-26 and provision for the local authority contribution to DSG reserve under the safety valve agreement. A full reconciliation of all the changes to contributions and draw down from reserves for 2024-25 is available through the detailed dashboard of budget variations.

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## Appendix G: Budget Risks Register 2024-25

<b>TOTAL</b>	<b>499.7</b>
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Directorate	Risk Title	Source/Cause of Risk	Risk Event	Consequence	Current Likelihood (1-5)	Estimated Maximum Financial
						£m
<b>Significant Risks (over £10m)</b>						
<b>CYPE</b>	High Needs Spending	The Dedicated Schools Grant (DSG) High Needs Block does not meet the cost of demand for placements in schools, academies, colleges and independent providers.	The Safety Valve programme does not deliver the reduction to the in-year deficit on spending to support children with high needs as planned leading to a higher deficit	The Department for Education withholds its contribution towards the accumulated deficit and/or the increased overspend leaves a residue deficit. The government requires that the total deficit on the schools budget to be carried forward and does not allow authorities to offset from general funds anything above the amounts included in the Safety Valve agreement without express approval from Secretary of State. This approach does not resolve how the deficit will be eliminated and therefore still poses a significant risk to the council	4	150.0
ALL	Non delivery of Savings and income	Changes in circumstances, resulting in delays in the delivery of agreed savings or income	Inability to progress with plans to generate savings or additional income as scheduled, due to changing circumstances	Overspend on the revenue budget, requiring alternative compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	4	103.1
<b>CYPE</b>	Unaccompanied Asylum Seeking Children	The High Court has ruled that the council is responsible for the care of all Unaccompanied Asylum Seeking (UAS) children arriving in the county until such time as they are transferred to other councils under National Transfer Scheme	Failure to reach agreement with government departments (Home Office and Department for Education) to cover all costs incurred by the council in supporting UAS children	Overspend on the revenue and or capital budgets, requiring alternative compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	3	60.0
ALL	2023-24 potential overspend impact on reserves	Under delivery of recovery plan to bring 2023-24 revenue budget into a balanced position by 31-3-24.	Overspend against the revenue budget in 2023-24 required to be met from reserves leading to a reduction in our financial resilience	Insufficient reserves available to manage risks in 2023-24 and future years	3	37.3
ALL	Revenue Inflation	The Council must ensure that the Medium Term Financial Plan (MTFP) includes robust estimates for spending pressures.	Price pressures rise above the current MTFP assumptions and we are unsuccessful at suppressing these increases.	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	4	21.0

## Appendix G: Budget Risks Register 2024-25

<b>TOTAL</b>	<b>499.7</b>
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Directorate	Risk Title	Source/Cause of Risk	Risk Event	Consequence	Current Likelihood (1-5)	Estimated Maximum Financial
<b>ASCH / CYPE</b>	Market Sustainability	The long term impact of Covid-19 is still impacting on the social care market, and there continues to be concerns about the sustainability of the sector. At the moment all areas of the social care sector are under pressure in particular around workforce capacity including both recruitment and retention of staff especially for providers of services in the community, meaning that sourcing appropriate packages for all those who need it is becoming difficult. This is likely to worsen over the next few months with the pressures of winter, and increased activity in hospitals. Throughout this year we have continued to see increases in the costs of care packages and placements far greater than what would be expected and budgeted for, due to a combination of pressures in the market but also due to the increased needs and complexities of people requiring social care support.	If staffing levels remain low, vacancies unfilled and retention poor, then repeated pressure to increase pay of care staff employed in the voluntary/private sector in order to be able to compete in recruitment market. At the moment vacancy level said to be 1 in 10.	Care Homes closures are not an infrequent occurrence and whilst some homes that close are either too small or poor quality others are making informed business decisions to exit the market. The more homes that exit in this unplanned manner further depletes choice and volume of beds which can create pressures in the system regarding throughput and discharge from hospital thus potentially increasing price.	5	20.0
ALL	Full year effect of current overspends	The Council must ensure that the Medium Term Financial Plan (MTFP) includes robust estimates for spending pressures.	Increases in forecast current year overspends on recurring activities resulting in higher full year impact on following year's budget (converse would apply to underspends)	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	4	20.0
ALL	Capital	Capital project costs are subject to higher than budgeted inflation.	Increase in building inflation above that built into business cases.	Capital projects cost more than budgeted, resulting in an overspend on the capital programme, or having to re-prioritise projects to keep within the overall budget. For rolling programmes (on which there is no annual inflationary increase), the level of asset management preventative works will reduce, leading to increased revenue pressures and maintenance backlogs.	4	18.3
<b>CYPE</b>	Market Sustainability	Availability of suitable placements for looked after children.  Availability in the market for home to school transport, due to reducing supplier base and increasing demand.	Continued use of more expensive and unregulated placements, where it is difficult to find suitable regulated placements as no suitable alternative is available.  The cost of transport contracts continues to increase above inflation.	Unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves.	5	10.0

## Appendix G: Budget Risks Register 2024-25

<b>TOTAL</b>	<b>499.7</b>
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Directorate	Risk Title	Source/Cause of Risk	Risk Event	Consequence	Current Likelihood (1-5)	Estimated Maximum Financial
						<b>£m</b>
ALL	Demand & Cost Drivers	The Council must ensure that the Medium Term Financial Plan (MTFP) includes robust estimates for spending pressures.	Non inflationary cost increases (cost drivers) continue on recent upward trends particularly but not exclusively in adult social care, children in care and home to school transport above the current MTFP assumptions and the council is not able to suppress these	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	4	10.0
<b>Other Risks (under £10m - individual amounts not included)</b>						50.0

**Likelihood Rating**

Very Likely	5
Likely	4
Possible	3
Unlikely	2
Very Unlikely	1

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From: Roger Gough, Leader of the Council  
Neil Baker, Cabinet Member for Highways and Transportation  
Roger Gough, Leader of the Council  
Simon Jones, Corporate Director for Growth, Environment and Transport

To: Environment & Transport Cabinet Committee – 15 November 2023

Subject: Performance Dashboard

Classification: Unrestricted

**Summary:**

The Environment and Transport Cabinet Committee Performance Dashboard shows performance against targets set for Key Performance Indicators (KPIs). The latest Dashboard includes data up to August/September 2023.

Thirteen of the nineteen KPIs achieved target for latest performance and are RAG rated Green. Five KPIs are below target but did achieve the floor standard and are RAG rated Amber. One KPI is below floor standard and is RAG rated Red.

**Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to NOTE the Performance Dashboard.

**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 third report for the 2023/24 financial year.

**2. Performance Dashboard**

- 2.1. The Dashboard provides a progress report on performance against target for the Key Performance Indicators (KPIs) for 2023/24. The current Environment and Transport Cabinet Committee Performance Dashboard is attached as Appendix 1.
- 2.2. The current Dashboard provides results up to the end of August/September 2023.
- 2.3. KPIs are presented with RAG (Red/Amber/Green) ratings to show progress against targets. Details of how the ratings are generated are outlined in the Guidance Notes, included with the Dashboard in Appendix 1.

- 2.4. Three of the six KPIs in Highways & Transportation achieved target for latest month performance and are RAG rated Green. Two are below target but above floor standard and are RAG rated Amber, these are: Potholes repaired in 28 calendar days, and Customer satisfaction with service delivery (100 Call Back). One is below floor standard and is RAG rated Red, namely Priority (Member) enquiries completed within 20 working days.
- 2.5. All three digital take-up indicators in Highways and Transportation were RAG rated Green.
- 2.6. Seven of the ten indicators for Environment and Waste were above target and are RAG rated Green. The remaining three indicators relating to municipal and HWRC waste recycled and composted are below target and rated Amber.

#### **4. Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to NOTE the Performance Dashboard.

#### **5. Contact details**

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# **Environment and Transport Performance Dashboard**

## **Financial Year 2023/24**

### **Results up to August / September 2023**

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Produced by Kent Analytics



## 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.



## Key Performance Indicators Summary

Highways & Transportation	Monthly RAG	YTD RAG
HT01 : Potholes repaired in 28 calendar days (routine works not programmed)	AMBER	RED
HT02 : Faults reported by the public completed in 28 calendar days	GREEN	AMBER
HT04 : Customer satisfaction with service delivery (100 Call Back)	AMBER	AMBER
HT08 : Emergency incidents attended to within 2 hours	GREEN	RED
HT12 : Streetlights, illuminated signs and bollards repaired in 28 calendar days	GREEN	GREEN
HT14 : Priority (Member) Enquiries completed within 20 working days	RED	RED

Digital Take up	RAG
DT01 : Percentage of public enquiries for Highways Maintenance completed online	GREEN
DT03 : Percentage of concessionary bus pass applications completed online	GREEN
DT04 : Percentage of speed awareness courses booking 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 HWRC waste recycled and wood converted to energy at biomass facility	AMBER
WM08 : Overall score for mystery shopper assessment of HWRCs	GREEN
WM10 : Customer satisfaction with HWRCs	GREEN
EW2 : 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

<b>Division</b>	<b>Corporate Director</b>	<b>Cabinet Member</b>
<b>Highways &amp; Transportation</b>	<b>Simon Jones</b>	<b>Neil Baker</b>

### Key Performance Indicators

Ref	Indicator description	May-23	Jun-23	Jul-23	Aug-23	Month RAG	Year to Date	YTD RAG	Target	Floor	Prev. Yr
HT01	Potholes repaired in 28 calendar days	75%	77%	87%	85%	AMBER	79%	RED	90%	80%	76%
HT02	Faults reported by the public completed in 28 calendar days	73%	83%	86%	90%	GREEN	81%	AMBER	90%	80%	84%
HT04	Customer satisfaction with service delivery (100 Call Back)	89%	90%	87%	*	AMBER	90%	AMBER	95%	85%	94%
HT08	Emergency incidents attended to within 2 hours	92%	93%	95%	99%	GREEN	93%	RED	98%	95%	94%
HT12	Streetlights, illuminated signs and bollards repaired in 28 calendar days	95%	92%	93%	N/a	GREEN	94%	GREEN	90%	80%	95%
HT14	Priority (Member) Enquiries completed within 20 working days	17%	37%	38%	44%	RED	34%	RED	85%	75%	74%

\* Agilisys unable to run survey in August due to resourcing issues.

HT01 – The number of potholes requiring repairs between May and August was 5,685, nearly twice as many as the same period last year. The increase in demand has been mainly due to unusual weather events. The Highways Management team and Amey (the term maintenance contractor) are collaboratively working together through a series of workshops and steering groups to ensure performance gets back to the target level.

HT02 – This KPI has shown a steady improvement over the last few months as demand has decreased and the backlog of work dealt with. The total number of faults completed this year is close to 50% above expected levels.

HT04 – Some customers remain unhappy with delays to repairs following on from the very busy winter and spring where we received high numbers of pothole issues. Feedback also includes the quality of repairs and poor communications about what we are doing about enquiries. This feedback goes to all service managers to investigate and implement improvements as required. The new My Kent Highways system which aims to improve communication with customers is now expected to go live in November.

HT08 – The service dealt with a total of 635 emergency incident calls between May and August, of which 592 were responded to within 2 hours but with all incidents made safe. This KPI has also shown an improving trend in recent months, with the target being met in August.

HT14 – This area of work is now under a newly centralised team within the Deputy Chief Executive's Department who work closely with the Highways & Transportation Division. Performance continues to improve as the backlog of cases is dealt with. However, there are still a number of historic cases which the team are following up on that have exceeded the 20-day target. We may see performance drop in the coming months as these cases are closed, as it is only once a case is closed that it gets included in the KPI calculation.

## Activity Indicators

Ref	Indicator description	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Year to Date	In expected range?	Expected Range	
									Upper	Lower
HT01b	Potholes due to be repaired (arising from routine faults reported)	1,487	2,230	1,659	777	1,019	<b>7,172</b>	<b>Above</b>	6,100	4,100
HT02b	Routine faults reported by the public due for completion.	9,048	8,918	6,325	5,540	5,132	<b>34,963</b>	<b>Above</b>	23,600	18,600
HT06	Number of new enquiries requiring further action (total new faults)	10,331	8,217	7,800	7,362	6,998	<b>40,708</b>	<b>Above</b>	40,300	32,300
HT07	Work in Progress (active enquiries/jobs) - end of month snapshot	11,181	9,825	9,499	8,759	<b>8,247</b>	N/a	<b>Above</b>	6,600	5,600
HT13	Streetwork permits issued	10,728	12,604	14,139	12,345	12,485	<b>62,301</b>	Yes	69,900	57,400

HT01b & HT02b – The number of potholes requiring repair and faults due for completion is above the expected range owing to the adverse weather both over winter and spring, but the backlog is now decreasing.

HT06 – Enquiries which require further action remain high but have been on a reducing trend since March.

HT07 – Work in progress is reducing as the backlog of repairs is addressed, however it remained above expectations at the end of August.

<b>Division</b>	<b>Corporate Director</b>	<b>Cabinet Member</b>
<b>Highways and Transportation</b>	<b>Simon Jones</b>	<b>Neil Baker</b>

### Digital Take-up indicators

Ref	Indicator description	May-23	Jun-23	Jul-23	Aug-23	Year to Date	YTD RAG	Target	Floor	Prev. Year
DT01	Percentage of public enquiries for Highways Maintenance completed online	69%	65%	63%	64%	68%	GREEN	60%	50%	65%
DT03	Percentage of concessionary bus pass applications completed online	72%	73%	80%	82%	77%	GREEN	75%	65%	75%
DT04	Percentage of speed awareness courses bookings completed online	89%	89%	89%	88%	89%	GREEN	85%	75%	86%

<b>Division</b>	<b>Corporate Director</b>	<b>Cabinet Members</b>
<b>Environment &amp; Circular Economy</b>	<b>Simon Jones</b>	<b>Susan Carey</b>

**Key Performance Indicators - Rolling 12 months except WM08 (Quarterly) and WM10 (Half-yearly)**

Ref	Indicator description	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	RAG	Target	Floor
WM01	Municipal waste* recycled and composted	43%	43%	42%	42%	<b>42%</b>	AMBER	50%	42%
WM02	Municipal waste* converted to energy	56%	57%	58%	58%	<b>58%</b>	GREEN	49%	44%
01+02	Municipal waste diverted from landfill	99.2%	99.2%	99.8%	99.9%	<b>99.9%</b>	GREEN	99%	95%
WM03	Waste recycled and composted at Household Waste Recycling Centres (HWRCs)	47%	43%	42%	42%	<b>43%</b>	AMBER	50%	42%
WM04	Percentage HWRC waste recycled/composted & wood converted to energy at biomass facility	67%	66%	65%	66%	<b>66%</b>	AMBER	70%	65%
WM08	Overall score for mystery shopper assessment of Household Waste Recycling Centres	96%	95%	96%	96%	<b>97%**</b>	GREEN	97%	90%
WM10	Customer satisfaction with HWRCs	New indicator		96%	No Survey	<b>96%</b>	GREEN	95%	90%

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

\*\* Based on July and August, September unavailable at time of reporting.

WM01 – This KPI now appears steady at 42%. However, there was reduced recycling in the Canterbury City Council area in July and August at around 20% due to strike action which affected the refuse collections there. The 50% target for this KPI is within the Kent Joint Municipal Waste Strategy agreed by the Kent Resource Partnership. Those Collection Authorities with Inter Authority Agreements with KCC do achieve better rates of recycling.

WM03 – A slight improvement in this KPI in the 12 months to September is largely due to a slightly wetter summer this year producing increased volumes of organic waste which can be composted.

WM04 – This KPI appears fairly stable at the 66% mark, with similar volumes of wood being taken to HWRCs each month which is now converted to energy.

Division	Corporate Director	Cabinet Members
Environment & Circular Economy	Simon Jones	Susan Carey

### Activity Indicators (Rolling 12 months)

Ref	Indicator description	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	In expected range?	Expected Range Upper   Lower	
WM05	Waste tonnage collected by District Councils	562,674	557,810	555,365	559,642	<b>561,197</b>	Yes	570,000	550,000
WM06	Waste tonnage collected at HWRCs	93,920	93,898	94,238	96,894	<b>100,693</b>	Yes	120,000	100,000
05+06	Total waste tonnage collected	656,594	651,708	649,603	656,536	<b>661,890</b>	Yes	690,000	650,000
WM07	Waste tonnage converted to energy at Allington Waste to Energy Plant	320,213	318,761	323,934	323,801	<b>324,655</b>	Yes	340,000	320,000
WM09	Wood Tonnage converted to energy at Biomass Facility	12,238	16,589	21,648	22,384	<b>22,961</b>	Yes	23,000	20,000

WM06 – Most of the increase in tonnage at HWRCs has come from additional organic waste collected across Kent, probably due to a wetter summer than last year. There was also additional waste taken to Canterbury and Herne Bay HWRCs as residents in these areas disposed of waste normally collected at the kerbside.

Division	Corporate Director	Cabinet Member
Environment & Circular Economy	Simon Jones	Susan Carey

**Key Performance Indicator** (rolling 12-month total, reported one Quarter in arrears)

Ref	Indicator description	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	RAG	Target	Floor
EW2	Greenhouse Gas emissions from KCC estate (excluding schools) in tonnes	17,353	15,611	15,224	14,726	13,550	12,637	GREEN	14,227	15,615

EW2 – The greenhouse gas emission target for Quarter 1, 2023/24 has been met with a total of 12,637 tCO<sub>2</sub>e of greenhouse gas emissions compared with the target of 14,227 tCO<sub>2</sub>e. Electricity generated by KCC's Bowerhouse II solar farm has had a positive impact on offsetting KCC's emissions for the Quarter. Emissions remain ahead of the target, placing us in a good position to deliver our emission target for 2023/24.

**Key Performance Indicators** (monthly)

Ref	Indicator description	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Year to Date	YTD RAG	Target	Floor
EW1	Percentage of statutory planning consultee responses submitted within 21 days	92%	94%	96%	95%	86%	92%	GREEN	90%	80%
DT05	Percentage of HWRC voucher applications completed online	100%	100%	100%	99%	100%	100%	GREEN	98%	90%



**From:** Neil Baker, Cabinet Member for Highways and Transportation  
Simon Jones, Corporate Director, Growth, Environment & Transport

**To:** Environment and Transport Cabinet Committee – 15 November 2023

**Subject:** Active Travel Schemes

**Key decision:** 23/00099

**Classification:** Unrestricted

**Past Pathway of Paper:** Active Travel Schemes have been reported:

- 9 December 2020
- 19 January 2021
- 8 September 2021
- January 2022
- 17 March 2022
- 8 November 2022

**Future Pathway of Paper:** For Cabinet Member Decision

**Summary:** This paper provides an update on the Active Travel Fund Tranches 1, 2, 3 and 4 funded schemes and the strategic approach for how officers intend to deliver schemes.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision to give approval to take the Active Travel Capital Fund Grant projects through their various stages of scheme development and delivery of the remaining schemes (specifically Gravesham, Folkestone, Sevenoaks, Herne Bay and Faversham):

- i. Approval to undertake the detailed design and any associated surveys required to inform the design of these remaining schemes;
- ii. Approval for KCC officers to project manage, input into the delivery and supervision of the projects, with the cost of all staff and consultant time being recoverable against the DfT project funding;
- iii. Approval to progress all statutory approvals or consents required for the schemes;
- iv. Approval to implement permanent Traffic Regulation Orders, if required as such associated with any speed limit reductions, subject to completing the statutory consultation process associated with Traffic Regulation Orders;
- v. Approval to carry out any additional consultation/engagement as required for the schemes;

- vi. Approval to enter into construction contracts as necessary for the delivery of the schemes subject to a review of the procurement strategy by the Strategic Commissioning team;
- vii. Approval for any further decisions required to allow the schemes to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member, as shown at Appendix A.

## **1.0 Background**

- 1.1 The Department for Transport (DfT) has provided four phases of active travel funding via Active Travel England (ATE). The first tranche supported the installation of temporary projects for the COVID-19 pandemic with the second, third and fourth tranches to enable and support the creation of permanent infrastructure to support walking, wheeling and cycling and active travel in general.
- 1.2 The tranche 2 bid was submitted on 6th August 2020 and the announcement was made on 27th November 2020. Kent was awarded £6.098million. This was the third highest settlement in the Country.
- 1.3 DfT awarded Kent County Council £6.098m for five named walking, wheeling and cycling active travel schemes across the County, which are:
- Canterbury: Littlebourne Road to the City Centre
  - Folkestone: Central Railway Station to Cheriton
  - Thanet: Birchington to Margate Sands
  - Folkestone: Hythe to Dymchurch
  - Gravesham: Gravesend to Northfleet
- 1.4 Kent County Council initially consulted on the five schemes between 9 December 2020 and 19 January 2021. The Active Travel Funding Tranche 2 report to the ETCC on 19 January 2021 gave approval to proceed to design and further consultation on the detailed designs of the five schemes (Decision number 21/00002).
- 1.5 A further ETCC report on 8 September 2021 gave approval for the Folkestone (Hythe to Dymchurch) Phases 5A & 5B active travel scheme to commence to construction. Decision number 21/00066. This phase is now complete.
- 1.6 Details of the Tranche 2 Active Travel Scheme in Canterbury came to this committee in January 2022 (21/00118) to request proceeding to construction. This decision was taken and the scheme is nearing completion on site.
- 1.7 A 17 March 2022 ETCC received a report seeking approval to proceed to consideration of alternative options for the remaining three schemes in Thanet, Gravesend and Folkestone. Officers were to continue revisiting design options for these three schemes.

1.8 A Tranche 3 bid was placed with the DfT on 9 August 2021 and consisted of nine schemes with a total value of £6,056,816. The nine schemes were based on local Local Cycling and Walking Infrastructure Plans (LCWIP) produced by the Districts and Boroughs.

- Ashford Route 5 - £1,837,375
- Ashford Route 6 - £369,441
- **Herne Bay Central Parade seafront - £100,000**
- Golf Course Rd, Sandwich - £100,000
- Instead Rise to Meopham footway/cycleway - £600,000
- Aylesford Medway Towpath - £700,00
- **Sevenoaks Urban Area – East/West route - £1,200,000**
- Otford to Kemsing link - £50,000
- Faversham Town walking improvements - £1,100,000

1.9 KCC was awarded £1,300,000 for the design and delivery of the Herne Bay Central Parade and the Sevenoaks Urban area east/west route on 18 March 2022.

1.10 The 8 November 2022 ETCC, Active Travel update provided information on the requirement from Active Travel England (ATE) for all local authorities who were wanting to bid for Active Travel funds to submit a self assessment. KCC's self assessment was set at Level 1: *Some local leadership and support with basics plans and isolated interventions*. The importance of this self assessment was that it was a mechanism for ATE to allocate levels of funding to various levels of self assessments. ATE concurred with the Level 1 self assessment and indicated that KCC could bid for upto £2.8m with an additional option to put forward an additional competitive bid for a construction ready scheme.

1.11 In order to prioritise potential schemes, a consultant was commissioned (WSP) to assist. Schemes from LCWIPs, the PROW programme, previous Active Travel Fund bids, district /KCC officer ideas were pulled together to form a long list. Two stages of sifting schemes were introduced in order to produce a final list of schemes that had sufficient support and developed enough to produce a quality submission.

1.12 A cross-party Member Group was set up, led by the Cabinet Member informing all KCC Members of the working group and giving them an opportunity to join. This group provided support and guidance throughout the sifting process and to guide generally on Active Travel ideas. It has met regularly since August 2022.

1.13 On completion of the sifting process, a Tranche 4 bid was placed with Active Travel England on 24 February 2023. This bid was for a single year funding round and consisted of development only and construction schemes depending upon whether schemes were able to be built within the one year funding programme.

1.14 Based on the funding level set at £2.8m, KCC submitted the following schemes to date:

- **Faversham Cross Town Walking Route – construction - £0.995m**
- Medway Towpath Improvements – construction - £1.2m

- **Canterbury Riverside Cycle Route – Design Development - £0.09m**
- **Canterbury Braggs Lane to New Road Route – Design Development £0.15m**
- **Canterbury Whitstable Crab and Winkle Route Extension – Design Development - £0.1m**
- **Otford to Sevenoaks LCWIP Route 1 – Design Development £0.184m**
- **Tunbridge Wells Better Street pilot – Design Development - £0.05m**
- With an additional construction scheme in Ashford (Route 5) - £3.0m submitted under a competitive element.

1.15 KCC was successful in gaining funding of £1.569m for all but two of the schemes (Medway Towpath and Ashford Route 5). We did not secure funding from the competitive element (Ashford Route 5). The feedback received was linked to the maintenance nature of the works required to the Towpath and there was lack of funding to award the competitive element (Ashford Route 5).

1.16 The Grant governance for all ATF funding rounds requires KCC to work closely with ATE specifically on designs to the appropriate standards and a review of the designs and various stages along with regular financial and programme reviews. Should changes to finance and programme be required, a change control process is to be followed. The last change control request undertaken was in April 2023 and resulted in the reallocation of the funds for Thanet – A28 Birchington to Westgate to the Canterbury: Littlebourne Road to the City Centre scheme – reallocation value £1,283,375. The Canterbury scheme grew in size along with significant increases in costs and the lack of support from the local community for a cycle route along A28 following two consultations allowed the funding to be moved between the two schemes.

1.17 A reallocation of £500,000 of underspend from the completed ATF2 scheme “Hythe to Dymchurch” to the Herne Bay scheme (ATF3) was approved due to the significant extension in scope to provide an improved walking, wheeling and cycling provision from Herne Bay Rail Station to Central Parade. The scheme also now includes an extended 20mph Zone.

1.18 We are currently consulting on the Kent Cycling and Walking Infrastructure Plan (KCWIP), a strategic plan to set out clear priorities for the provision of infrastructure and will be an important element of the developing draft Local Transport Plan 5. The consultation runs from 1<sup>st</sup> November 2023 to 10<sup>th</sup> January 2024.

## **2.0 Update and governance**

2.1 Tranche 2 schemes:

- Canterbury: Littlebourne Road to the City Centre – **nearing completion**
- Folkestone: Central Railway Station to Cheriton – **detailed design stage**
- Thanet: Birchington to Margate Sands – **abandoned due to lack of local or political support**
- Folkestone: Hythe to Dymchurch - **complete**
- Gravesham: Gravesend to Northfleet – **3<sup>rd</sup> consultation currently being undertaken**

The Tranche 2 grant is to be spent by the end of March 2024, as to date we have been successful in agreeing Change Control mechanisms with Active Travel England.

## 2.2 Tranche 3 schemes:

- Herne Bay Central Parade seafront - **nearing completion**
- Sevenoaks East/West route – **further consultation and detailed design stage.**

The Tranche 3 grant is to be spent by the end of April 2024, and this is currently on track.

## 2.3 Tranche 4 schemes:

- Faversham Cross Town Walking Route – **construction due to start March 2024**
- Canterbury Riverside Cycle Route – **outline design stage**
- Canterbury Braggs Lane to New Road Route – **outline design stage**
- Canterbury Whitstable Crab and Winkle Route Extension – **outline design stage**
- Otford to Sevenoaks LCWIP Route 1 – **outline design stage and initial stakeholder consultation**
- Tunbridge Wells Better Street pilot – **feasibility and consultations**

Tranche 4 funding is required to be fully committed by March 2024 but change control options to extend this are available with constant dialogue with Active Travel England taking place.

2.4 Any funding bid that is pulled together is and will be done so in partnership with the Cabinet Member for Highways and Transportation and the Cross Party working group that we have established, with oversight from the Cabinet Member for Highways & Transportation.

2.5 In order to progress schemes as quickly and efficiently as possible, the Committee is being asked to approve the following governance:

1. KCC Officers develop bids with the Districts and Boroughs and assists them in producing their LCWIPs where applicable.
2. On completion of the KCWIP, officers use the agreed prioritised schemes for future funding rounds.
3. Consultations take place with the local communities and stakeholder groups prior to any progression of detailed designs and construction.
4. The KCC Cycling and Walking Member Group are kept up to date along with local KCC Members where schemes are within their elected ward boundaries.
5. Results of consultations and officer recommendations are reported to the local Joint Transportation Boards.
6. Joint Transport Board recommendations and agreed by the Cabinet Member for Highways & Transportation.

### **3.0 Financial Implications**

- 3.1 The costs of the schemes can be fully covered by the granted awarded to KCC via Tranche 2, 3 and 4 of Active Travel funding. These grants makes allowance for the staff costs and design fees associated with the scheme delivery in addition to the construction costs and any legal costs associated. When necessary, change control is used with ATE to manage costs within the funding envelope with no additional KCC funds required from base budgets above some staffing time which is mostly capitilised to scheme project codes.
- 3.2 There are no revenue implications to KCC, the schemes' costs are scalable to suit the budgets available and Change Control with the DfT via Active Travel England can take place to adjust projects within the Programme.

### **4.0 Programme**

- 4.1 A further change control request to ATE for an extension of time will be required for the two remaining Tranche 2 schemes still within the consultation and detailed design stage and tranches 3 and 4 schemes will be regularly reviewed.
- 4.2 It is anticipated that construction will be undertaken using a competitively selected sub-contractor via the the Highway Term Maintenance Contract or the Drainage Framework or via competitive tender procedures.

### **5.0 Equalities implications**

- 5.1 An Equality Impact Assessment is undertaken for all schemes and will continue to be updated throughout the project and keep any affected groups informed and updated. The EqIA will be placed on KCC's website: [www.kent.gov.uk/kentactivetravel.gov.uk](http://www.kent.gov.uk/kentactivetravel.gov.uk)

### **6.0 Recommendation(s)**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision to give approval to take the Active Travel Capital Fund Grant projects through their various stages of scheme development and delivery of the remaining schemes (specifically Gravesham, Folkestone, Sevenoaks, Herne Bay and Faversham):

- i. Approval to undertake the detailed design and any associated surveys required to inform the design of these remaining schemes;
- ii. Approval for KCC officers to project manage, input into the delivery and supervision of the projects, with the cost of all staff and consultant time being recoverable against the DfT project funding;
- iii. Approval to progress all statutory approvals or consents required for the schemes;

- iv. Approval to implement permanent Traffic Regulation Orders, if required as such associated with any speed limit reductions, subject to completing the statutory consultation process associated with Traffic Regulation Orders;
- v. Approval to carry out any additional consultation/engagement as required for the schemes;
- vi. Approval to enter into construction contracts as necessary for the delivery of the schemes subject to a review of the procurement strategy by the Strategic Commissioning team;
- vii. Approval for any further decisions required to allow the schemes to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member, as shown at Appendix A.

## 7. Background documents

Appendix A – Proposed Record of Decision  
EqIAs:

- Northfleet to Gravesend:  
<https://letstalk.kent.gov.uk/27521/widgets/77950/documents/47547>
- Cheriton to Folkestone:  
<https://letstalk.kent.gov.uk/25200/widgets/71263/documents/43422>
- Canterbury to Littlebourne Road:  
<https://letstalk.kent.gov.uk/11828/widgets/33480/documents/16286>
- Sevenoaks East West Route:  
<https://democracy.kent.gov.uk/documents/s121617/sevenoaksEastWestrouteSDC.pdf>

## 8. Contact Details

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Corporate Director: Simon Jones - Corporate Director of Growth, Environment and Transport

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Neil Baker, Cabinet Member for Highways & Transport

**DECISION NO:**

23/00099

**For publication**

**Key decision: YES**

**Subject Matter / Title of Decision:** Active Travel Schemes

**Decision:**

As Cabinet Member for Highways & Transport, I agree to give approval to take the Active Travel Capital Fund Grant projects through their various stages of scheme development and delivery of the remaining schemes (specifically Gravesham, Folkestone, Sevenoaks, Herne Bay and Faversham):

- i. Approval to undertake the detailed design and any associated surveys required to inform the design of these remaining schemes;
- ii. Approval for KCC officers to project manage, input into the delivery and supervision of the projects, with the cost of all staff and consultant time being recoverable against the DfT project funding;
- iii. Approval to progress all statutory approvals or consents required for the schemes;
- iv. Approval to implement permanent Traffic Regulation Orders, if required as such associated with any speed limit reductions, subject to completing the statutory consultation process associated with Traffic Regulation Orders;
- v. Approval to carry out any additional consultation/engagement as required for the schemes;
- vi. Approval to enter into construction contracts as necessary for the delivery of the schemes subject to a review of the procurement strategy by the Strategic Commissioning team;
- vii. Approval for any further decisions required to allow the schemes to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

**Reason(s) for decision:**

To ensure that the Active Travel programme of schemes can progress to time, a further decision is required for approval to plan and spend the DfT Active Travel Grant funding that has been allocated for the remaining schemes on our programme (Tranche 2, 3 and 4).

**Cabinet Committee recommendations and other consultation:**

The proposed decision is being considered by members of the Environment & Transport Cabinet Committee at their meeting on 15 November.

**Any alternatives considered and rejected:**

To not pursue funding for Active Travel Schemes

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

.....  
signed

.....  
date

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From: Neil Baker, Cabinet Member for Highways & Transport  
 Simon Jones, Corporate Director, Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 15 November 2023

Subject: **Bus Service Improvement Plan (BSIP) – Tranche 2 Grant Offer**

**Key Decision: TBA**

Classification: Unrestricted

Past Pathway of Paper: **N/A**

Future Pathway of Paper: **For Cabinet Member Decision**

Electoral Divisions Affected: **All**

**Summary:** On 21<sup>st</sup> June 2023, Government announced that KCC could expect to receive the balance of its indicative BSIP allocation, representing a further potential funding award for the 2024/25 financial year of £16.08m comprising of £4,379,500 revenue and £11,704,904 capital funding. Additionally, KCC has been offered £2.3m BSIP+ funding for 2024/25.

Since this announcement, KCC's Public Transport Department has been working with the Department for Transport (DfT) to understand a) the potential spending opportunities for the funding and b) the terms and conditions which would be attached to the formal offer.

**Recommendation:** The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways and Transport to accept the BSIP Tranche 2 and BSIP+ funding offer as shown at Appendix A.

## 1. Introduction

- 1.1 In March 2021, The Government published its National Bus Strategy for England, setting out a vision for how bus services and infrastructure could be developed across the country to align with what was termed as the London standard. £3bn of funding was made available to support the strategy, although this figure was subsequently reduced to £1.2bn, due to alternative use of funds for support linked to the Covid-19 pandemic.
- 1.2. In April 2022, KCC received an indicative funding allocation of £35.1m to deliver the interventions within the Kent BSIP. In February 2023 Kent was provided funding of two years, on the condition that all initiatives would be delivered as part of an accelerated 2023/24 one-year programme, and this is known as BSIP Tranche 1. On 23<sup>rd</sup> March 2023, an Executive Decision was taken by the Cabinet Member for Highways and Transport to accept the DfT funding offer of £18,985,735, for the delivery of this agreed accelerated programme. The funding was split, £12,454,840 capital and £6,530,895

revenue. KCC was also allocated £2.3m BSIP+ funding for 23/24 under the same award conditions.

- 1.3 In late June 2023, Public Transport officers learnt from the DfT that KCC could anticipate receiving a formal offer for the remainder of the initial £35.1m BSIP allocation. This is known as BSIP Tranche 2.

## 2. Financial Implications

- 2.1 BSIP Tranche 2 equates to a further offer of £16,084,404, comprised of £11.70m capital and £4.37m revenue funding.

- 2.2 In addition to this funding, KCC is also to be offered further BSIP+ funding for 2024/25. This followed a government announcement on 17th May 2023 stating that an additional £160m was to be made available for Local Transport Authorities (LTAs) over 2023/24 and 2024/25 to further support the delivery of BSIPs. BSIP + did not form part of the original BSIP allocations, can be used for network support or BSIP measures and is not tied to a defined program. In Kent, BSIP + has been used to fund the bus network and 49 services with a school focus.

- 2.3 Following the announcements, KCC's Public Transport Department subsequently worked with the DfT to establish how all further funding streams can potentially be utilised, how funding will be formally offered and any Terms & Conditions to be attached to each funding element. Following Discussions with the DfT, the following was established:

- That 2024/25 BSIP funding must still align with original key BSIP principles (i.e., to support bus priority, network provision and fares support predominantly) and stay true to Kent's own original BSIP submission.
- That BSIP+ funding can be spent on any aspect of Kent's BSIP that we as an Authority see as appropriate. As long as the spend is revenue based.
- That BSIP+ and BSIP 2024/25 funding will be offered under a joint MOU, meaning that BSIP+ funding could not be accepted without the acceptance of 2024/25 BSIP funding or at least without acceptance of the same conditions.

- 2.4 In order to access 2024/25 BSIP/BSIP+ funding, the DfT confirmed that KCC was required to submit a revised funding table for its BSIP programme, detailing the proposed use for both revenue and capital spend. The agreement of this table, shown below will then lead to a formal grant offer and related MOU, which is subject to a key decision for acceptance

### Capital funding table:

Bus priority scheme - Bean Road Tunnels	£9.5M
Further Bus Priority initiatives (to be developed) and bus related highway interventions to support Punctuality Improvement Partnerships (PIPS)	£1.5M

Further Real Time Information (RTI) Screens & Wider Technological Trials (e.g. solar lighting at bus stops)	£600k
ANPR Enforcement	£104k

**Revenue funding table:**

Fares and Promotion Initiatives and a Kent Travel Saver Initiative	£3.2m
Network: Service Support	£1.0m
Multi-Operator Ticketing Scheme	£179.5k

- 2.5 The Bean Road Tunnel project (which notably will form part of the Fastrack network) is currently on hold, as inflation has significantly increased the costs of the project (effectively doubled cost) and although EDC funding is in place for the project, BSIP Tranche 2 will be required to deliver it. Without this funding, this project will not move forward and the benefits it will bring will not be delivered. The spend remains in the ethos of the National Bus Strategy, which requires a significant amount of capital expenditure to be directed toward bus priority measures.
- 2.6 It is proposed that BSIP+ funding for 2024/25, be used to support the existing network of services, including the 49 services, of which 44 have a school focus, supported since Summer 2022. KCC will consider the potential for other service improvements possible with the acceptance of BSIP Tranche 2.
- 2.7 The situation with respect to network funding is complex. Initial BSIP conditions dictated that this funding could only be used for new and enhanced services but more recently, acknowledging the state of the bus industry, Government have provided greater flexibility to allow authorities to use their revenue funding to stabilise the network and protect services that are or were at risk of cancellation. As highlighted above BSIP+ will be used for sustaining the network, however it is anticipated that an element of core BSIP network funding will also be allocated to network sustainability, as BSIP + will not cover full/anticipated costs in this area.
- 2.8 It is important to note that the use of funding in this area needs to demonstrate value for money and a reasonable prospect for the service becoming sustainable in the future and for this reason the use of funding to reinstate services previously funded by KCC would not be an allowable or appropriate use of BSIP funds.
- 2.9 In respect to ticketing offers, KCC will look to run a number of ticketing offers such as those rolled out in summer 2023 (e.g. Kent Free Bus Weekend, All Day August) and introduce a pricing initiative linked to the Kent Travel Saver (KTS) scheme.
- 2.10 Acceptance of BSIP Tranche 2 funding along with the associated BSIP +, obligates KCC to deliver the agreed programme of work set out in this paper and to continue to support those services picked up through Local Transport Fund.
- 2.11 It also commits KCC to maintaining its funding for public transport in 24/25 at the same levels to 23/24 and also restricts the potential for any formal consultation on any proposed public transport savings for 25/26 or 26/27, until end of March 2025 reducing

the flexibility to address the authority's budget challenges, in respect to public transport spend.

- 2.12 Conversely, non-acceptance of the funding, would mean loss of BSIP + to support the network and KCC would need to withdraw the funding to the 49 school focused services taken on through LTF as of July 2024. The price for the KTS in 24/25 would need to increase significantly, to beyond £630.

### **3. Legal Implications**

- 3.1 For a BSIP Tranche 1, an existing Memorandum of Understanding (MoU) is in place and DfT have proposed that on acceptance of Tranche 2, there is one overall MoU. The MoU places significant delivery obligations alongside significant financial claw back liabilities upon KCC.
- 3.2 As with the Tranche 1 works, the proposed programme is considered to present low risk and are all deemed to be readily deliverable within the time available.
- 3.3 Formalised monitoring and measurement of progress is undertaken to identify any issues as early as possible. This will allow variation discussions to be held with DfT before significant expenditure is undertaken. Regular updates on progress will also be reported to this cabinet committee
- 3.4 The draft MoU is shown in Appendix B.

### **4. Equality implications**

- 4.1 An initial EqIA was completed for the original BSIP submission in October 2021, and this did not identify any negative implications for any group with a protected characteristic.
- 4.2 For a number of the initiatives forming part of the revised package, individual EqIA will be completed as part of the project implementation process.

### **5. Other corporate implications**

- 5.1 As part of BSIP funding, it is a requirement that all initiatives using this funding are jointly branded with DfT / National Bus Strategy and account of this will be taken in developing communications.

### **6. Governance**

- 6.1 Delivery of the agreed initiatives will be delegated to Simon Jones, Corporate Director for Growth, Environment and Transportation.

### **7. Conclusions**

- 7.1 On 21st June 2023, Government announced that KCC could expect to receive the balance of its indicative BSIP allocation, representing a further potential funding

award for the 2024/25 financial year of £16.08m. Additionally KCC has been offered £2.3m BSIP+ funding for 2024/25

- 7.2 KCC's Public Transport Department has subsequently worked with the DfT to establish how all further funding streams can potentially be utilised, how funding will be formally offered and any Terms & Conditions to be attached to each funding element
- 7.3 Acceptance of BSIP Tranche 2 funding along with the associated BSIP+, obligates KCC to:
- deliver the programme of work set out in this paper and to continue to support those services picked up through Local Transport Fund;
  - commit to maintaining its funding for public transport in 24/25 at the same levels to 23/24
- 7.4 KCC will need to enter in to an extended Memorandum of Understanding (MoU). The MoU places significant delivery obligations alongside significant financial claw back liabilities upon KCC. This risk will be mitigated by formal monitoring and measurement of progress with regular updates on progress also reported to this cabinet committee

## 8. Recommendation

8.1 The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways and Transport to accept the BSIP Tranche 2 and BSIP+ funding offer as shown at Appendix A.

## 9. Contact Details

Phil Lightowler – Head of Public Transport  
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Dan Bruce – Policy, Infrastructure and Community Team Leader  
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Stephen Pay – Planning and Operations Manager  
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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Neil Baker, Cabinet Member for Highways & Transport**

**DECISION NO:**

To be allocated by  
Democratic Services

**For publication**

**Key decision: YES**

**Subject Matter / Title of Decision:** Bus Service Improvement Plan (BSIP) – Tranche 2 Grant Offer

**Decision:**

As Cabinet Member for Highways & Transport, I agree to accept the BSIP Tranche 2 and BSIP+ funding offer.

**Reason(s) for decision:**

To accept the second tranche funding from DfT to deliver further specific initiatives for bus service improvements.

**Cabinet Committee recommendations and other consultation:**

The proposed decision is being considered by members of the Environment & Transport Cabinet Committee at their meeting on 15 November.

**Any alternatives considered and rejected:**

Not to accept the funding.

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

.....  
signed

.....  
date

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## EQIA Submission – ID Number

### Section A

**EQIA Title**

National Bus Strategy - BSIP Funding Tranche 2

**Responsible Officer**

Dan Bruce - GT TRA

### Type of Activity

**Service Change**

No

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Growth Environment and Transport

**Responsible Service**

Highways & Transportation

**Responsible Head of Service**

Philip Lightowler - GT TRA

**Responsible Director**

Haroona Chughtai - GT TRA

### Aims and Objectives

Following submission of KCC's BSIP in October 2021, KCC was allocated £35.1m for delivery of its Bus Service Improvement Plan (BSIP). Tranche 1 of this funding was offered and accepted in March 2023 and has led to the delivery of an accelerated delivery programme over 23/24 financial year. DfT are now offering the balance of Kent's initial allocation and KCC is proposing to accept this to support the initiatives within its BSIP, it should be noted that the flexibility of use of the funding is restricted by DfT for particular initiative areas including Bus Priority and Fares & Ticketing programmes.

Aims for the acceptance of Tranche 2 funding are:

- Deliver the elements of the BSIP which were earmarked within the £35.1m planned initiatives.
- React as much as possible with regards to the current state of the bus industry within Kent.
- Deliver the programme to deadlines and requirements set by the DfT.

The BSIP is intended to introduce enhancements to the bus provision and infrastructure within the county. The delivery of these measures would be expected to see a medium - high positive benefit. Where appropriate, individual EQIAs will be completed for the appropriate initiative areas within the programme.

### Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

<b>It is possible to get the data in a timely and cost effective way?</b>
Yes
<b>Is there national evidence/data that you can use?</b>
No
<b>Have you consulted with stakeholders?</b>
Yes
<b>Who have you involved, consulted and engaged with?</b>
Tranche 2 funding submission relates back fully to feedback from stakeholders in the BSIP survey from 2021. This feedback has followed through the funding initiative programme for 24/25.
To support the usage profile and acceptance of Tranche 2, engagement sessions have been undertaken with the Enhanced Partnership Board, Enhanced Partnership Schemes Monitoring Groups, District Councils, Operator reps and KCC officers within Highways & Transportation, Strategic Commissioning, Finance and Corporate Communications.
<b>Has there been a previous Equality Analysis (EQIA) in the last 3 years?</b>
Yes
<b>Do you have evidence that can help you understand the potential impact of your activity?</b>
Yes
<b>Section C – Impact</b>
<b>Who may be impacted by the activity?</b>
<b>Service Users/clients</b> Service users/clients
<b>Staff</b> No
<b>Residents/Communities/Citizens</b> Residents/communities/citizens
<b>Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?</b>
Yes
<b>Details of Positive Impacts</b>
Acceptance in BSIP Tranche 2 will result delivery in a number of initiatives which have the potential to deliver real benefits to all bus users across the county. Also potential to encourage greater use of buses from people who may have seen barriers to bus use e.g cost or reliability. With more usage of buses across Kent, it will also have the positive impact with regards to bringing down emissions.
<b>Negative impacts and Mitigating Actions</b>
<b>19.Negative Impacts and Mitigating actions for Age</b>
<b>Are there negative impacts for age?</b>
No
<b>Details of negative impacts for Age</b>
Not Applicable
<b>Mitigating Actions for Age</b>
Not Applicable
<b>Responsible Officer for Mitigating Actions – Age</b>
Not Applicable
<b>20. Negative impacts and Mitigating actions for Disability</b>
<b>Are there negative impacts for Disability?</b>
No
<b>Details of Negative Impacts for Disability</b>

Not Applicable
<b>Mitigating actions for Disability</b>
Not Applicable
<b>Responsible Officer for Disability</b>
Not Applicable
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
No
<b>Details of negative impacts for Sex</b>
Not Applicable
<b>Mitigating actions for Sex</b>
Not Applicable
<b>Responsible Officer for Sex</b>
Not Applicable
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>Are there negative impacts for Gender identity/transgender</b>
No
<b>Negative impacts for Gender identity/transgender</b>
Not Applicable
<b>Mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
No
<b>Negative impacts for Race</b>
Not Applicable
<b>Mitigating actions for Race</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Race</b>
Not Applicable
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
No
<b>Negative impacts for Religion and belief</b>
Not Applicable
<b>Mitigating actions for Religion and belief</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Applicable
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>
No
<b>Negative impacts for Sexual Orientation</b>
Not Applicable
<b>Mitigating actions for Sexual Orientation</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Applicable

<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No
<b>Negative impacts for Pregnancy and Maternity</b>
Not Applicable
<b>Mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Applicable
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Applicable
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Applicable
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No
<b>Negative impacts for Carer's responsibilities</b>
Not Applicable
<b>Mitigating actions for Carer's responsibilities</b>
Not Applicable
<b>Responsible Officer for Carer's responsibilities</b>
Not Applicable

From: Neil Baker, Cabinet Member for Highways & Transport and  
Haroon Chughtai – Director of Highways & Transportation

To: Environment & Transport Cabinet Committee  
15 November 2023

Subject: Pencester Road, Dover – Northbound Bus Contraflow

Decision No: 23/00095

Classification: Unrestricted

Past Pathway of report: ETCC 17 March 2023 – Signed executive decision no.  
23/00027 dated 23 March 2023 - Acceptance of  
Department for Transport (DfT) Bus Service Improvement  
Plan (BSIP) Funding for 23/24.

Future Pathway of report: For Cabinet Member Decision

Electoral Division: Pencester Road, Dover falls within Dover Town, represented  
by Nigel Collor and Oliver Richardson.

**Summary:** Under decision 23/00027 the Cabinet Member for Highways and Transport agreed to accept the DfT BSIP offer of £18,985,735, for delivery of agreed initiatives, in the year 23/24. To ensure that the Pencester Road scheme as one of the BSIP initiatives can progress to time, a further decision is required for approval to plan and spend the DFT BSIP funding.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways & Transport on the proposed decision to:

- i) Approval to undertake the detailed design and any associated surveys required to inform the design;
- ii) Approval for KCC officers to project manage, input into the delivery and supervision of the project, with the cost of all staff and consultant time being recoverable against the project funding;
- iii) Approval to progress all statutory approvals or consents required for the scheme;
- iv) Approval to implement permanent Traffic Regulation Orders, associated with the contraflow bus lane, amendments to current parking/taxi bay provisions and ANPR enforcement cameras, subject to completing the statutory consultation process associated with Traffic Regulation Orders;
- v) Approval to carry out any additional consultation required for the scheme;
- vi) Approval to enter into construction contracts as necessary for the delivery of the scheme subject to a review of the procurement strategy by the Capital Officers Group / Strategic Commissioning;

vii) Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member;

as shown at Appendix C.

## **1. Introduction**

- 1.1. The proposed bus contraflow scheme in Pencester Road aims to support and enhance the upcoming Dover Fastrack bus service that is due to become operational in Spring 2024. The Housing Infrastructure Funding (HIF) funded Dover Fastrack project has been developed to mitigate the traffic impacts of the major housing allocations of the Whitfield Urban Expansion (5,750 Homes) and Connaught Barracks (500 Homes), by providing a high quality, frequent and reliable public transport service to link the new developments to the Town Centre and Dover Priory Station. The Pencester Road scheme could not be afforded within the HIF allocation, so BSIP funding is allowing this scheme to be progressed.
- 1.2. Part of the proposed northbound Fastrack route within the Town Centre, uses the existing A20 Townwall Street, between York Street and Woolcomber Street. This route experiences a high volume of traffic heading to the Port of Dover and leads to regular congestion and delays along this part of the highway network. This is further compounded when ferries are delayed at the Port, leading to the implementation of Operation Tap and Operation Brock.
- 1.3. The use of the A20 for the northbound route is not ideal as journey times cannot be guaranteed, and it also does not provide a direct access to the town centre amenities. Therefore, alternative options to improve the journey time reliability and better access to the town centre were considered as part of the original route planning for the service. Traffic movements within Dover are restricted due to its one-way routes but, two main alternative routes were identified:
  - 1.3.1. A256 Priory Road, Ladywell, Park Street and the A256 Maison Dieu Road. This route was considered to offer little or no benefit to the A20 as it was also prone to congestion and delays. We found that there was little opportunity to provide bus priority measures or a direct access to the town centre amenities.
  - 1.3.2. Worthington Street, Pencester Road and A256 Maison Dieu Road. This offered a more direct route than the A20 and would provide better access to the town centre amenities. With this route we are also able to consider bus priority measures which would provide greater journey time reliability for the service and is hence the option now being promoted.

## **2. Scheme Description**

- 2.1 To access the Pencester Road contraflow, Fastrack buses will use Worthington Street, joining at its junction with the A256 York Street. Worthington Street is one-way northbound and will require some physical changes at its junction with



Biggin Street to realign the existing footways to allow buses to make the manoeuvre across into Pencester Road.

- 2.2 To ensure a bus can proceed unhindered, there will also be the need to make changes to existing parking provisions in Worthington Street, as follows:
- One taxi space moved from Worthington Street and an additional taxi space provided at the taxi rank in Biggin Street and two spaces retained in Worthington Street – No loss in Taxi spaces.
  - An additional disabled bay added – An increase in one disabled space.
  - One on-street parking space relocated to accommodate the relocation of a taxi space and one space added – An increase in one additional on-street parking space.
- 2.3 A dedicated bus and cycle only contraflow lane will be provided along the western side of Pencester Road between Biggin Street and A256 Maison Dieu Road. This will require the realignment of the existing footways at both junctions to provide the additional space for two-way traffic, and the introduction of new central islands, new signing and coloured surfacing at the two 'bus gates' at either end of the contraflow lane.
- 2.4 New junction signals will be provided at the Worthington Street, Biggin Street and Pencester Road junction, which will retain the existing controlled crossing of Pencester Road.
- 2.5 New junction signals will be provided at the A256 Maison Dieu Road and Pencester Road Junction. This will retain the existing controlled crossing of Maison Dieu Road and will also provide an additional controlled crossing of Pencester Road.
- 2.6 As a result of the contraflow lane, there will be a need to make changes to the existing parking provisions in Pencester Road, as follows:
- The removal of two taxi spaces
  - The removal of four disabled spaces
  - The removal of five limited waiting bays (1 hour, no return within 2 hours).
  - The removal of eleven pay and display spaces on western side and provision of five new spaces on eastern side – net removal of six pay and display spaces.
- 2.7 Initial discussions with the local parking authority, Dover District Council, has identified that the nearby public car parks at Pencester Road, Maison Dieu Road and Stembrook have capacity that will help to mitigate the removal of the on-street parking and disabled bays. Disabled drivers will also be able to use the five pay and display spaces being provided in Pencester Road, and the additional space being provided in Worthington Street.
- 2.8 The new contraflow lane would also allow the bus operator to review existing bus routes which have been limited by the existing road network. This could

help to improve the wider efficiency, performance and resilience of bus services within Dover town Centre. There would also be an opportunity to provide a direct connection between Dover Priory Station and the Port of Dover, via Pencester Road, providing better integration of different modes of transport.

- 2.9 The new Fastrack bus service, and the opportunities to improve the existing bus services, will also provide a greater choice in the mode of travel for residents when wishing to travel to the town centre, particularly the elderly and mobility impaired by providing services to heart of the town centre.
- 2.10 The contraflow lane could also be used by cyclists, supporting active travel and increasing accessibility within the town.
- 2.11 The bus contraflow lane and changes to the parking provisions will each require a Traffic Regulation Order (TRO) and the consultation on the scheme and TRO's is due to commence on 17 November 2023.
- 2.12 Following the completion of the consultation a report and recommendation will be prepared for the Cabinet Member to make a decision on the scheme and TRO's.
- 2.13 If a decision is taken to proceed, the TRO's will be advertised as Made Orders in January 2024, with works likely to commence in February 2024 to allow completion as close as possible to the funding deadline of 31 March 2024.
- 2.14 The proposals can be seen on the scheme drawings nos. 1000009228-1-0050-0001, 0002, 0003 and 0004, included as Appendix A.

### **3. Financial Implications**

- 3.1 The estimated project cost for the Pencester Road Scheme based on the outline design is £2,300,000 including a risk allowance of £700,000. This will be fully funded from the capital element of the BSIP funding of £18,985,735, which is split as £12,454,840 capital, for which £3m has been allocated for the Pencester Road scheme, and £6,530,895 revenue.
- 3.2 The funding has been released by DfT to KCC and has been allocated to the budget line.
- 3.3 A condition for all BSIP funding is that it needs to be spent, and the full BSIP programme delivered by 31 March 2024, unless agreed otherwise with the DfT through their Project Adjustment Request (PAR) process. KCC is monitoring spend and delivery timescales to determine if and when this process maybe required.
- 3.4 The Memorandum of Understanding (MOU) for BSIP funding does raise the potential that KCC would be responsible for overspend should this occur and may incur abortive costs should schemes not progress fully. The ongoing relationship with the DfT and the PAR process is in place to mitigate this risk.

### **4. Legal implications**

- 4.1 There are no legal implications associated with this scheme.

## 5. Policy Framework

- 5.1 The scheme supports the priorities of Framing Kent's Future 2022-2026 by improving the highway infrastructure to provide more reliable journey times and improved public transport links, accessibility and to support Kent business and housing growth and encourage economic activity in one of the more deprived areas in Kent.
- 5.2 This scheme will also support KCC's commitment to ensure residents have access to viable and attractive travel options that allow them to make safe, efficient and more sustainable journeys. This scheme will improve connectivity of the proposed route between the key transport hub of Dover Priory Station, the town centre and new housing being built in Whitfield. In addition, the use of Zero emission buses means reduced transport CO2 emissions and reduced air pollution in the area.

## 6. Equalities implications

- 6.1 An EqIA was published on 28 September 2023 and is attach as Appendix B

## 7. Conclusions

- 7.1 The Pencester Road bus contraflow scheme will enhance and support the upcoming Dover Fastrack service that also supports housing and economic growth by improving journey time and reliability as well as providing direct access to the town centre amenities.
- 7.2 The scheme would also allow the bus operator to review existing bus routes which have been limited by the existing road network. This could help to improve the wider efficiency, performance and resilience of bus services within Dover town Centre. There would also be an opportunity to provide a direct connection between Dover Priory Station and the Port of Dover, via Pencester Road, providing better integration of different modes of transport.
- 7.3 As part of the DfT BSIP funding offer, deliver this agreed initiative, by the 31 March 2024.

## 8. Recommendation(s)

**The Environment and Transport Cabinet Committee** is asked to consider and endorse or make recommendations to the Cabinet Member for Highways & Transport on the proposed decision as follows and as indicated on the proposed decision sheet attached at Appendix C to give approval to:

- i) Approval to undertake the detailed design and any associated surveys required to inform the design;
- ii) Approval for KCC officers to project manage, input into the delivery and supervision of the project, with the cost of all staff and consultant time being recoverable against the project funding;
- iii) Approval to progress all statutory approvals or consents required for the scheme;

- iv) Approval to implement permanent Traffic Regulation Orders, associated with the contraflow bus lane, amendments to current parking/taxi bay provisions and ANPR enforcement cameras, subject to completing the statutory consultation process associated with Traffic Regulation Orders;
- v) Approval to carry out any additional consultation required for the scheme;
- vi) Approval to enter into construction contracts as necessary for the delivery of the scheme subject to a review of the procurement strategy by the Capital Officers Group / Strategic Commissioning;
- vii) Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member;

as shown at Appendix C.

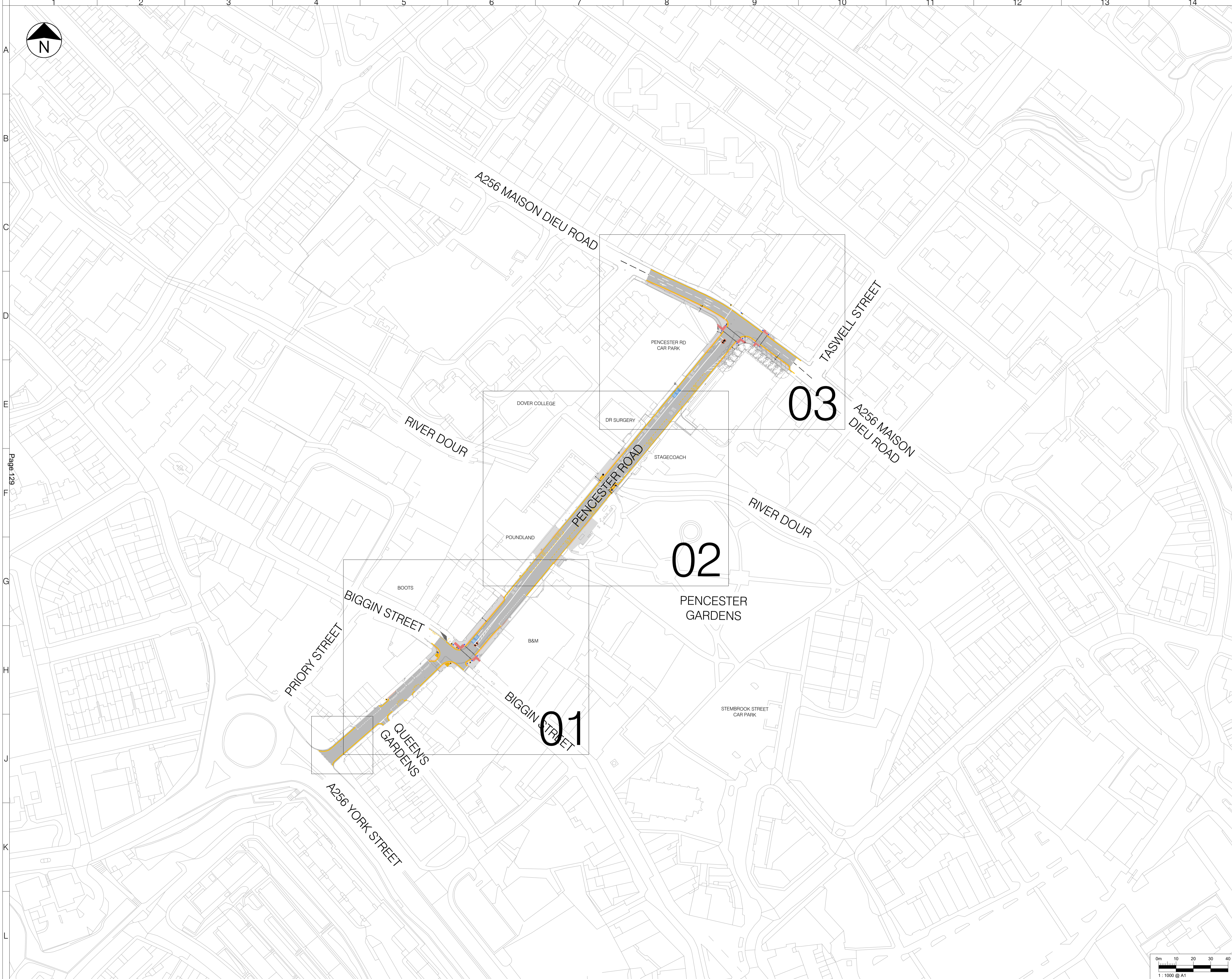
## **9. Background Documents**

- Appendix A – Scheme Drawings 1000009228-1-0050-0001, 0002, 0003 and 0004.
- Appendix B – Equalities Impact Assessment
- Appendix C Proposed Record of Decision

## **10. Contact details**

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Relevant Director:  
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Highways & Transportation  
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haroon.chughtai@kent.gov.uk



- Notes
1. Do not scale from this drawing.
  2. All dimensions are in metres unless otherwise specified.
  3. Topographical survey information is provided by Subvision surveys and was undertaken in July 2023.
  4. Refer to drawings 1000009228-1-0050-0002 to 0004 for proposed layout details and drawing 1000009228-1-0050-0005 for overview plan.

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Rev	Date	Description	Drn	Chk	App
0	01/11/2023	ORIGINAL ISSUE	JCE	RT	JE

This drawing has been specifically prepared to meet the requirements of the named client and may contain design and innovative features which differ from conventional design standards.



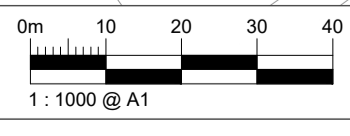
Client  
 DOVER FASTRACK, PENCECETER ROAD  
 NORTHBOUND CONTRAFLOW BUS LANE

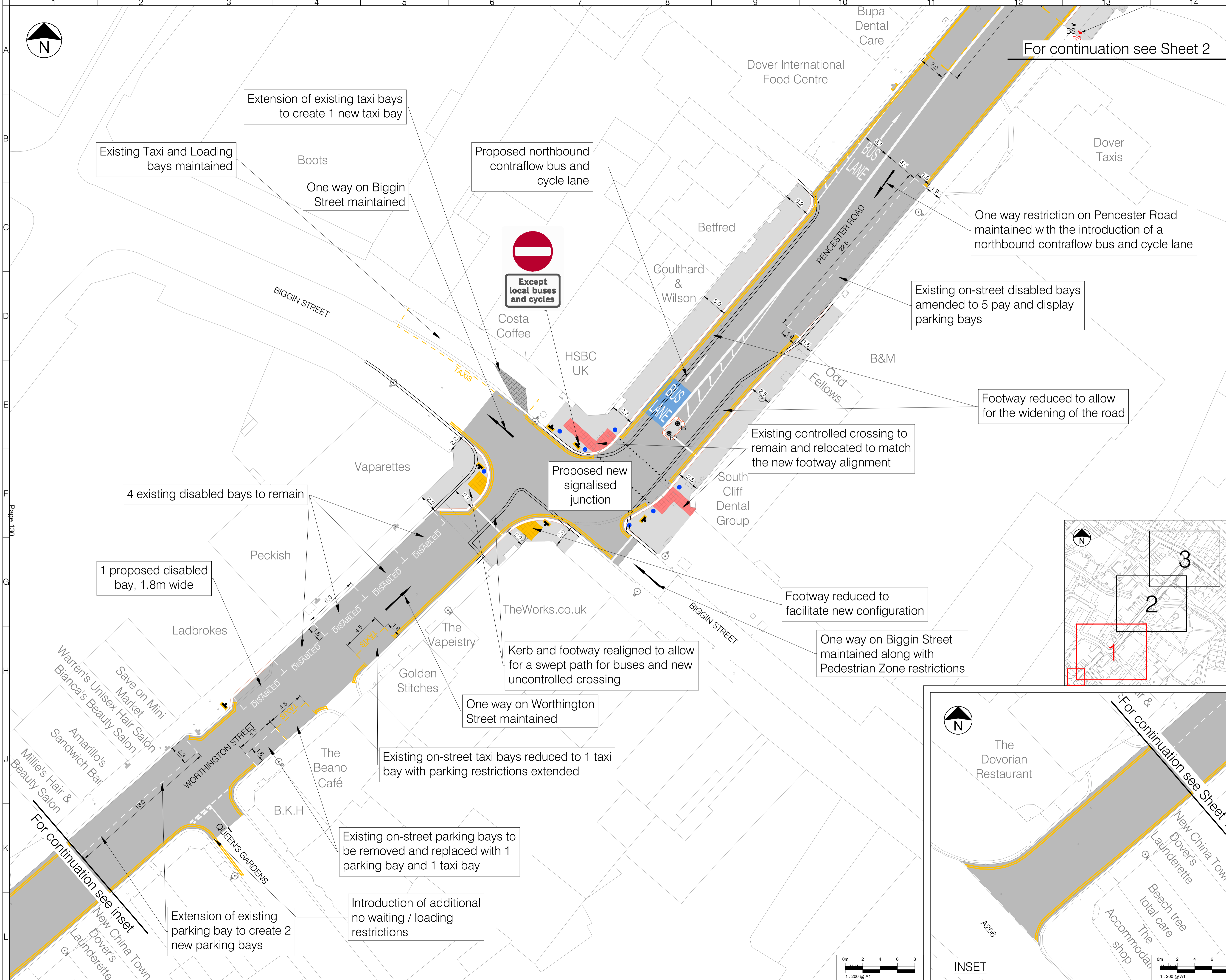
Drawing Title  
 CONSULTATION PLAN  
 KEY PLAN

Drawing Status  
 FOR APPROVAL

Drawn	Designed	Date	Scale	Size
JCE	JE	OCT 2023	1:1000	A1

Drawing No. 1000009228-1-0050-0001 Rev 0



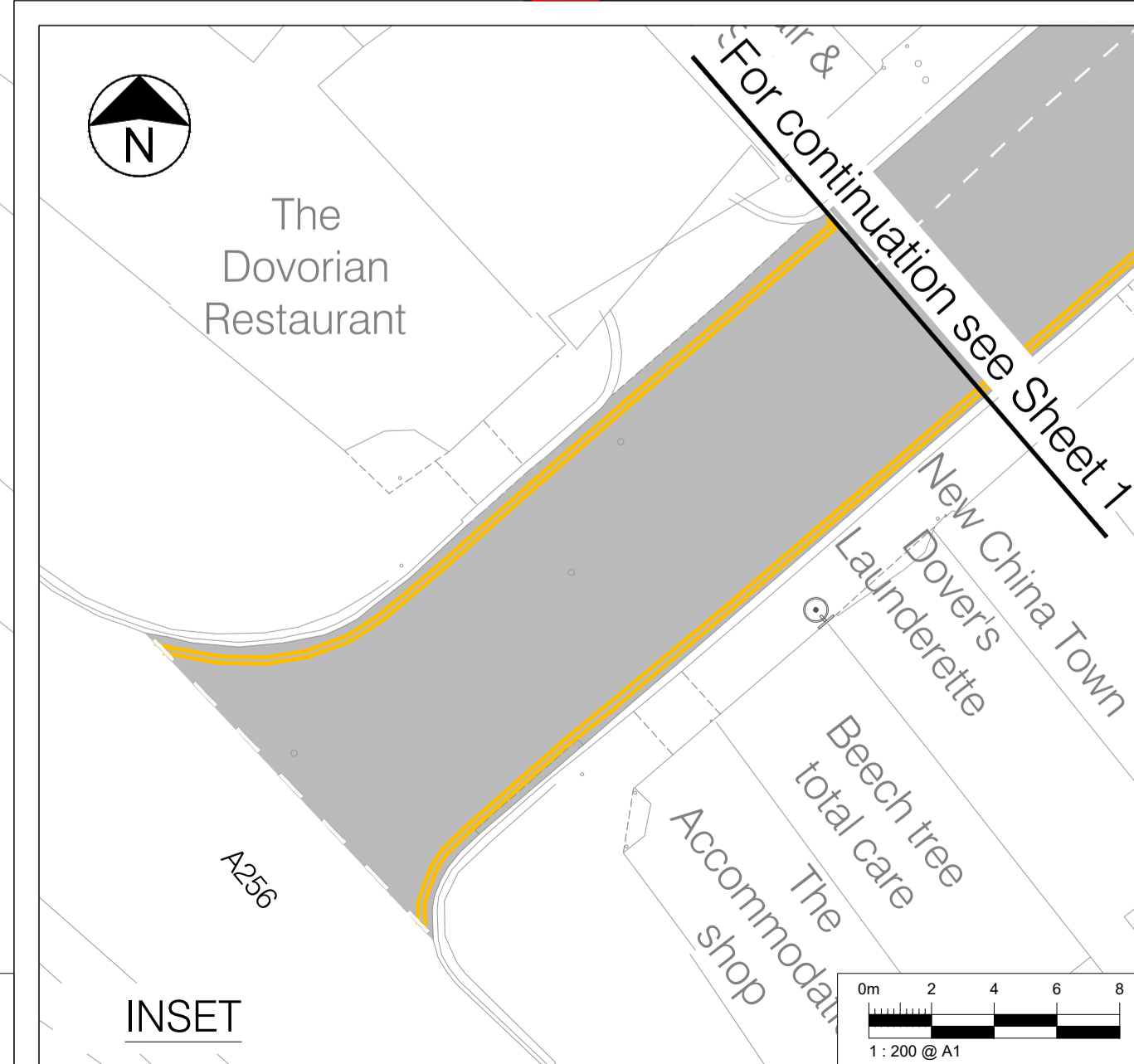
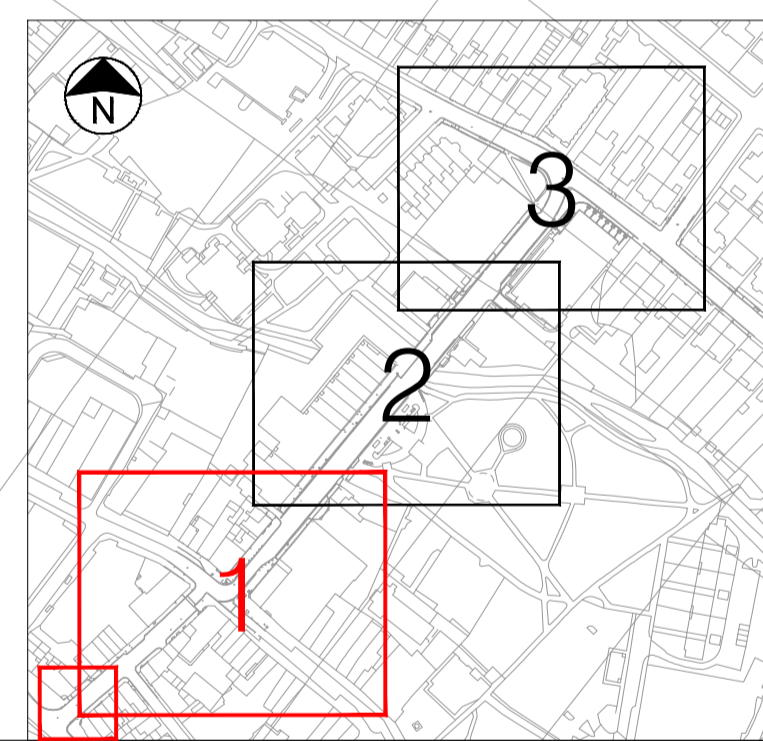


For continuation see Sheet 2

### Legend

- Proposed re-surfacing of carriageway
- Proposed blue coloured bus lane surfacing
- Proposed re-surfacing of footway
- Proposed block paving for taxi bays
- Proposed white road markings
- Proposed yellow road markings
- Proposed road sign
- Proposed traffic signal
- Proposed reflective bollard
- Proposed bus stop flag
- Proposed bus shelter
- Proposed real time information totem
- Existing lighting column / to remain
- Existing bollard to remain
- Existing kerb layout
- Existing bus stop flags to be relocated

- ### Notes
1. Do not scale from this drawing.
  2. All dimensions are in metres unless otherwise specified.
  3. Topographical survey information is provided by Subvision surveys and was undertaken in July 2023.



Rev	Date	Description	Drn	Chk	App
0	01/11/2023	ORIGINAL ISSUE	JCE	RT	JE

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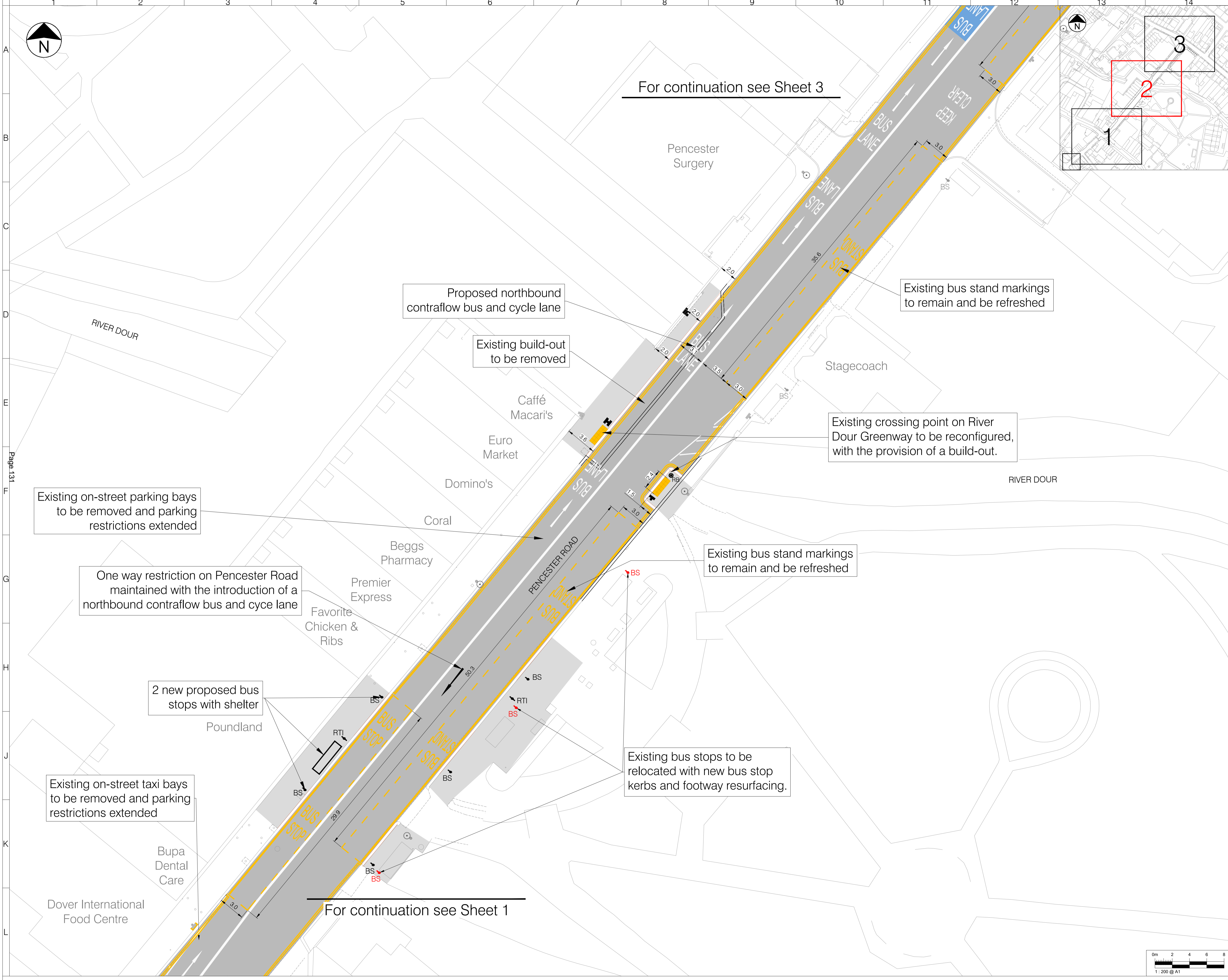
Client: Kent County Council

Project: DOVER FASTRACK, PENCESTER ROAD NORTHBOUND CONTRAFLW BUS LANE

Drawing Title: CONSULTATION PLAN LAYOUT DETAILS SHEET 1 OF 3

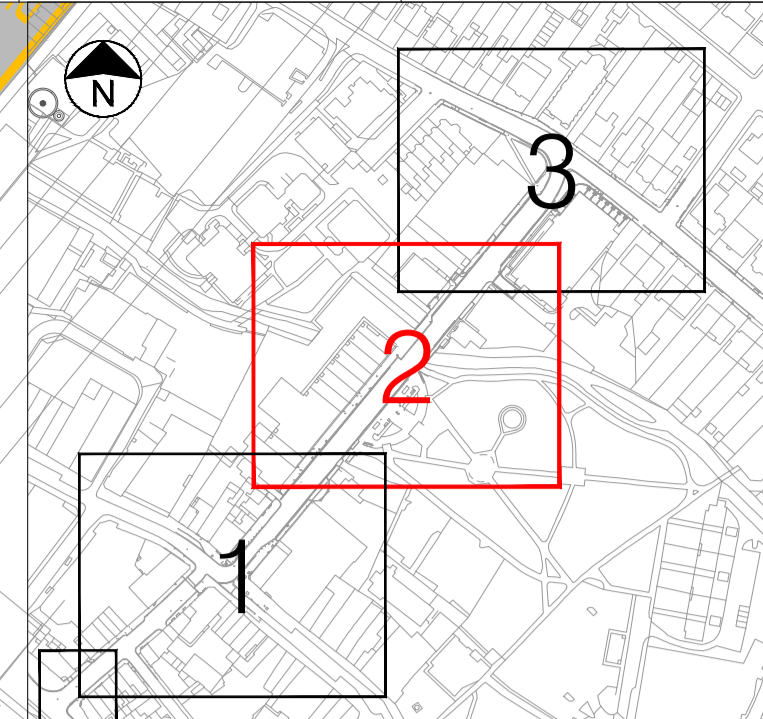
Drawing Status: **FOR APPROVAL**

Drawn: JCE	Designed: JE	Date: OCT 2023	Scale: 1:200
Drawing No. 1000009228-1-0050-0002			Size: A1



For continuation see Sheet 3

For continuation see Sheet 1



- ### Legend
- Proposed re-surfacing of carriageway
  - Proposed blue coloured bus lane surfacing
  - Proposed re-surfacing of footway
  - Proposed block paving for taxi bays
  - Proposed white road markings
  - Proposed yellow road markings
  - Proposed road sign
  - Proposed traffic signal
  - Proposed reflective bollard
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Rev	Date	Description	Drn	Chk	App
0	01/11/2023	ORIGINAL ISSUE	JCE	RT	JE

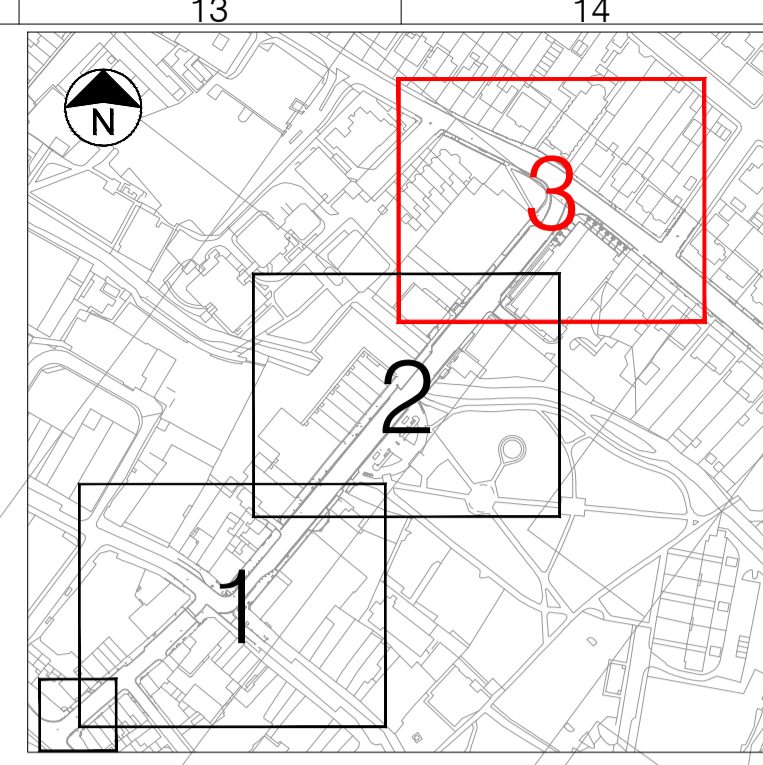
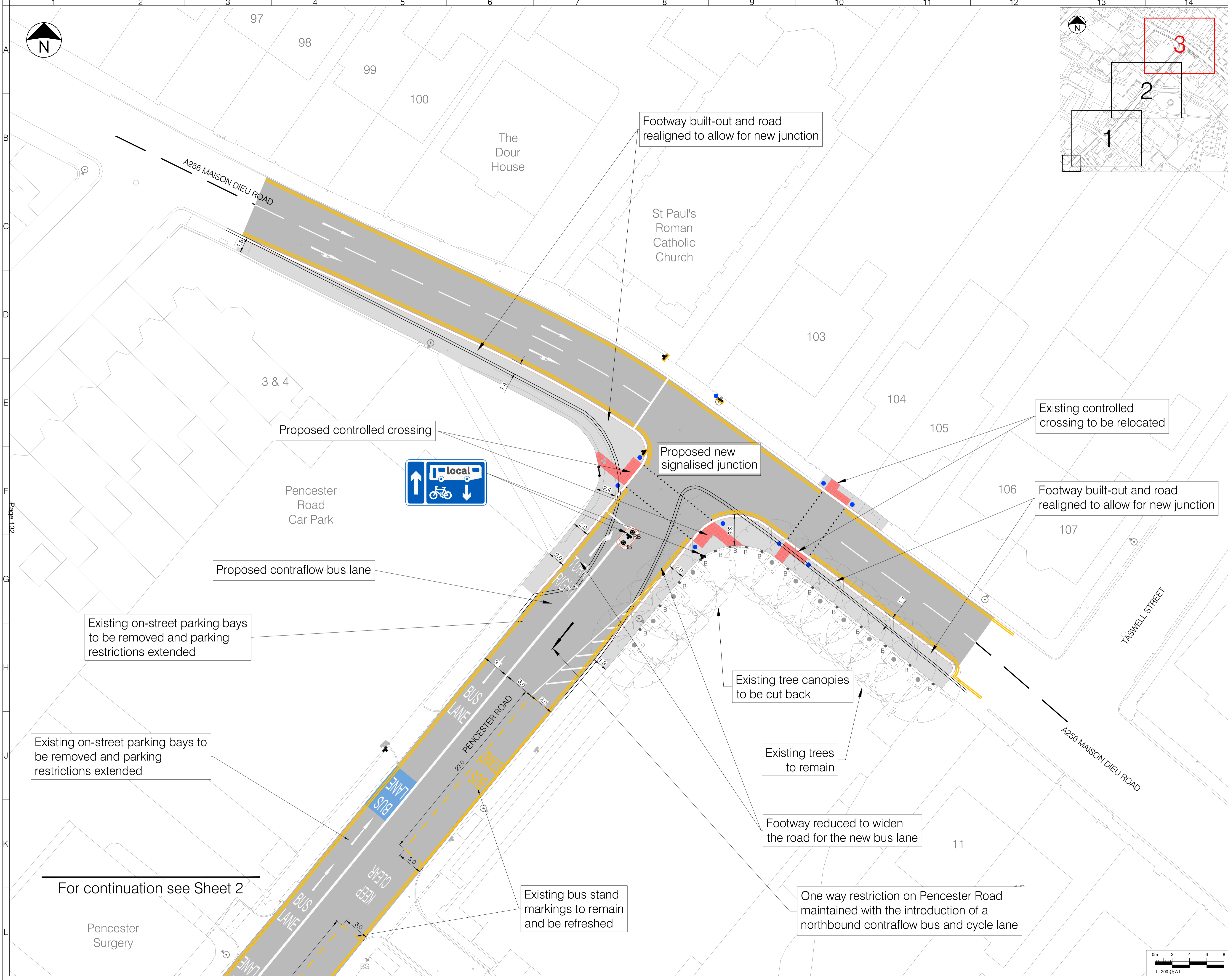
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**PROJECT CENTRE**  
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Client					
DOVER FASTRACK, PENCESTER ROAD NORTHBOUND CONTRAFLOW BUS LANE					
Drawing Title					
CONSULTATION PLAN LAYOUT DETAILS SHEET 2 OF 3					
Drawing Status					
<b>FOR APPROVAL</b>					
Drawn	Designed	Date	Scale	Size	
JCE	JE	OCT 2023	1:200	A1	
Drawing No.					Rev
1000009228-1-0050-0003					0





- ### Legend
- Proposed re-surfacing of carriageway
  - Proposed blue coloured bus lane surfacing
  - Proposed re-surfacing of footway
  - Proposed block paving for taxi bays
  - Proposed white road markings
  - Proposed yellow road markings
  - Proposed road sign
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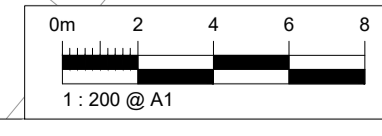
Rev	Date	Description	Drm	Chk	App
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**PROJECT CENTRE**  
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Client					
Project					
DOVER FASTRACK, PENCESTER ROAD NORTHBOUND CONTRAFLow BUS LANE					
Drawing Title					
CONSULTATION PLAN LAYOUT DETAILS SHEET 3 OF 3					
Drawing Status					
FOR APPROVAL					
Drawn	Designed	Date	Scale	Size	
JCE	JE	OCT 2023	1:200	A1	
Drawing No.					Rev
1000009228-1-0050-0004					0





## EQIA Submission – ID Number

### Section A

#### EQIA Title

Pencester Road Northbound Bus Contraflow Lane Dover

#### Responsible Officer

Victoria Van Veghel - GT TRA

### Type of Activity

#### Service Change

No

#### Service Redesign

No

#### Project/Programme

Project/Programme

#### Commissioning/Procurement

Commissioning/Procurement

#### Strategy/Policy

No

#### Details of other Service Activity

No

### Accountability and Responsibility

#### Directorate

Growth Environment and Transport

#### Responsible Service

Major Capital Programme Team

#### Responsible Head of Service

Tim Read - GT TRA

#### Responsible Director

Haroona Chughtai - GT TRA

### Aims and Objectives

#### Project Background

Kent County Council is proposing to introduce a northbound bus contraflow in Pencester Road, Dover. This scheme aims to support and enhance the upcoming Dover Fastrack bus service that is due to become operational in Spring 2024 to support the delivery of new housing developments at Whitfield and Connaught Barracks.

The southbound Fastrack route into the town centre will be via Castle Hill Road, Castle Street, Market Square and then using York Steet and Folkestone Road to arrive at Dover Priory Station. It will provide good access into the centre of Dover and its amenities. The northbound route is currently proposed to exit the Station and travel via Folkestone Road, York Street, A20 Townwall Street, Woolcomber Street and then Castle Hill Road to continue its journey toward Whitfield.

The A20 Townwall Street experiences a high volume of traffic heading to the Port of Dover and leads to regular congestion and delays along this part of the highway network. This is further compounded when ferries are delayed at the Port, leading to the implementation of Operation Tap and Operation Brock.

As a result, the use of the A20 for the northbound route is not ideal as journey times cannot be guaranteed and also, does not provide direct access to the town centre amenities. This led to a review of alternative route options, and the promotion of the Pencester Road northbound bus contraflow lane, with the primary aim to improve the journey time reliability of the service and to provide better access and connectivity to the town centre amenities.

The bus contraflow will provide opportunities for the bus operator to review existing bus routes, which have been limited by the existing road network. This could help to improve the wider efficiency, performance and resilience of bus services within the town centre.

From these potential efficiency savings there is an opportunity to re-establish a direct connection between Dover Priory Station and the Port of Dover via Pencester Road, which would allow for better integration of different modes of transport.

#### EQIA Overview

On top of the benefits all users will experience, particular protected groups should experience additional benefits. The protected traits that should experience some improvements are:

- Age (Efficient can improve journeys for non-drivers)
- Disability (Efficient can improve journeys for non-drivers )
- Carers Responsibilities
- Pregnancy and Maternity

However, some protected traits will be negatively affected from the scheme:

- Age (Loss of parking may inhibit individuals that are less able to walk)
- Disability (Loss of parking may inhibit individuals that are less able to walk)

There will be some negative effects temporarily during construction:

- Age (Construction works may cause confusion, increase journey time through diversions and uneven surfaces could increase risk of tripping)
- Disability (Construction works may cause confusion, increase journey time through diversions, uneven surfaces could increase risk of tripping and unfamiliar routes may create difficulty for the visually impaired)
- Carers responsibilities (independent travel with Client(s))
- Sex (Diversion routes not appropriately lit may affect a users feeling of safety)
- Gender (Diversion routes not appropriately lit may affect a users feeling of safety)
- Sexual Orientation (Diversion routes not appropriately lit may affect a users feeling of safety)
- Faith (Diversion routes not appropriately lit may affect a users feeling of safety)
- Race (diversion routes may be confusing for individuals with limited English fluency, diversion routes not properly lit may reduce the feeling of safety for ethnic minority individuals)
- Pregnancy (uneven surfaces may increase risk of tripping)

### Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

No

**Is there national evidence/data that you can use?**

Yes

**Have you consulted with stakeholders?**

Yes

**Who have you involved, consulted and engaged with?**

Initial discussions have been held with Stagecoach to inform the design and proposal of this scheme and Dover District Council regarding parking provision. A full public consultation is planned to take place between 17 November and 11 December 2023.

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

Yes

**Do you have evidence that can help you understand the potential impact of your activity?**

Yes

## Section C – Impact

### Who may be impacted by the activity?

#### Service Users/clients

Service users/clients

#### Staff

Staff/Volunteers

#### Residents/Communities/Citizens

Residents/communities/citizens

### Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?

Yes

#### Details of Positive Impacts

In addition to the positive impacts identified for all residents and users of the scheme, specific positive impacts have been identified for the following protected characteristics:

- Age
- Disability
- Pregnancy
- Carers

#### Age:

Public transport is used frequently by older people and young people. The scheme will provide direct access to town centre amenities for the proposed Dover Fastrack bus service as well as creating opportunities for improving existing bus routes which have been limited by the existing road network. This will help to improve the wider efficiency, performance and resilience of bus services in the town centre allowing residents to access the town centre amenities for such things as learning, education, leisure, and health facilities with more confidence about the reliability of the bus service being provided. An additional controlled crossing is also being provided across Pencester Road at the new signal junction that is being provided at the Maison Dieu Road/Pencester Road junction that will provide a safe place to cross assisting older people in crossing this busy road.

#### Disability:

Public transport is used frequently by individuals that may be unable to drive as a result of their disability. The scheme will provide direct access to town centre amenities for the proposed Dover Fastrack bus service as well as creating opportunities for improving existing bus routes which have been limited by the existing road network. This will help to improve the wider efficiency, performance and resilience of bus services in the town centre allowing residents to access the town centre amenities for such things as learning, education, leisure, and health facilities with more confidence about the reliability of the bus service being provided. An additional controlled crossing is also being provided across Pencester Road at the new signal junction that is being provided at the Maison Dieu Road/Pencester Road junction, providing a safe place to cross, assisting disabled users when crossing this busy road. This will also include tactile paving and rotating cones on the push buttons to assist visually impaired users.

Pregnancy and maternity – The scheme will provide direct access to town centre amenities for the proposed Dover Fastrack bus service as well as creating opportunities for improving existing bus routes which have been limited by the existing road network. This will help to improve the wider efficiency, performance and resilience of bus services in the town centre allowing residents to access the town centre amenities for such things as learning, education, leisure, and health facilities with more confidence about the reliability of the bus service being provided. An additional controlled crossing is also being provided across Pencester Road at the new signal junction that is being provided at the Maison Dieu Road/Pencester

Road junction that will provide a safe place to cross assisting these users in crossing this busy road..

Carers — The scheme will provide direct access to town centre amenities for the proposed Dover Fastrack bus service as well as creating opportunities for improving existing bus routes which have been limited by the existing road network. This will help to improve the wider efficiency, performance and resilience of bus services in the town centre allowing residents to access the town centre amenities for such things as learning, education, leisure, and health facilities with more confidence about the reliability of the bus service being provided. An additional controlled crossing is also being provided across Pencester Road at the new signal junction that is being provided at the Maison Dieu Road/Pencester Road junction that will provide a safe place to cross assisting these users in crossing this busy road.

All protected groups – As well as benefitting from the improved bus services that will provide a direct access to the town centre amenities, a service will also be provided to the port of Dover opening routes for local residents and tourists.

## Negative impacts and Mitigating Actions

### 19.Negative Impacts and Mitigating actions for Age

#### Are there negative impacts for age?

Yes

#### Details of negative impacts for Age

This scheme has a permanent impact affecting individuals who are less able to walk as some of the on-street parking is removed to provide space for the contraflow lane, and could result in those users with less mobility having to walk slightly further.

Construction could result in temporary closures of footpaths for users, this may result in uneven footway surfaces which could affect young and older pedestrians and increase risk of tripping. Pedestrians and road users may have to find alternative and more lengthy routes to access services (such as shops, schools/colleges, public transport etc.).

Noise disruption from the construction works could cause anxiety and confusion for some people. If access to services and access to transport is disrupted it could disproportionately impact elderly people's health and wellbeing.

#### Mitigating Actions for Age

Removal of on-street parking bays – Discussions with the local parking authority, Dover District Council, has identified that the nearby public car parks located in Pencester Road, Maison Dieu and at Stembrook have spare capacity that will help mitigate for the parking changes in Pencester Road. Along with the five pay and display spaces that are being retained in Pencester Road and two additional on-street parking spaces that are being provided in Worthington Street.

The design will meet all statutory requirements including the Equality Act 2010, with all good practices in mind. Alternative access to town centre amenities being provided by the new Dover Fastrack bus services and amendments to existing bus services.

Temporary Construction Impacts – - Risk assessment to be completed for affected groups prior to construction. All works areas correctly signed and guarded and any temporary footway surfaces to be even and formed with bound materials to avoid trips and uneven surfaces and where change of level is required ramps of an appropriate standard are provided. Public engagement, via letter drops, websites and social media carried out to ensure all users are aware of construction works/programme and any temporary access arrangements to ensure they can access and use the footway safely during the construction works. Construction sites and diversion routes to follow health and safety regulations

Project Team
<b>20. Negative impacts and Mitigating actions for Disability</b>
<b>Are there negative impacts for Disability?</b>
Yes
<b>Details of Negative Impacts for Disability</b>
<p>This scheme has a permanent impact to disabled users as there will be four disabled spaces removed from Pencester Road, along with the on-street parking spaces which can also be used by disabled users although waiting is limited in these bays. This could result in disabled users not being able to park close to the local facilities.</p> <p>Construction will result in temporary closures of footpaths, for road users including pedestrians &amp; cyclists. This may temporarily disrupt access to essential services for disability groups meaning alternative routes may be required. Construction works can cause major obstructions on key walking routes and unexpected changes to the 'landscape' for visually impaired people. Road works could lead to uneven surfaces increasing risk of tripping.</p> <p>Construction works can be sprawling and noisy – causing confusion and anxiety for some people with disabilities.</p>
<b>Mitigating actions for Disability</b>
<p>Removal of disabled bays – one additional disabled bay being provided in Worthington Street, reducing overall loss to three spaces. Discussions with the local parking authority, Dover District Council, has identified that the nearby public car parks located in Pencester Road, Maison Dieu and at Stembrook have spare capacity that will help mitigate for the parking changes in Pencester Road. Along with the five pay and display spaces that are being retained in Pencester Road and two additional on-street parking spaces are being provided in Worthington Street, which can also be used by disabled users.</p> <p>The design will meet all statutory requirements including the Equality Act 2010, with all good practices in mind. Ensure designs are carried out in accordance with the Design Manual for Roads and Bridges (DMRB), which gives guidance based on current legislation for non-motorised users (NMU) and those with disabilities.</p> <p>The design will meet recommended guidance from the Department for Transport on inclusive mobility, the Kent Design Guide and associated standard details. Alternative access to town centre amenities being provided by the new Dover Fastrack bus services and amendments to existing bus services.</p> <p>Temporary Construction Impacts - All works areas correctly signed and guarded and any temporary footway surfaces to be even and formed with bound materials to avoid trips and uneven surfaces and where change of level is required ramps of an appropriate standard are provided. Public engagement, via letter drops, websites and social media carried out to ensure all users are aware of construction works/programme and any temporary access arrangements to ensure they can access and use the footway safely during the construction works. Construction sites and diversion routes to follow health and safety regulations.</p>
<b>Responsible Officer for Disability</b>
Project Team
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
Yes
<b>Details of negative impacts for Sex</b>
<p>During construction, public may feel unsafe using diversions away from usual walking or cycling routes or waiting or adjacent to construction sites due to fear of crime.</p>
<b>Mitigating actions for Sex</b>

Public engagement, via notices, letter drops, websites, social media, to ensure all users are aware of construction works/programme and any temporary access arrangements to ensure residents can access footways safely during the construction works. Ensure appropriate, lit diversion routes are chosen and well signed during the construction works.
<b>Responsible Officer for Sex</b>
Project Team
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>Are there negative impacts for Gender identity/transgender</b>
Yes
<b>Negative impacts for Gender identity/transgender</b>
During construction, individuals that identify as transgender or non-binary may feel unsafe using diversions away from usual walking or cycling routes or adjacent to construction sites due to fear of crime.
<b>Mitigating actions for Gender identity/transgender</b>
Public engagement, via notices, letter drops, websites, social media, to ensure all users are aware of construction works/programme and any temporary access arrangements to ensure residents can access and use the footways safely during the construction works. Ensure appropriate, lit diversion routes are chosen and well signed during the construction works.
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Project Team
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
Yes
<b>Negative impacts for Race</b>
During construction, communication barriers could cause confusion and anxiety for some ethnic groups in relation to the construction works due to the potential for a language barrier. Ethnic minority individuals may feel unsafe using diversions away from usual walking or cycling routes or adjacent to construction sites due to fear of crime.
<b>Mitigating actions for Race</b>
Public engagement materials during construction to be available in alternative languages on request. Public engagement, via notices, letter drops, websites, social media, to ensure all users are aware of construction works/programme and any temporary access arrangements to ensure residents can access and use the footways safely during the construction works. Ensure appropriate, lit diversion routes are chosen and well signed during the construction works.
<b>Responsible Officer for mitigating actions for Race</b>
Project Team
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
Yes
<b>Negative impacts for Religion and belief</b>
Individuals of different faiths may feel unsafe using diversions away from usual walking or cycling routes or waiting in temporary structures or adjacent to construction sites due to fear of crime.
<b>Mitigating actions for Religion and belief</b>
Public engagement, via notices, letter drops, websites, social media, to ensure all users are aware of construction works/programme and any temporary access arrangements to ensure residents can access and use the footways safely during the construction works. Ensure appropriate, lit diversion routes are chosen and well signed during the construction works.
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Project Team
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>

Yes
<b>Negative impacts for Sexual Orientation</b>
Diversions away from usual walking or cycling routes or adjacent to construction sites may users feel uncomfortable due to the fear of crime.
<b>Mitigating actions for Sexual Orientation</b>
Public engagement, via notices, letter drops, websites, social media, to ensure all users are aware of construction works/programme and any temporary access arrangements to ensure residents can access and use the footways safely during the construction works. Ensure appropriate, lit diversion routes are chosen and well signed during the construction works.
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Project Team
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
Yes
<b>Negative impacts for Pregnancy and Maternity</b>
<p>This scheme has a permanent impact affecting individuals who are less able to walk as some of the on-street parking is removed to provide space for the contraflow lane, and could result in those users who are less able to walk, having to walk slightly further</p> <p>Construction will result in temporary closures of footpaths, for road users. This may temporarily disrupt access to essential services for Pregnancy and maternity users meaning alternative routes may be required. There is a possible increased risk of falls during work if pregnant women are walking temporary routes. Unfamiliar routes could prove difficult for individuals travelling with young children or pushchairs. Road works could lead to uneven surfaces increasing risk of tripping.</p>
<b>Mitigating actions for Pregnancy and Maternity</b>
<p>Removal of on-street parking bays – Discussions with the local parking authority, Dover District Council, has identified that the nearby public car parks located in Pencester Road, Maison Dieu and at Stembrook have spare capacity that will help mitigate for the parking changes in Pencester Road. Along with the five pay and display spaces that are being retained in Pencester Road and two additional on-street parking spaces that are being provided in Worthington Street.</p> <p>The design will meet all statutory requirements including the Equality Act 2010, with all good practices in mind. Alternative access to town centre amenities being provided by the new Dover Fastrack bus services and amendments to existing bus services.</p> <p>Temporary Construction Impacts – - Risk assessment to be completed for affected groups prior to construction. All works areas correctly signed and guarded and any temporary footway surfaces to be even and formed with bound materials to avoid trips and uneven surfaces and where change of level is required ramps of an appropriate standard are provided. Public engagement, via letter drops, websites and social media carried out to ensure all users are aware of construction works/programme and any temporary access arrangements to ensure they can access and use the footway safely during the construction works. Construction sites and diversion routes to follow health and safety regulations</p>
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Project Team
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Applicable
<b>Mitigating actions for Marriage and Civil Partnerships</b>

Not Applicable
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Applicable
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
Yes
<b>Negative impacts for Carer's responsibilities</b>
<p>Diversions and major construction works may impact on travel plans if works are not known about in advance.</p> <p>Construction works and changes to the site area could affect planning for independent travel with client groups.</p>
<b>Mitigating actions for Carer's responsibilities</b>
<p>Public engagement, via notices, letter drops, websites, social media, to ensure all users are aware of construction works/programme and any temporary access arrangements to ensure they can access and use the footway safely during the construction works.</p> <p>New opportunities will be available for carers and their client(s) as the centre of Dover and access to port and to rail station is improved through new bus service routes expansion.</p>
<b>Responsible Officer for Carer's responsibilities</b>
Project Team



# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Neil Baker, Cabinet Member for Highways & Transport**

**DECISION NO:**

To be allocated by  
Democratic Services

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

**Key decision: YES**

*Key decision criteria. The decision will:*

- a) result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000);

**Subject Matter / Title of Decision: Pencester Road, Dover – Northbound Bus Contraflow****Decision:**

As Cabinet Member for Highways & Transport, I agree to:

- i) Approval to undertake the detailed design and any associated surveys required to inform the design;
- ii) Approval for KCC officers to project manage, input into the delivery and supervision of the project, with the cost of all staff and consultant time being recoverable against the project funding;
- iii) Approval to progress all statutory approvals or consents required for the scheme;
- iv) Approval to implement permanent Traffic Regulation Orders, associated with the contraflow bus lane, amendments to current parking/taxi bay provisions and ANPR enforcement cameras, subject to completing the statutory consultation process associated with Traffic Regulation Orders;
- v) Approval to carry out any additional consultation required for the scheme;
- vi) Approval to enter into construction contracts as necessary for the delivery of the scheme subject to a review of the procurement strategy by the Capital Officers Group / Strategic Commissioning;
- vii) Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

**Reason(s) for decision:**

Under decision 23/00027 the Cabinet Member for Highways and Transport agreed to accept the DfT BSIP offer of £18,985,735, for delivery of agreed initiatives, in the year 23/24. To ensure that the Pencester scheme as one of the BSIP initiatives can progress to time, a further decision is required for approval to plan and spend the DFT BSIP funding.

**Cabinet Committee recommendations and other consultation:****Any alternatives considered and rejected:**

An alternative route option was considered but this did not provide the journey time reliability and access to the town centre amenities that the proposed scheme does, nor did it provide other opportunities for the bus operator to improve existing bus services in the town centre and to provide a new link to the Port of Dover.

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

.....  
signed

.....  
date

**From:** Neil Baker, Cabinet Member for Highways & Transport and  
Simon Jones, Corporate Director, Growth, Environment and  
Transport

**To:** Environment & Transport Cabinet Committee -  
15 November 2023

**Subject:** Rennie Drive Fastrack Junction and Bus Lane

Key decision TBA

Classification: **Unrestricted**

**Past Pathway of report:** ETCC 17 March 2023

**Future Pathway of report:** For Cabinet Member Decision

**Electoral Division:** Dartford North East – Kelly Grehan.  
The adjacent division is Dartford East – Penny Cole.

**Summary:** Under decision 23/00027 the Cabinet Member for Highways and Transport agreed to accept the DfT BSIP offer of £18,985,735, for delivery of agreed initiatives, in the year 23/24. To ensure that the Rennie Drive scheme as one of the BSIP initiatives can progress to time, a further decision is required for approval to plan and spend the DFT BSIP funding.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways & Transport on the proposed decision to:

- i. Approval to progress all statutory approvals or consents required for the scheme, including any transfer of land and rights;
- ii. Approval to carry out any additional consultation required for the scheme;
- iii. Approval to enter into construction contracts as necessary for the delivery and future maintenance of the scheme subject to a review of the procurement strategy by the Capital Officers Group / Strategic Commissioning;
- iv. Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

As contained in the Proposed Record of Decision, attached as Appendix A.

## **1. Introduction**

- 1.1. Under decision 23/00027 the Cabinet Member for Highways and Transport agreed to accept the DfT BSIP offer of £18,985,735, for delivery of agreed initiatives, in the year 23/24.
- 1.2. The Rennie Drive Fastrack Junction and Bus Lane scheme is one of the BSIP initiatives referenced as IPIG Bus Priority Measure Scheme A in Appendix A to decision 23/00027.
- 1.3. A condition with all BSIP funding is that it needs to be spent, and the full BSIP programme delivered by 31 March 2024, unless agreed otherwise with the DfT through their Project Adjustment Request (PAR) process.

## **2. Body of the report**

- 2.1 The Rennie Drive Fastrack Junction and Bus Lane scheme has been prepared to enable Fastrack vehicles to travel directly from the Fastrack only bridge over the A282 along the northern part of Rennie Drive, and vice versa. This will improve the connectivity to the stops to serve the major businesses at the former Littlebrook Power Station site. Currently Fastrack vehicles are forced to do an extended routing between the Fastrack bridge and the site, double back on themselves at the Sainsbury's roundabout, adding journey time.
- 2.2 One major logistics company located at the Littlebrook site, is currently responsible for 1200 to 1500 Fastrack passenger journeys a day, with this peaking at 1800 trips when the business has its highest employment levels.
- 2.3 The bus lane element will also improve Fastrack operation as currently delays south bound on Rennie Drive, caused by peak hour congestion at the M25 Junction 1A are affecting journey times and service reliability. The implementation of an additional bus lane will reduce the risk of these services getting caught up in congestion around the Dartford Crossing.
- 2.4 Advance Statutory Undertakers works need to be undertaken during Autumn 2023 to facilitate a construction start in early January 2024. This will enable works to avoid the busy Christmas period (mid-November to end of December 2023) for the major logistics company and other logistic businesses at the former Littlebrook Power Station site, Dartford.
- 2.5 Fastrack is Kent County Council's Bus Rapid Transit (BRT) flagship operation at Thameside. A new Fastrack Thameside electric operator service is due to start operating with a new electric bus fleet from March 2025 with the new Fastrack electric operator Go-Ahead Group.
- 2.6 Options were investigated for a roundabout at the Rennie Drive Fastrack Junction and alternatives for the bus lane but these were discarded as they could not be delivered without extensive third-party land and would be unachievable within the delivery deadlines which are in place as a condition of the BSIP funding.

### **3. Financial Implications**

- 3.1 The estimated project cost for the Rennie Drive Scheme is circa £2,500,000 including a risk allowance of £425,000. This will be fully funded from the capital element of the BSIP funding of £18,985,735, which is split as £12,454,840 capital and £6,530,895 revenue.
- 3.2 The funding has been released by DfT to KCC and has been allocated to the budget line P-7HE-61382-C20-DAA-3L18-00.
- 3.3 A condition with all BSIP funding is that it needs to be spent, and the full BSIP programme delivered by 31 March 2024, unless agreed otherwise with the DfT through their Project Adjustment Request (PAR) process. KCC is monitoring spend and delivery timescales to determine if, and when this process is required.
- 3.4 The Memorandum of Understanding (MOU) for BSIP funding does raise the potential that KCC would be responsible for overspend should this occur and may incur abortive costs should schemes not progress fully. The ongoing relationship with the DfT and the PAR process is in place to mitigate this risk.

### **4. Legal implications**

- 4.1 A small area of land to provide the widening for a footway/cycleway at Rennie Drive has been agreed with the land title holders Dartford Borough Council and The Bridge Management Company. This is being included with the S278 land adoption for Fastrack currently being managed by the Agreements Team using legal support from Governance, Law & Democracy for the Property work.

### **5. Equalities implications**

- 5.1 An EqIA was published on 23 December 2022 and is attach as Appendix B
- 5.2 It has been identified that some groups will be negatively affected during construction, but these can be mitigated with informative on-site signage, proactive measures by the contractor and good stakeholder communications. Overall, the scheme has a positive impact.

### **6. Other corporate implications**

- 6.1 There are no overlapping functions envisaged which will have an impact in other areas of the Council's work.

### **7. Governance**

- 7.1 The main delegation via the Officer Scheme of Delegation will be the Corporate Director of Growth Environment and Transportation.

## 8. Conclusions

- 8.1 This scheme supports economic growth by improving journey time and reliability of Fastrack services.
- 8.2 It maintains a reliable Fastrack network in conjunction with the increase in passenger numbers over the coming years.
- 8.3 It provides Fastrack services with a specific bus lane to reduce the chance that services are delayed by congestion arising from the Dartford Crossing.
- 8.4 The scheme is part of the DfT BSIP funding commitment where delivery is required within the financial year 2023/2024.

## 9. Recommendations

9.1 The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways & Transport on the proposed decision to:

- i. Approval to progress all statutory approvals or consents required for the scheme, including any transfer of land and rights;
- ii. Approval to carry out any additional consultation required for the scheme;
- iii. Approval to enter into construction contracts as necessary for the delivery and future maintenance of the scheme subject to a review of the procurement strategy by the Capital Officers Group / Strategic Commissioning;
- iv. Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

As contained in the Proposed Record of Decision, attached as Appendix A.

## 10. Background Documents and appendices

- 10.1 Decision no. [23/00027](#)
- 10.2 Appendix A: Proposed Record of Decision
- 10.3 EqlA
- 10.4 Appendix B: Site Design Drawings
  - 19653-WIE-GEN-XX-DR-C-900001 Rev C01
  - General Arrangement drawing nos. 19653-WIE-HGN-ZZ-DR-C-950101 Rev C01 & 950102 Rev C01

## 11. Contact details

Report Author:  
Graham Killick: MCP Project  
Manager

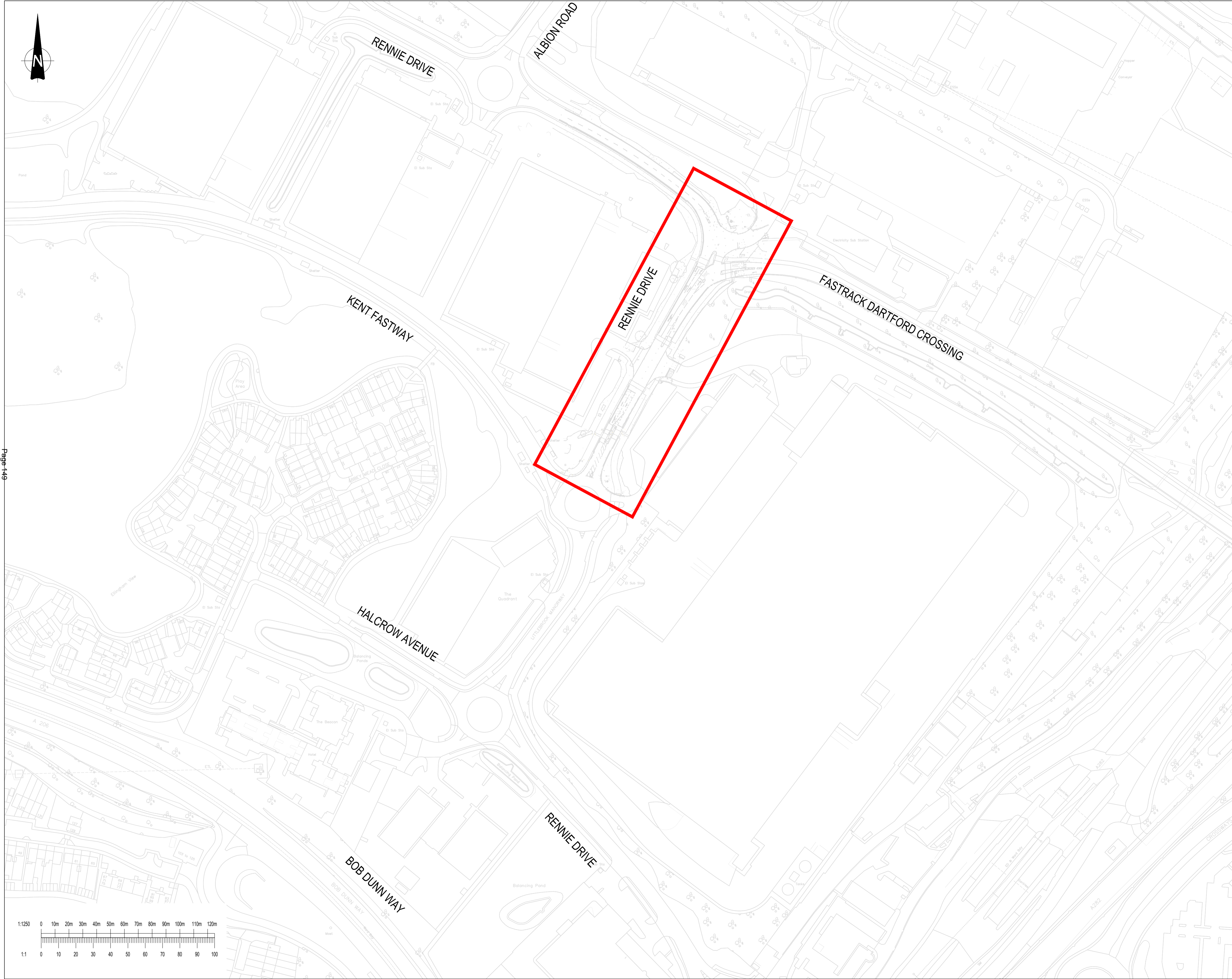
Relevant Director:  
Haroon Chughtai: Director of Highways &  
Transport

Telephone number: 03000 419369  
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graham.killick@kent.gov.uk

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haroona.chughtai@kent.gov.uk

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**GENERAL NOTES**

- THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL OTHER ENGINEER'S DRAWINGS AND THE SPECIFICATION FOR HIGHWAY WORKS.

**KEY**



SITE LOCATION

Page 149

Rev	Sub	Date	Description	By
C01	A1	14.07.23	ISSUED FOR TENDER	SM
Amendments				

**Project**  
 RENNIE DRIVE, DARTFORD

**Title**  
 SITE LOCATION

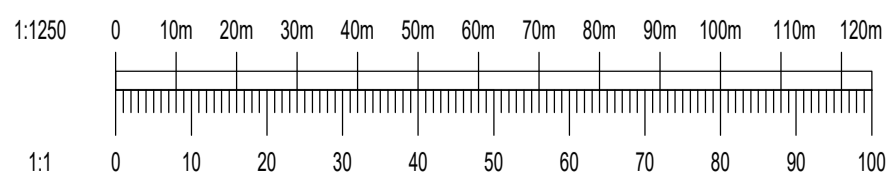


Crown House 2 - 8 Gloucester Road Redhill Surrey RH1 1FH  
 1 01342 893800 1 03333 444 501  
 mail@watermangroup.com www.watermangroup.com

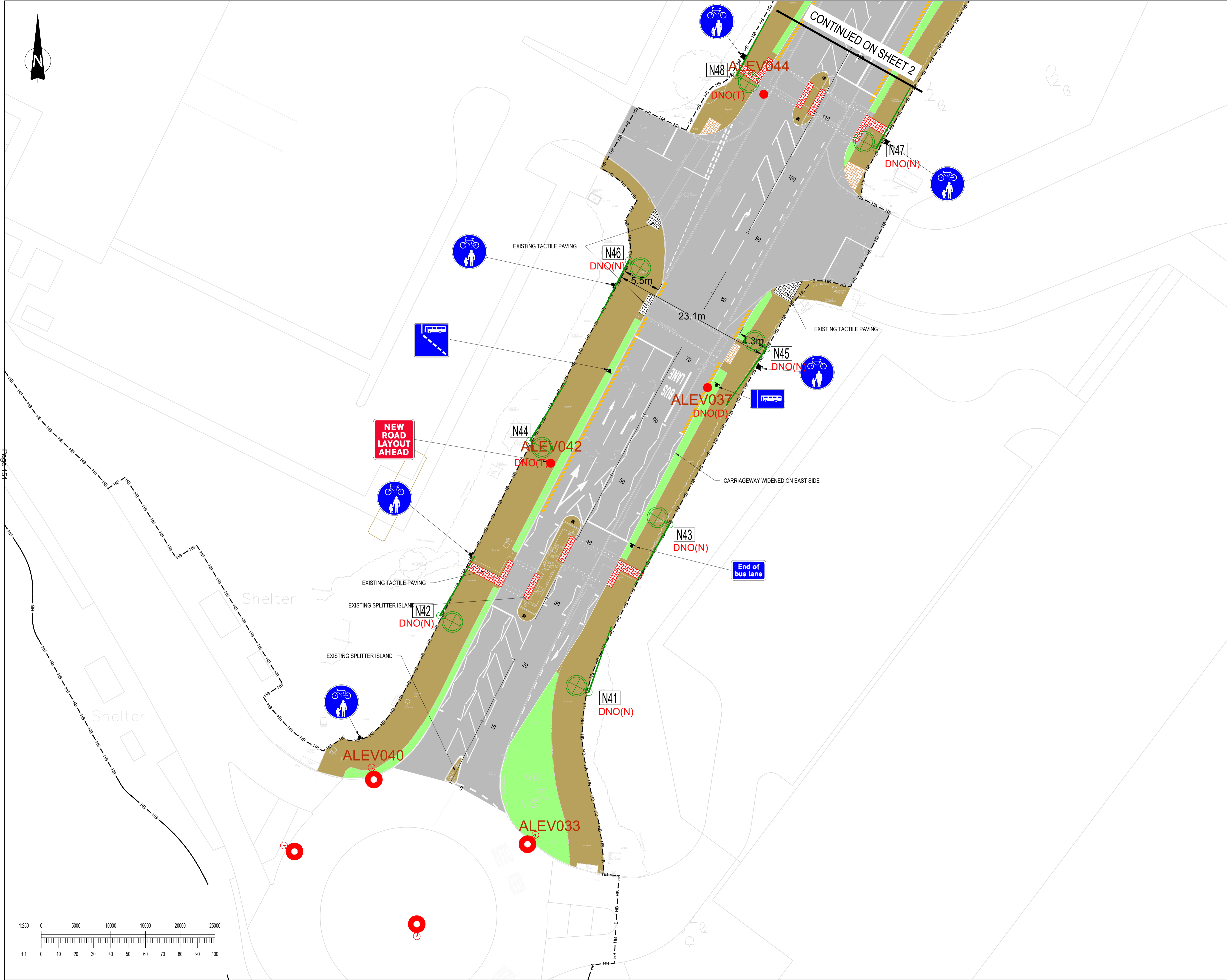
**Subsidiary**  
 STAGE 1 A1

Designed By: JG Checked By: EW Waterman Ref: WIE19653  
 Drawn By: JG Date: 13.01.23 Scale: 1:1250

Project - Originator - Volume - Level - Type - Role - Number Revision  
 19653-WIE-GEN-ZZ-DR-C-900001 C01



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### GENERAL NOTES

- THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL OTHER ENGINEER'S DRAWINGS AND THE SPECIFICATION FOR HIGHWAY WORKS.

### KEY

- HB — HB — HIGHWAY BOUNDARY
- CARRIAGEWAY
- FOOTWAY
- VERGE
- CONCRETE VERGE
- TACTILE PAVING - UNCONTROLLED CROSSING
- TACTILE PAVING - CONTROLLED CROSSING
- SIGN AND POST
- TRAFFIC BOLLARD KEEP LEFT
- TRAFFIC BOLLARD PLAIN FACE
- STREETLIGHTING TO BE REMOVED
- EXISTING 150W STREETLIGHTING
- PROPOSED 150W STREETLIGHTING
- EXISTING 135W STREETLIGHTING
- PROPOSED 135W STREETLIGHTING
- EXISTING STREETLIGHTING

Rev	Suit	Date	Description	By
C01	A1	14.07.23	ISSUED FOR TENDER	SM

Project  
**RENNIE DRIVE, DARTFORD**

Title  
**GENERAL ARRANGEMENT  
 SHEET 1 OF 2**



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Subsidiary  
**STAGE 1** **A1**

Designed By	JG	Checked By	EW	Waterman Ref	WIE19653
Drawn By	JG	Date	13.01.23	Scale	1:250

Project	Originator	Volume	Level	Type	Role	Number	Revision
19653-WIE-HGN-ZZ-DR-C-950101							C01

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

David Brazier, Cabinet Member for Highways & Transport

**DECISION NO:**

To be allocated by Democratic Services

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

**Key decision: YES**

Key decision criteria. The decision will:

- a) result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000);

**Subject Matter / Title of Decision: Rennie Drive Fastrack Junction and Bus Lane****Decision:**

As Cabinet Member for Highways & Transport, I agree to:

- i. Approval to progress all statutory approvals or consents required for the scheme, including any transfer of land and rights;
- ii. Approval to carry out any additional consultation required for the scheme;
- iii. Approval to enter into construction contracts as necessary for the delivery and future maintenance of the scheme subject to a review of the procurement strategy by the Capital Officers Group / Strategic Commissioning;
- iv. Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

**Reason(s) for decision:**

Under decision 23/00027 the Cabinet Member for Highways and Transport agreed to accept the DfT BSIP offer of £18,985,735, for delivery of agreed initiatives, in the year 23/24. To ensure that the Rennie Drive scheme as one of the BSIP initiatives can progress to time, a further decision is required for approval to plan and spend the DFT BSIP funding.

**Cabinet Committee recommendations and other consultation:****Any alternatives considered and rejected:**

Options were investigated for a roundabout and alternatives for the bus lane but these were discarded as they could not be delivered without extensive third party land and would be unachievable within the delivery deadlines which are in place as a condition of the BSIP funding.

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

.....  
signed

.....  
date

## EQIA Submission – ID Number

### Section A

#### EQIA Title

Rennie Drive Junction Improvement

#### Responsible Officer

Michael Sawyer - GT TRA

### Type of Activity

#### Service Change

No

#### Service Redesign

No

#### Project/Programme

Project/Programme

#### Commissioning/Procurement

No

#### Strategy/Policy

No

#### Details of other Service Activity

No

### Accountability and Responsibility

#### Directorate

Growth Environment and Transport

#### Responsible Service

Highways

#### Responsible Head of Service

Haroon Chughtai - GT TRA

#### Responsible Director

Simon Jones - GT CDO

### Aims and Objectives

The current arrangement has Fastrack Vehicles forced to do an extended routing between the Fastrack bridge and the Littlebrook Power Station Site, doubling back on themselves at the Sainsbury's roundabout, adding to journey times. Improvements to the road will reduce this journey time and increase overall service reliability. Furthermore, Amazon LCY3, located at the Littlebrook site, is currently responsible for 1200 to 1500 Fastrack passenger journeys a day, with this peaking at 1800 trips when Amazon has its highest employment levels. With other major employers due to open alongside Amazon, including Coca-Cola and Ikea, the number of passenger trips to the area is expected to grow significantly in the coming years. Therefore, the scheme aims to increase the reliability of these services, making trips to these key employment centres easier. Lastly, the scheme will also provide an alternative route if the Dartford Crossing is forced to close. This closure has the knock-on effect of delaying bus services in the area. The implementation of an additional Busway will reduce the risk of these services getting caught up in congestion around the Dartford Crossing. Overall, the objectives of this scheme can be summarised as followed:

- 1) Support economic growth by improving journey time and reliability of Fastrack services
- 2) Maintain a reliable Fastrack network in conjunction with the increase in passenger numbers over the coming years.
- 3) Provide Fastrack services with a specific Busway to reduce the chance that they are caught up in congestion induced by the Dartford Crossing.

## Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

Yes

**Is there national evidence/data that you can use?**

Yes

**Have you consulted with stakeholders?**

Yes

**Who have you involved, consulted and engaged with?**

Dartford Borough Council (DBC)  
Sainsbury's  
Bridge Management Company  
Amazon

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

No

**Do you have evidence that can help you understand the potential impact of your activity?**

Yes

## Section C – Impact

**Who may be impacted by the activity?**

**Service Users/clients**

Service users/clients

**Staff**

No

**Residents/Communities/Citizens**

Residents/communities/citizens

**Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?**

Yes

**Details of Positive Impacts**

Disability:

- The junction improvement is expected to increase the reliability of services going to and from the Littlebrooks power station which will increase regional connectivity to those who use public transport as their main form of transport such as disabled people. This will also allow residents in Dartford to connect better with the rest of North Kent, improving regional connectivity.
- The changes to the junction layout will also prevent buses from doubling back on one another which will decrease journey times.
- the junction improvement will also allow for more reliable services to key employment hubs in the area. This in turn improves the employment opportunities for people across Kent, including disabled people who rely more on public transport to access employment.
- Lastly, the provision of a separate busway from the rest of the road system will reduce the amount these services affected by the closure of the Dartford crossing, further decreasing journey times, and offering attractive alternatives to private car use within Dartford.

Age:

- The junction improvement is expected to increase the reliability of services going to and from the Littlebrooks power station which will increase regional connectivity to those who use public transport as their main form of transport such as Older people and School age children.
- The changes to the junction layout will also prevent buses from doubling back on one another which will decrease journey times.



- the junction improvement will also allow for more reliable services to key employment hubs in the area. This in turn improves the employment opportunities for people across Kent, including elderly people and young adults who are more likely to use public transport in order to attend employment.
- Lastly, the provision of a separate busway from the rest of the road system will reduce the amount these services affected by the closure of the Dartford crossing, further decreasing journey times, and offering attractive alternatives to private car use within Dartford.

**Ethnicity:**

- The junction improvement is expected to increase the reliability of services going to and from the Littlebrooks power station which will increase regional connectivity to those who use public transport as their main form of transport such as minority ethnic people.
- The changes to the junction layout will also prevent buses from doubling back on one another which will decrease journey times.

the junction improvement will also allow for more reliable services to key employment hubs in the area. This in turn improves the employment opportunities for people across Kent, including minority ethnic people who are more likely to use public transport in order to attend employment.

**Pregnancy and maternity:**

- The junction improvement is expected to increase the reliability of services going to and from the Littlebrooks power station which will increase regional connectivity to those who use public transport as their main form of transport such as pregnant women. This will also allow residents in Dartford to connect better with the rest of North Kent, improving regional connectivity.
- The changes to the junction layout will also prevent buses from doubling back on one another which will decrease journey times.

**Negative impacts and Mitigating Actions**

**19.Negative Impacts and Mitigating actions for Age**

**Are there negative impacts for age?**

Yes

**Details of negative impacts for Age**

- Route closure (Mid): KCC may have to close Rennie Drive for some of the duration of the construction period. The closure of this road is expected to have effects on all age groups. For example, the closure of the route will prevent young adults from accessing the business park which could impact their ability to access their jobs at the Littlebrook Power Station site. The closure of this road will also have an impact on elderly people because this demographic is more likely to use public transport (NTS 2021). This, therefore, puts them at a greater risk of being impacted by the closure of this road during the construction period.
- Diversionary routes (Mid): Closure of the route will also likely increase congestion as an alternative route will need to be established for the duration of the construction phase. This will likely cause more stress for people of all ages – especially should they not be familiar with the area. In addition to this, the Fastrack services which usually run through the area will be diverted – causing increased congestion.
- Fall Risks (Mid): The proposed site of the construction works may influence nearby walking routes as materials and machinery nearby may cause pavements to be uneven. This poses a potential fall risk to residents, and especially to elderly residents, who may become seriously hurt by such a fall.
- Environmental pollutants (Low): Construction will potentially cause raised amounts of noise and dust to be added to the local environment which can cause anxiety for residents.

**Mitigating Actions for Age**

- Diversionary routes: Diversionary routes will be established in place of the regular road routes to give traffic and bus services alternative routes to reach their destinations. These routes will be well-signed so that residents are aware that they is an option. The alternative routes will also be outlined in the

engagement period for residents. The goal of this is to eliminate confusion and delays which residents may experience along this route. In addition to this, construction sites and diversion routes will follow health and safety regulations with ramps being used to increase safety in the area.

- Safety Audits: A safety audit will take place at both the design and construction phases. NMU audits will be undertaken to ensure due consideration is given to all road users. A further audit will be taken to ensure that the construction site and diversion routes follow health and safety guidelines.

- Public engagement: A public engagement via letter drop will take place to spread awareness of the scheme and its impacts on the local community. Part of this will be alerting residents to possible uneven terrain and environmental pollutants.

#### **Responsible Officer for Mitigating Actions – Age**

Graham Killick

#### **20. Negative impacts and Mitigating actions for Disability**

##### **Are there negative impacts for Disability?**

Yes

##### **Details of Negative Impacts for Disability**

- Route Closure (Mid): KCC may have to close Rennie Drive for some of the duration of the construction period. The closure of this road is expected to have effects on all groups, however, KCC expects disabled people to be more susceptible to the negative impacts of closing the routes. This is because the closure of the route will likely affect the mobility of disabled people in the area and lead to less connectivity and longer journey times in the short term.

- Diversionary routes (Mid): Closure of the route will also likely increase congestion as an alternative route will need to be established for the duration of the construction phase. This is likely to cause congestion along routes which will affect journey times. In addition to this, the Fastrack services which usually run through the area will be diverted – causing increased congestion.

- Unfamiliar environments (Mid): Diversionary routes will also cause more stress for disabled residents because unfamiliar routes can cause confusion for residents which have sensory disorders or others who are not well-suited to unfamiliar environments.

- Fall Risks (Mid): The proposed site of the construction works may influence nearby walking routes as materials and machinery may cause pavements to be uneven. This poses a potential fall risk to residents with sensory and mobility issues because it may not be apparent enough that the pavement has been made uneven. This creates a real risk of injury for these members of the public.

- Environmental pollutants (low): Construction will potentially cause raised amounts of noise and dust to be added to the local environment which can cause anxiety for residents.

##### **Mitigating actions for Disability**

- Diversionary routes: Diversionary routes will be established in place of the regular road routes to give traffic and bus services alternative routes to reach their destinations. These routes will be well-signed so that residents are aware that they are an option. These alternative routes will also be outlined in the consultation period for residents to minimise confusion for residents who struggle with unfamiliar surroundings. In addition to this, construction sites and diversion routes will follow health and safety regulations with access to services kept clear with ramps where required.

- Safety Audits: A safety audit will take place at both the design and construction phases. NMU audits will be undertaken to ensure due consideration is given to all road users. A further audit will be taken to ensure that the construction site and diversion routes follow health and safety guidelines.

- DMRB compliance: KCC will ensure that designs are being carried out in accordance with the Design Manual for Roads and Bridges. This ensures that guidance based on current legislation for non-motorised users and those with disabilities is given during the design phases.
- DfT Inclusive mobility compliance: The design will meet recommended guidance from the Department for Transport on inclusive mobility, the Kent Design Guide, and associated standard details.
- Public engagement: A public engagement via letter drop will take place to spread awareness of the scheme and its impacts on the local community. Part of this will be alerting residents to possible uneven terrain and environmental pollutants.

**Responsible Officer for Disability**

Graham Killick

**21. Negative Impacts and Mitigating actions for Sex**

**Are there negative impacts for Sex**

No

**Details of negative impacts for Sex**

Not Applicable

**Mitigating actions for Sex**

Not Applicable

**Responsible Officer for Sex**

Not Applicable

**22. Negative Impacts and Mitigating actions for Gender identity/transgender**

**Are there negative impacts for Gender identity/transgender**

No

**Negative impacts for Gender identity/transgender**

Not Applicable

**Mitigating actions for Gender identity/transgender**

Not Applicable

**Responsible Officer for mitigating actions for Gender identity/transgender**

Not Applicable

**23. Negative impacts and Mitigating actions for Race**

**Are there negative impacts for Race**

Yes

**Negative impacts for Race**

- Route closure (Mid): KCC may have to close Rennie Drive for some of the duration of the construction period which is likely to cause delays for those attending jobs at businesses in the Littlebrook's Site including those of non-British ethnicities. For example, the closure of the route will prevent people from differing ethnicities from accessing the business park which could impact their ability to access their jobs at the Littlebrook Power Station site. This group has been identified within the National Travel Survey as a group that relies on public transport to attend employment. Therefore, KCC expects this protected group to be affected by this scheme.

- Diversionary routes (Mid): Closure of the route will also likely increase congestion as an alternative route will need to be established for the duration of the construction phase. This is likely to cause congestion along routes which will affect journey times and could impact service users' ability to reach employment centres. In addition to this, the Fastrack services which usually run through the area will be diverted – causing increased congestion.

- Environmental pollutants (low): Construction will potentially cause raised amounts of noise and dust to be

added to the local environment which can cause anxiety for residents and service users.

**Mitigating actions for Race**

- Diversionary routes: Diversionary routes will be established in place of the regular road routes to give traffic and bus services alternative routes to reach their destinations. These routes will be well-signaled so that residents are aware that they are an option. These alternative routes will also be outlined in the consultation period for residents to minimise confusion for residents who struggle with unfamiliar surroundings.
- Public engagement: A public engagement via letter drop will take place to spread awareness of the scheme and its impacts on the local community. Part of this will be alerting residents to possible uneven terrain and environmental pollutants.
- Safety Audits: A safety audit will take place at both the design and construction phases. NMU audits will be undertaken to ensure due consideration is given to all road users. A further audit will be taken to ensure that the construction site and diversion routes follow health and safety guidelines.

**Responsible Officer for mitigating actions for Race**

Graham Killick

**24. Negative impacts and Mitigating actions for Religion and belief**

**Are there negative impacts for Religion and belief**

No

**Negative impacts for Religion and belief**

Not Applicable

**Mitigating actions for Religion and belief**

Not Applicable

**Responsible Officer for mitigating actions for Religion and Belief**

Not Applicable

**25. Negative impacts and Mitigating actions for Sexual Orientation**

**Are there negative impacts for Sexual Orientation**

No

**Negative impacts for Sexual Orientation**

Not Applicable

**Mitigating actions for Sexual Orientation**

Not Applicable

**Responsible Officer for mitigating actions for Sexual Orientation**

Not Applicable

**26. Negative impacts and Mitigating actions for Pregnancy and Maternity**

**Are there negative impacts for Pregnancy and Maternity**

Yes

**Negative impacts for Pregnancy and Maternity**

- Route Closure (Mid): KCC may have to close Rennie Drive for some of the duration of the construction period. The closure of this road is expected to have effects on all groups; however, pregnant women and new mothers will be impacted by route closures as these groups rely on public transport to move around. The route closing will therefore have a specific effect on this group which needs consistent public transport routes to maintain their connectivity.

- Diversionary routes (Mid): Closure of the route will also likely increase congestion as an alternative route will need to be established for the duration of the construction phase. This is likely to cause congestion along routes which will affect journey times. In addition to this, the Fastrack services which usually run through the area will be diverted – causing increased congestion.

- Environmental pollutants (low): Construction will potentially cause raised amounts of noise and dust to be added to the local environment which can cause anxiety for residents.
- Fall Risks (Mid): The proposed site of the construction works may influence nearby walking routes as materials and machinery may cause pavements to be uneven. This poses a potential fall risk to residents with mobility issues, such as pregnant women, which can lead to injury not only to the mother but to the child they are carrying.

**Mitigating actions for Pregnancy and Maternity**

- Diversionary routes: Diversionary routes will be established in place of the regular road routes to give traffic and bus services alternative routes to reach their destinations. These routes will be well-signed so that residents are aware that they are an option. These alternative routes will also be outlined in the consultation period for residents to minimise confusion for residents who struggle with unfamiliar surroundings. In addition to this, construction sites and diversion routes will follow health and safety regulations with access to services kept clear with ramps where required.
- Public engagement: A public engagement via letter drop will take place to spread awareness of the scheme and its impacts on the local community. Part of this will be alerting residents to possible uneven terrain and environmental pollutants.
- Safety Audits: A safety audit will take place at both the design and construction phases NMU audits will be undertaken to ensure due consideration is given to all road users. A further audit will be taken to ensure that the construction site and diversion routes follow health and safety guidelines.
- DfT Inclusive mobility compliance: The design will meet recommended guidance from the Department for Transport on inclusive mobility, the Kent Design Guide, and associated standard details.

**Responsible Officer for mitigating actions for Pregnancy and Maternity**

Graham Killick

**27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships**

**Are there negative impacts for Marriage and Civil Partnerships**

No

**Negative impacts for Marriage and Civil Partnerships**

Not Applicable

**Mitigating actions for Marriage and Civil Partnerships**

Not Applicable

**Responsible Officer for Marriage and Civil Partnerships**

Not Applicable

**28. Negative impacts and Mitigating actions for Carer’s responsibilities**

**Are there negative impacts for Carer’s responsibilities**

No

**Negative impacts for Carer’s responsibilities**

Not Applicable

**Mitigating actions for Carer’s responsibilities**

Not Applicable

**Responsible Officer for Carer’s responsibilities**

Not Applicable

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From: Roger Gough, Leader of the Council  
Simon Jones, Corporate Director of Growth, Environment and Transport

To: Environment and Transport Cabinet Committee 15 November 2023

Subject: Heritage Conservation Strategy – proposed change to Windmills policy

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: Return to ETCC after public consultation.

Electoral Division: Cranbrook, Elham Valley, Gravesham Rural, Herne Village and Sturry, Gravesham Rural, Margate, Sandwich, Sevenoaks Rural, Tenterden.

Summary: This report sets out the reasons behind a proposed change to the approach to the maintenance and management of KCC's eight historic windmills. It provides justification for the change in policy and identifies the key objectives within the Heritage Conservation Strategy that would be affected by the proposed changes. As the Heritage Conservation Strategy was adopted following public consultation, public consultation will be required in advance of a final decision on the change in policy.

Recommendation(s):

The Cabinet Committee is asked to note a proposed public consultation on the proposed change to the Heritage Conservation Strategy - Windmills policy.

1. Introduction

- 1.1 KCC currently owns the freehold of eight historic windmills, located in eight different districts and boroughs across the county. The windmill properties, all of which are designated (listed) buildings of high grade, were acquired by KCC as 'owner of last resort' between the late 1950s and the mid-1980s. Some of the properties include small parcels of land and accompanying buildings; others include only the footprint on which the windmill structures stand.
- 1.2 Whilst in the Council's ownership, KCC has a statutory responsibility to maintain the windmills in good condition in order to protect the historic fabric of the buildings and their machinery. As the mills are all publicly accessible (West Kingsdown by appointment only) and, in most cases, surrounded by residential properties, the Council has an additional responsibility to ensure that the buildings remain safe, and 'utilities compliant', for visitors and site users to enter.
- 1.3 Financial responsibility for the maintenance and management of these eight windmill properties rests solely with KCC, apart from small-scale investment by the mill groups.

The ongoing costs of maintaining the windmills in a safe structural and mechanical condition adds to the financial challenge faced by KCC.

1.4 KCC's approach to the management and maintenance of the windmills is set out in the recently adopted KCC Heritage Conservation Strategy. Any changes to this approach would be considered a change of policy, and a public consultation would therefore be required before any changes to the adopted strategy could be made.

1.5 In addition, as each windmill is in a different district or borough, any proposed change of policy would constitute a key decision.

## 2. Strategic review of KCC's windmills

2.1 A strategic review of KCC's windmill assets was undertaken in 2022-23 by a task and finish group comprising officers from Infrastructure, Environment and Circular Economy and Finance. Five key considerations were evaluated:

- A) The heritage value of the windmills,
- B) Current arrangements for managing the windmills,
- C) The potential for divestment of the windmills,
- D) The potential for alternative uses for the windmills,
- E) KCC's current financial situation.

### 2.2 A) *Heritage value of the windmills*

The windmills have an exceptionally high level of heritage significance and are mostly designated Grade I or Grade II\* listed buildings. Whilst they are in the Council's ownership, KCC has a statutory responsibility to ensure the buildings and their contents are kept safe and weatherproof, and to ensure their distinctive character is preserved. Significant changes to the external appearance, internal layout or historic setting of these historic assets are very unlikely to be permitted under the planning process.

2.3 Under the existing adopted Heritage Conservation Strategy, a conservation programme to fully repair and weatherproof the windmills is in progress and is approximately 60% complete. The programme is designed to place the windmills in a 'maintenance only' condition, thereby reducing the cost to KCC of their future upkeep.

### 2.4 B) *Current arrangements for managing the windmills*

For seven of the eight windmills, management agreements are currently in place between KCC and individual 'Friends' groups comprising local volunteers. The arrangements in each case are similar, whereby KCC is responsible for maintaining the buildings and sites in good condition. In return, the volunteers are permitted to staff and operate the mills, making them accessible to the public on scheduled open days and charging a small entrance fee or collecting donations to cover their costs. It would not be possible for KCC to manage these important heritage assets and make them accessible to the public without the help of the volunteer groups for which KCC is extremely grateful. One of the mill groups with a management agreement also has a long-term lease. The remaining windmill is located within a working farm, the owner of which holds a long-term lease from KCC.



### 2.5 *C) The potential for divestment of the windmills*

The evaluation concluded that divestment of the sites would be the most financially beneficial outcome for each of the eight windmills. Professional advice from an estate agent indicates that there is a niche market for selling this type of heritage asset.

### 2.6 *D) The potential for alternative uses for the windmills*

As stated above, significant changes to the external appearance, internal layout or historic setting of these historic assets are unlikely to be permitted under the planning process. In view of this, it was concluded that the potential to identify suitable alternative uses for these windmills and their sites is low.

### 2.7 *E) KCC's current financial situation*

KCC is facing increasing budget pressure and is exploring all options to reduce costs, concentrating on those services it is obliged to provide. Profiled over six years from April 2023 to the end of March 2029, the total cost of the programme to maintain and improve the condition of the windmills is estimated at £853,120.

## 3. Conclusions of the strategic review

3.1 Divestment of each of the eight sites was identified as the most financially advantageous option for KCC. By identifying alternative ownership arrangements for each of the sites, KCC would save the annual costs associated with maintaining the buildings in a safe and accessible condition. Most of the mills are now, or soon will be, in a good state of repair which makes this the right time to pass them on to new owners. Community based owners would also be eligible for a wider range of grants than currently available to KCC. It is therefore not just in KCC's interests that the mills find new owners but potentially in the best interest of the mills themselves.

### 3.2 The review concluded that:

1. KCC should prioritise divestment of those mills that can be readily brought to the market, or where existing long-term leases could be handed over to tenants. In the first instance KCC would explore whether existing interested parties would be able to take on responsibility for ownership of the mills. Community groups would be able to register the mills as assets of community value and KCC would work with the volunteer groups and/or the parish councils to help them put together a bid.
2. For any mill that is not capable of divestment, KCC should review management arrangements for those sites and explore all commercial potential, so revenue from the sites is increased and future capital repair expenditure obligations are reduced.

## 4. Mitigating the risks associated with this proposal

4.1 There may be concerns that new owners will not fulfil their obligations to the same degree as KCC has done. However, all statutory heritage, health and safety and compliance obligations would be transferred at the point of sale and the responsible bodies have powers to enforce compliance. If permitted, the competence of the purchasing body would be given a weighting in evaluating competing bids.

- 4.2 The eight windmills have rightly been identified as non-typical examples of buildings within KCC's portfolio and are a combination of a machine and a building in that order of priority.
- 4.3 KCC is a suitably experienced and intellectually resourced owner of windmills, with a 60-year track record. It has a duty of care to the communities it serves to act responsibly regarding securing sustainable and appropriate future custodial arrangements for the windmills. An owner must be able to meet their statutory obligations regarding the conservation of these highly designated heritage assets and must understand that implementing planned preventative maintenance as well as regular maintenance to keep the mills in working order is required.

## 5. Relevant elements of the KCC Heritage Conservation Strategy

5.1 KCC's Heritage Conservation Strategy was adopted in 2022. It includes specific aims and objectives relevant to the eight windmill sites.

5.2 The key relevant Strategic Aims are:

Strategic Aim 2 - Ensure, working with new and existing partners, that KCC's historic assets are conserved, enhanced, enjoyed and valued by Kent's residents and visitors.

Strategic Aim 3 - Increase awareness, knowledge and understanding of Kent's rich heritage and increase involvement in heritage activities amongst its local communities.

5.3 The key objectives within the Heritage Conservation Strategy that would be affected by the proposed changes to KCC's approach and policy are as follows:

*Objective 6:* Follow a management approach to KCC-owned windmills, so that:

- i) Mills capable of milling flour (Drapers Mill, Margate, and Cranbrook Mill) remain able to do so.
- ii) The weatherproofing programme will be undertaken as needed on a rolling cycle.
- iii) Static mills will be returned to visual completeness subject to funding.
- iv) Static mills will be made active wherever possible [also Strategic Aim 3].

*Objective 7:* KCC's relationship with the windmill volunteer groups will be strengthened [Also Strategic Aim 3].

*Objective 8:* Explore alternative funding mechanisms for the windmills, including setting up a charitable Trust to oversee management, and develop a funding strategy [also Strategic Aim 3].

5.4 Progress towards meeting these objectives, in October 2023, is as follows:

*Objective 6.i)* Drapers Mill, Margate, was returned to full operational order in March 2021 and has been demonstrated in action on numerous occasions since. Cranbrook

Mill was returned to working order in summer 2022 and is once again capable of milling flour by wind power.

*Objective 6.ii)* The Windmills Weatherproofing Programme commenced in summer 2019 and combined with structural repairs is now approximately 60% complete; seven of the eight windmills owned by KCC have been made weatherproof, although further work will be required in some cases and the work will need to be renewed on a rolling cycle. Despite minor weatherproofing repairs carried out in September 2020, the need for extensive restoration work at Herne Windmill remains outstanding and further major work will be required at Drapers mill to make it fully weatherproof. Further structural work will also be required at Stelling Minnis.

*Objective 6.iii) and iv)* In addition to returning the static mills to visual completeness, the formerly static mills at Chillenden and Meopham (in 2024) will have been returned to a state where their sweeps can turn by wind power. Unfortunately, for safety reasons, Herne Mill will need to remain in a visually incomplete condition for the time being until extensive repairs to the cap roof have been completed.

*Objective 7.* KCC's Heritage Conservation team has maintained a presence at the six-monthly Kent Mill Managers Meeting, a group comprising key volunteers from each of the eight windmill sites. The meetings provide an opportunity to discuss best practice, exchange tips on publicity and communication with visitors, and to understand what is happening at other windmills throughout the county.

In addition, over the same period, the Conservation Officer, who has expertise in windmill conservation, has made frequent site visits to each of the windmills to directly manage the repair contracts commissioned by KCC and to help co-ordinate the work that volunteer teams carry out from week to week. Phone support is also provided, on an ad-hoc basis, between meetings and visits. This regular contact with each of the seven volunteer teams has meant that the relationship between KCC and those managing the windmill sites is as strong as it can be and that the volunteers feel suitably supported, well managed, and able to carry out their agreed tasks with confidence.

*Objective 8.* Two small packages of external grant aid, relating to specific projects at Meopham and Herne windmills, have been obtained within the last five years. An over-arching funding package that would benefit all the eight sites, and the volunteer teams that manage them, has not so far been secured. A planned major National Heritage Lottery Fund bid was delayed following changes to funding priorities during the Covid-19 pandemic. Progress towards setting up a trust to manage the windmills was suspended at the start of the current windmills review.

## 6. Financial Implications

- 6.1 An overview of revenue and capital costs is provided below. The most significant budgetary impact which could be delivered from the divestment of these assets, is the reduction of future capital expenditure.
- 6.2 Revenue costs – The total annual revenue budgets within the service and Corporate Landlord amount to £236,800 which is inclusive of a £200,000 annual revenue

contribution to capital outlay (RCCO) (see Table 1). There is a small revenue budget in Heritage Conservation for essential items such as fire alarms, fire extinguishers and millwright inspections, and a slightly larger budget in Infrastructure to cover other compliance matters such as fixed wiring. Additionally, the current salary costs associated with the Windmill service is approximately £35,000 based on apportionment of officers' time. This is unlikely to be a cashable saving as the officer's time would be reallocated to other critical tasks. It should be noted that the 2022/23 revenue outturn includes £13,143 for marketing advice, valuations and legal costs associated with this project that do not form part of the normal running costs or budgets of windmills and account for half of the overspend against budget. In addition, the Service considers that savings can be made on the revenue costs associated with Skanska contracts particularly for windmills such as Chillenden with no utilities; this is being progressed as business as usual.

Table 1 – Revenue position 2022/23 by Windmill

Site	Budget			Outturn 22-23			Variance		
	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net
Chillenden	£4,100	£0	£4,100	£9,911	£0	£9,911	£5,811	£0	£5,811
Cranbrook	£3,800	£0	£3,800	£7,126	£0	£7,126	£3,326	£0	£3,326
Herne	£7,000	£0	£7,000	£7,585	£0	£7,585	£585	£0	£585
Drapers	£6,100	£0	£6,100	£11,858	£0	£11,858	£5,758	£0	£5,758
Meopham	£4,200	£0	£4,200	£7,400	£0	£7,400	£3,200	£0	£3,200
Stelling Minnis	£5,000	£0	£5,000	£9,462	£0	£9,462	£4,462	£0	£4,462
West Kingsdown	£1,300	£0	£1,300	£4,612	£0	£4,612	£3,312	£0	£3,312
Stocks (Wittersham)	£1,800	£0	£1,800	£4,768	£0	£4,768	£2,968	£0	£2,968
Windmills General (incl RCCO)	£203,500	£0	£203,500	£202,870	£0	£202,870	£-630	£0	£-630
<b>Totals</b>	<b>£236,800</b>	<b>£0</b>	<b>£236,800</b>	<b>£265,591</b>	<b>£0</b>	<b>£265,591</b>	<b>£28,791</b>	<b>£0</b>	<b>£28,791</b>

### 6.3 Capital expenditure (past, present future):

A £534K Heritage Lottery Fund (HLF) project (including over £100K KCC capital contribution) was undertaken between 1999 and 2007 to improve the condition of the mills and open them up to the public. Since 2007, a total of just over £100k has been spent on each windmill on average (a total of £889K).

6.4 An options appraisal was produced in November 2017 reviewing the financial implications of an immediate maintenance strategy and then a review of the ongoing ownership options. The recommendation of the report was that Cabinet Members endorsed the proposed capital and revenue expenditure which totalled a capital expenditure of £563,000 over the 2018-2020 period for the non-operational mills, and an additional £180,000 for the immediate holding repairs at West Kingsdown, and maintenance programme of £75,000 over the same period. Once the buildings had been restored, ongoing ownership and revenue models were to be explored.

6.5 Capital expenditure is currently funded by an annual revenue contribution to capital outlay (RCCO) of £200,000 and an additional £136,000 of prudential borrowing was allocated in 2022/23 only. Windmills have benefitted from capital expenditure in recent years (see Table 2), and six windmills have planned capital expenditure needs

identified by the Service in the short-term totalling £853,120 (see Table 3). The draft 24/25 budget includes a saving of £50,000 from the windmill RCCO. Each windmill requires cyclical capital investment to maintain weatherproofing and cover essential repairs. The amount varies considerably per windmill.

Table 2 – Actual Capital Spend by Windmill since 2019/20

Site	2019/20 spend	2020/21 spend	2021/22 spend	2022/23 Spend	Total
Chillenden Windmill	£18,515	£18,230	£0	£900	£37,645
Cranbrook Windmill	£0	£38,820	£211,406	£37,717	£287,942
Meopham Windmill	£0	£9,590	£56,794	£123,165	£189,548
Stelling Minnis Windmill	£0	£0	£18,882	£47,993	£66,875
West Kingsdown Windmill	£18,627	£120,112	£0	£0	£138,739
Wittersham Windmill	£0	£0	£0	£60,203	£60,203
Drapers Mill Windmill	£48,183	£8,850	£0	£9,200	£66,233
Herne Windmill	£0	£18,900	£0	£23,394	£42,294
<b>Totals</b>	<b>£85,325</b>	<b>£214,502</b>	<b>£287,081</b>	<b>£302,571</b>	<b>£889,479</b>

Table 3 – Service Proposed Future Capital Expenditure

	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	Total
Chillenden	£10,465						£10,465
Cranbrook							£0
Drapers	£45,355				£100,000	£121,600	£266,955
Herne	£10,000		£100,000	£185,700			£295,700
Meopham	£70,000						£70,000
Stelling Minnis	£100,000	£100,000					£200,000
West Kingsdown							£0
Wittersham	£3,600	£6,400					£10,000
<b>Total</b>	<b>£239,420</b>	<b>£106,400</b>	<b>£100,000</b>	<b>£185,700</b>	<b>£100,000</b>	<b>£121,600</b>	<b>£853,120</b>

6.6 The capital and revenue requirements and obligations sit within the overall financial context and the need to limit spending to balance the Council's overall budget position. The current MTFP for the capital programme is severely limited in respect of the Modernisation of Assets budget relating to all the Council's other asset estate, such that only category 1 to 4 condition survey requirements are being considered for spend on front-line operational buildings and the office estate and no new bids are being considered. Considering this, keeping capital spending to a minimum is vital and the level of spend on Windmills in comparison to all other assets, must be questioned.

## 7. Equalities implications

7.1 A draft Equality Impact Assessment has been prepared.

## 8. Conclusions

- 8.1 After considering various evaluation criteria, reviewing revenue and capital expenditure requirements, and assessing the service-focused justifications for retaining the windmills portfolio, it has been determined that retaining this asset group is not financially sustainable for KCC.
- 8.2 Divestment of each of the eight windmill sites was identified as the most financially advantageous option for KCC. By identifying alternative ownership arrangements for each of the windmills, KCC would save the annual costs associated with maintaining the buildings in a safe and accessible condition.
- 8.3 This action would be a change in policy from the approach set out in the adopted Heritage Conservation Strategy, in particular:

*Objective 6: Follow a management approach to KCC-owned windmills, so that:*

*i) Mills capable of milling flour (Drapers Mill, Margate, and Cranbrook Mill) remain able to do so.*

*ii) The weatherproofing programme will be undertaken as needed on a rolling cycle.*

*iii) Static mills will be returned to visual completeness subject to funding*

*iv) Static mills will be made active wherever possible [also Strategic Aim 3],*

*Objective 7: KCC's relationship with the windmill volunteer groups will be strengthened [Also Strategic Aim 3] and,*

*Objective 8: Explore alternative funding mechanisms for the windmills, including setting up a charitable Trust to oversee management, and develop a funding strategy [also Strategic Aim 3].*

- 8.4 As the Heritage Conservation Strategy was adopted following public consultation, public consultation will be required in advance of a final decision on the change in policy.

## 9. Recommendation

Recommendation:

The Cabinet Committee is asked to note a public consultation on the proposed change to the Heritage Conservation Strategy - Windmills policy.

## 10. Background Documents

Heritage Conservation Strategy ([Heritage Conservation Strategy - Kent County Council](#))

## 11. Contact details

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**From:** Roger Gough, Leader of the Council

Simon Jones, Corporate Director for Growth, Environment and Transport

**To:** Environment and Transport Cabinet Committee – 15 November 2023

**Decision No:** 23/00093

**Subject:** Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 and Kent Minerals and Waste Development Scheme Update

**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 September 2020. The Kent Minerals and Waste Local Plan contains planning policies relating to minerals supply and waste management against which the Council assesses planning applications for these types of development. In addition, the Kent Mineral Sites Plan (adopted in September 2020) identifies three sites suitable for the quarrying of sand and gravel.

Regulations require local plans to be reviewed every five years and review of the Kent Minerals and Waste Local Plan in 2021 concluded a need for updates including to the Vision, Strategic Objectives, Policies and supporting text to reflect changes in national and local policy and guidance since 2016. These include changes to the National Planning Policy Framework, government policy on climate change, protection and enhancement of the natural environment and achievement of a circular economy. The proposed updates to the Kent Minerals and Waste Local Plan have been subject to an initial consultation with key stakeholders followed by three public consultations since 2021 (in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)). Agreement is sought to publish a final 'pre-submission' the Kent Minerals and Waste Local Plan, that will cover the period 2024 to 2039, for a statutory six-week period for representations on its soundness and legality prior to submission to the Secretary of State for independent examination. During the examination, the Inspector will consider any representations and may convene public hearings.

Legislation requires local plan making work to be undertaken in accordance with a published timetable or 'Development Scheme'. The most recent timetable for updating the Kent Minerals and Waste Local Plan and the Kent Mineral Sites Plan (KMSP) is set out in the Council's 'Minerals and Waste Local Development Scheme' (LDS) and was considered by Environment and Transport Cabinet Committee and agreed by the Cabinet Member in May 2023. In light of the need for further evidence gathering to ensure that the updated Kent Mineral Sites Plan is robust and justified it is proposed that a change to the Local Development Scheme to allow for this.

## **Recommendations:**

Following work on updating the adopted Kent Minerals and Waste Local Plan 2013-2030 and the Kent Mineral Sites Plan, the Environment and Transport Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member on, the proposed decision as detailed below:

Proposed decision – as Cabinet Member for Environment, I:

A. Recommend that County Council:

- (i) Approve, and publish for public consultation, a Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39 for representations on soundness and legal compliance;
- (ii) Agree to submit the Pre-Submission Draft of Kent Minerals and Waste Local Plan 2024-39 to Government for Independent Examination into its soundness and legal compliance following the representation period;
- (iii) Agree to request the examination Inspector to recommend changes ('main modifications') needed to ensure the soundness of the Kent Minerals and Waste Local Plan;
- (iv) Delegate powers to the Corporate Director for Growth, Environment & Transport to, in consultation with the relevant Cabinet Member,
  - a. Agree main modifications with the Inspector and to publish them for representations on soundness and legal compliance;
  - b. Approve any non-material changes to the draft Kent Minerals and Waste Local Plan 2024-39;

B. Agree a revised Local Development Scheme (timetable) for work related to mineral and waste planning policy in Kent, as shown at Appendix A.

## **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, together with the Kent Mineral Sites Plan, forms part of the Development Plan for Kent which is key, 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 District and Borough Councils in Kent.
- 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. Also in September 2020, the Council adopted the Kent Mineral Sites Plan.
- 1.3 The National Planning Policy Framework (NPPF) (and legislation<sup>1</sup>) states policies in Local Plans should be reviewed at least once every five years to

<sup>1</sup> Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

assess whether they need updating and should then be updated, as necessary. A review of the Vision, Strategic Objectives and policies in the Kent Minerals and Waste Local Plan was undertaken in 2021 that concluded a need for updates to the Plan in response to relevant Government policy and legislation published since the Plan was adopted in 2016. The review also identified changes to the local context requiring further updates to be made.

- 1.4 The process of updating the Plan needs to follow that set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the plan making regulations') as well as the NPPF and Planning Practice Guidance. In line with the legislation and guidance updates to the Plan have been proposed and undergone consultation with communities and relevant stakeholders.
- 1.5 The Environment and Transport Cabinet Committee has previously considered proposed updates the Kent Minerals and Waste Local Plan which have been subject to public consultation in accordance with the table below:

<b>Consultation</b>	<b>Dates</b>	<b>Summary</b>
Initial consultation with key stakeholders	26 <sup>th</sup> March 2021 - 9 <sup>th</sup> April 2021 (14 days)	Initial evidence gathering to determine which parts of the Plan may need updating
Regulation 18 public consultation on Kent Minerals and Waste Local Plan Refresh	16 <sup>th</sup> December 2021 - 9 <sup>th</sup> February 2022  (8 weeks (over Christmas period))	Consultation on proposed changes to the KMWLP's vision, objectives, policies and supporting text in light of government policy and legislation published since 2016. Amongst other matters, this included changes to the NPPF, policy and legislation concerned with achieving a circular economy and more ambitious targets concerning biodiversity net gain.
Second Regulation 18 public consultation on draft Kent Minerals and Waste Local Plan 2023-38	24 <sup>th</sup> October 2022 - 5 <sup>th</sup> December 2022  (6 weeks)	Consultation on a further draft updated KMWLP with changes including, amongst other matters, extending the plan period to 2038 and changes to policies CSW 8, 12 and 17 and the removal of the strategic mineral site at Holborough (CSM 3).
Third Regulation 18 public consultation on Further Proposed Changes to the Kent Minerals and Waste Local Plan	13 <sup>th</sup> June - 25 <sup>th</sup> July 2023  (6 weeks)	Consultation focused on further proposed changes to KMWLP including, extending the plan period to 2039, changes to policy CSM2, the removal of the strategic waste site at Norwood Quarry (CSW5) and a commitment to make provision for

		the management of certain waste produced in London.
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- 1.6 Comments on the proposed changes to the Kent Minerals and Waste Local Plan were received at each public consultation stage. A table of the comments received on the first draft update was published with the Council's response to the comments. This table sets out how certain comments resulted in further changes which were published for consultation.

## 2 Pre-Submission Draft Kent Minerals and Waste Local Plan

- 2.1 A table summarising comments made at the second and third consultation stages has been prepared that shows how changes have been made to the Kent Minerals and Waste Local Plan in response to those comments. This table is provided as Appendix 1.
- 2.2 The text of the Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 has taken into account all the comments made during the consultation exercises on previous drafts (see above) but no further substantive changes that have not been previously consulted on are proposed.
- 2.3 The changes to the currently adopted Kent Minerals and Waste Local Plan, which are proposed to form the Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39, are all shown clearly in a tracked change version of the document which is provided as Appendix 2A. The majority of the changes have previously been reported to Environment and Transport Cabinet Committee and can be summarised as follows:
- Updates to the National Planning Policy Framework in 2018, 2019 and 2021 and associated Planning Practice Guidance.
  - legislation and policy concerning the need to adapt to, and mitigate, climate change and associated low carbon growth.
  - policy and legislation concerned with achieving a circular economy where more waste is prevented or reused.
  - extending the plan period to 2039.
  - updates to aggregate requirements in Policy CSM2 and waste management targets in Policy CSW4.
  - deletion of Policy CSM5 that allocates a strategic site for minerals as permission has been granted.
  - removal of the strategic site allocation at Norwood Quarry, Sheppey for the landfill of hazardous waste specifically incinerator fly ash (Policy CSW5).
  - a recognition within supporting text of the need for the development of additional capacity for the management of household waste identified by the Waste Disposal Authority.
  - removal of a commitment to make specific provision for the management of residual non-hazardous waste by landfill or energy recovery that arises in London.
  - a change to Policy DM3 is proposed that seeks the achievement of maximum biodiversity net gain on the basis that restoration of quarries can

often easily result in much greater than statutory minimum of 10% and Kent Nature Partnership preferred level of 20%.

- 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 Some further additional changes are proposed as follows:

- Changes to Policy CSW17 relating to waste management at Dungeness were originally proposed to ensure that it was consistent with national policy. Further changes have now been made to ensure that the policy would not allow any more vehicle movements (associated with waste management) than the current adopted policy allows. This change ensures that the updated policy does not require a separate Habitats Regulations Assessment (HRA) which was not the case with the earlier proposed changes. The changes to Policy CSW17 have been made in consultation with the site operators and Natural England. The related HRA Scoping Report has been updated to reflect this change and is provided as Appendix 3.
- changes to the monitoring framework to ensure it properly reflects the updated policies.
- further changes intended to improve the clarity of the Plan's wording and hence the meaning of certain objectives and policies; and,
- further updating to ensure the Plan reflects the latest publications, for example a slightly amended National Planning Policy Framework was published in 2023 and although these changes do not impact minerals and waste, the reference date of the document has changed from 2021 to 2023.

2.5 The additional changes are shown as highlighted in the tracked version of the document at Appendix 2A. It is not considered that these additional changes warrant any further consultation with stakeholders as they are not considered to materially impact on the how and where waste and minerals facilities will be allowed to be developed. **The document provided in Appendix 2A is the version that is proposed be submitted to Government for examination. This version is therefore essentially the final version setting out the changes that the Council wishes to make. An untracked version is provided as Appendix 2B.**

2.6 Legislation requires that an independent 'Sustainability Appraisal' of draft planning policy is undertaken that determines the social, economic, and environmental effects of the policies and makes recommendations for changes. A draft 'appraisal framework' that takes account of baseline conditions as well as other relevant plans, programmes, and policies which development should take account of, in the form of a 'Scoping Report,' was previously published for consultation. Draft Sustainability Appraisals have been prepared to accompany each consultation exercise and an updated version to accompany the Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 has been prepared. This is included as Appendix 4A. A Non-Technical Summary of the Sustainability Appraisal is available as Appendix 4B.

### 3 Update to the Kent Minerals and Waste Development Scheme

- 3.1 Updating the Kent Minerals and Waste Local Plan has taken place in accordance with a timetable published in the Kent Minerals and Waste Local Development Scheme. A revised scheme for updating the Kent Minerals and Waste Local Plan was considered by Environment and Transport Cabinet Committee (ETCC) at its meeting on 23 May 2023 and agreed by the Cabinet Member for Environment.
- 3.2 As was reported to ETCC in September, updating the Kent Mineral Sites Plan requires additional evidence gathering to ensure that the updated plan is robust and justified. The nature of this work was summarised in the report to ETCC. In light of the extent of the evidence gathering activities there is a need to extend the period for preparing the updated Minerals Sites Plan and the table below shows the proposed related changes to the timetable. The proposed changes to the timetable require an update to the Kent Minerals and Waste Development Scheme and this is set out in Appendix 5. No change is proposed to the timetable for updating the Kent Minerals and Waste Local Plan.

#### Updating the Kent Mineral Sites Plan

Key Stages	Current	Proposed
Evidence gathering including detailed technical assessment	July – October 2023	July 2023 – June 2024
Publication of draft Mineral Sites Plan for representations on soundness (Reg 19)	December 2023 – February 2024	October – November 2024
Submission to Secretary of State for examination	May 2024	February 2025
Independent Examination Hearings	July 2024	March-April 2025
Inspector's Report	November 2024	August 2025
Adoption by Council	February 2025	December 2025

### 4 Next Steps

#### Kent Minerals and Waste Local Plan 2024-39

- 4.1 Following consideration by Environment and Transport Cabinet Committee and the Cabinet Member, County Council will be asked to agree that the Pre-Submission Draft KMWLP 2024-39 be submitted to the Secretary of State for independent Examination by a Government-appointed inspector.
- 4.2 Prior to submission, the Plan will be published for a statutory minimum six-week period for representations on its soundness and legal compliance in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This is programmed to occur in early 2024.
- 4.3 During the examination, the Inspector will consider all representations received and may choose to convene public hearings. If requested by the Council, the Inspector can discuss changes needed to ensure soundness (known as 'main modifications'). Ultimately the updated Kent Minerals and Waste Local Plan can only

be adopted by the County Council following receipt of an Inspector's report that finds the Plan and any modifications sound and legally compliant. The Cabinet Committee and County Council would then consider adoption of the Plan and any modifications.

- 4.4 During the process, minor non-material changes (e.g., changes related to grammar and clarity) may be needed, and it is proposed that the agreement to such changes be delegated to the Corporate Director for Growth, Environment & Transport in consultation with the relevant Cabinet Member.
- 4.5 The Government has signaled its intention to update the National Planning Policy Framework (NPPF) to, amongst other things, take account of its net zero carbon emissions target. It will be necessary to closely monitor any such updates to ensure the Plan remains consistent with national policy.
- 4.6 Furthermore, the Government is proposing changes to the system used to prepare local plans. In a recent consultation on the changes the Government indicated that any local plan submitted before 30 June 2025 and adopted by 31 December 2026 would be able progress under the existing system, meaning preparation of the Kent Minerals and Waste Local Plan 2024-39 should be completed under this system. As above, it will be necessary to continue to closely monitor any proposed changes to the local plan making system.

### **Updating the Kent Mineral Sites Plan**

- 4.7 In terms of updating the Kent Mineral Sites Plan, work on this (as described above) will progress in accordance with the revised Minerals and Waste Development Scheme.
- 4.8 Proposed updates will be included in a draft updated Kent Mineral Sites Plan that will be published for representations on their soundness and legality in late 2024. Full Council will be asked to agree publication of any site proposed for allocation.

## **5 Financial Implications**

- 5.1 The costs of preparing the Kent Minerals and Waste Local Plan 2024-39 and updating the Mineral Sites Plan will need to be met from existing KCC budgets. The majority of the costs of the local plan work are met from the Growth and Communities Division Planning Applications budget. The balance, mainly relating to specialist advice and the independent examination may need to be sought from a corporate reserve.
- 5.2 As was previously reported to this Cabinet Committee, public consultation on the Kent Mineral Sites Plan was likely to attract objections which could affect the financial resource required to ensure the plan is robust. This has materialised and resulted in an extended plan making timetable with a 'decoupling' of the Minerals Sites Plan from the process of updating the Kent Minerals and Waste Local Plan. This decoupling means that there will be a need for separate independent examinations which will likely incur additional costs. There remains the risk that publication of the Minerals Sites Plan for representations in 2024 may result in representations which require additional resources to defend the plan at the independent examination.
- 5.3 Implementation of the Plans will ensure the wider Kent economy continues to benefit from the management of waste and supply of minerals within its area. For

example, costs of waste management and mineral supply to businesses in Kent would be higher if a Plan was not in place which does not clearly state how and where waste can be managed, and minerals supplied in Kent.

## **6 Policy Framework**

- 6.1 The Kent Minerals and Waste Local Plan and Kent Mineral Sites Plan deliver the Council's adopted Mineral and Waste planning strategy and are 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.
- 6.2 Updating minerals and waste planning policies takes 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, the Kent and Medway Energy and Low Emissions Strategy, Kent's Plan Bee pollinator action plan and Kent Plan Tree.
- 6.3 Updating the Kent Minerals and Waste Local Plan and the Kent Mineral Sites Plan supports the County Council's strategy, Framing Kent's Future 2022-2026, which sets the Council's priorities for the next three years.

## **7 Legal Implications**

- 7.1 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 and the Kent Mineral Sites Plan will ensure that minerals and waste development in Kent continues to occur in line with national planning policy.
- 7.2 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.
- 7.3 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 and the timetable in the Local Development Scheme.

## **8 Equalities Implications**

- 8.1 An equality impact assessment (EQIA) has been prepared as part of updating the Kent Minerals and Waste Local Plan and no equalities implications have been identified so far. A draft EQIA to accompany the Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 is provided at Appendix 6.

## **9 Conclusion**

- 9.1 This report provides an update on the Council's minerals and waste local plan making responsibilities. It includes a version of the updated Kent Minerals and



Waste Local Plan that is proposed as the Council's updated vision, objectives, strategic and development policies which will be used to determine applications for minerals and waste development in Kent to 2039. The updated Plan has been informed by extensive public consultation on draft text since 2021. It is proposed that this version be submitted for examination by the Secretary of State following publication for representations on soundness and legality. A decision to submit the Draft Plan for examination is a matter for County Council.

- 9.2 The report outlines the next steps and notes that the timetable for updating the Kent Minerals and Waste Local Plan and that for updating the Kent Minerals Sites Plan needs to decouple to allow the updating of the Kent Minerals and Waste Local Plan to progress while additional evidence gathering, associated with the Kent Mineral Sites Plan takes place. A revised Local Development Scheme setting out the revised timetable for the work is presented for agreement.

## 10 Recommendations

Following work on updating the adopted Kent Minerals and Waste Local Plan 2013-2030 and the Kent Mineral Sites Plan, the Environment and Transport Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member on, the proposed decision as detailed below:

Proposed decision – as Cabinet Member for Environment, I:

A. Recommend that County Council:

- (i) Approve, and publish for public consultation, a Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39 for representations on soundness and legal compliance;
- (ii) Agree to submit the Pre-Submission Draft of Kent Minerals and Waste Local Plan 2024-39 to Government for Independent Examination into its soundness and legal compliance following the representation period;
- (iii) Agree to request the examination Inspector to recommend changes ('main modifications') needed to ensure the soundness of the Kent Minerals and Waste Local Plan;
- (iv) Delegate powers to the Corporate Director for Growth, Environment & Transport to, in consultation with the relevant Cabinet Member,
  - a. Agree main modifications with the Inspector and to publish them for representations on soundness and legal compliance;
  - b. Approve any non-material changes to the draft Kent Minerals and Waste Local Plan 2024-39;

B. Agree a revised Local Development Scheme (timetable) for work related to mineral and waste planning policy in Kent, as shown at Appendix A.

## 11 Appendices and Background Documents

Appendix A – Proposed Record of Decision

**Appendix 1:** <https://democracy.kent.gov.uk/documents/s121781/Appendix%201.pdf>

Table of comments and responses

- Draft Kent Minerals and Waste Local Plan 2023 consultation October-December 2022
- Further Proposed Changes consultation June – July 2023

#### **Appendix 2A:**

Kent Minerals and Waste Local Plan 2024-39 – (showing changes tracked). This shows the changes proposed to the adopted Plan in the style expected for future examination by the Planning Inspectorate.

#### **Appendix 2B:**

<https://democracy.kent.gov.uk/documents/s121782/Appendix%202B.pdf>

Kent Minerals and Waste Local Plan 2024-39 - Pre-Submission Draft clean (untracked) version of the Plan

#### **Appendix 3:** <https://democracy.kent.gov.uk/documents/s121768/Appendix%203.pdf>

Kent Minerals and Waste Local Plan 2024-39 Habitat Regulations Assessment Scoping Report

#### **Appendix 4A:**

<https://democracy.kent.gov.uk/documents/s121772/Appendix%204A.pdf>

Sustainability Appraisal of the Pre-Submission Draft Kent Minerals and Waste Local Plan 2024

#### **Appendix 4B:**

Sustainability Appraisal of the Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 - Non Technical Summary

#### **Appendix 5:**

Draft Revised Kent Minerals and Waste Local Development Scheme, October 2023

#### **Appendix 6:**

Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 - Equality Impact Assessment

#### **Background documents:**

- [Kent Minerals and Waste Local Plan 2013-30 as amended by the Early Partial Review 2020](#)
- [Report of the 5 Year Review of the Kent Minerals Waste Local Plan, 2021](#)
- [Proposed Draft Changes to the Kent Minerals Waste Local Plan, December 2021](#)
- [Consultation on Updates to the Kent Minerals and Waste Local Plan 2013-30 – Analysis of Comments received to Regulation 18 consultation December 2021 – February 2022](#)
- [Draft Kent Minerals and Waste Local Plan 2023-38, October 2022](#)
- [Draft Kent Minerals and Waste Local Plan 2024-39 – Further Proposed Changes – Consultation Document, May 2023](#)
- [Kent Minerals and Waste Development Scheme, May 2023](#)
- [Kent County Council Statement of Community Involvement, 2021](#)
- [Environment and Transport Cabinet Committee September 2023 – Item 12](#)

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Susan Carey, Cabinet Member for Environment**

**DECISION NO:**

23/00093

**For publication**

**Key decision: YES**

**Subject Matter / Title of Decision:**

**Decision:** As Cabinet Member for Environment, I:

A. Recommend that County Council:

- (i) Approve, and publish for public consultation, a Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39 for representations on soundness and legal compliance;
- (ii) Agree to submit the Pre-Submission Draft of Kent Minerals and Waste Local Plan 2024-39 to Government for Independent Examination into its soundness and legal compliance following the representation period;
- (iii) Agree to request the examination Inspector to recommend changes ('main modifications') needed to ensure the soundness of the Kent Minerals and Waste Local Plan;
- (iv) Delegate powers to the Corporate Director for Growth, Environment & Transport to, in consultation with the relevant Cabinet Member,
  - a. Agree main modifications with the Inspector and to publish them for representations on soundness and legal compliance;
  - b. Approve any non-material changes to the draft Kent Minerals and Waste Local Plan 2024-39;

B. Agree a revised Local Development Scheme (timetable) for work related to mineral and waste planning policy in Kent.

**Reason(s) for decision:**

Statutory responsibility

**Cabinet Committee recommendations and other consultation:**

The proposed decision is being considered by members of the Environment & Transport Cabinet Committee at their meeting on 15 November.

**Any alternatives considered and rejected:**

To not comply with Statutory responsibility

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

.....  
signed

.....  
date

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# Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39

## Regulation 19 - tracked version

### November 2023

This version of the Kent Minerals and Waste Local Plan shows where changes have been made to the document as a result of the review.

Text which has been added in is shown as **bold and underlined**

Text which has been removed is shown with a ~~strikethrough~~

Text which has been amended in preparation of the Regulation 19 document follows the same format as above but is also shown as **highlighted**.

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## 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
<b><u>BNG</u></b>	<b><u>Biodiversity Net Gain</u></b>
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
<b><u>DLUHC</u></b>	<b><u>Department for Levelling Up, Housing and Communities</u></b>
DM	Development Management
<b><u>DMR</u></b>	<b><u>Dry Mixed Recyclate</u></b>
DOE	Department of the Environment
EA	Environment Agency

EC	European Commission
EfW	Energy from Waste
EIA	Environmental Impact Assessment
<b><u>EPR</u></b>	<b><u>Early Partial Review</u></b>
ES	Environmental Statement
<b><u>ESC</u></b>	<b><u>Environmental safety case</u></b>
EU	European Union
GDF	Geological Disposal Facility
GPDO	Town and Country (General Permitted Development) Order
GVA	Gross Value Added
HDV	Heavy Duty Vehicle
<b><u>HGV</u></b>	<b><u>Heavy Goods Vehicle</u></b>
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
<b><u>LCA</u></b>	<b><u>Life Cycle Assessment</u></b>
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

<b>LNRS</b>	<b>Local Nature Recovery Strategy</b>
LWS	Local Wildlife Site
m	Metres
MCA	Mineral Consultation Area
MDA	Marine Dredged Aggregates
MPA	Mineral Planning Authority
<b>MCZ</b>	<b>Marine Conservation Zone</b>
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
<b><u>SELEP</u></b>	<b><u>South East Local Enterprise Partnership</u></b>
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
<b><u>SWESC</u></b>	<b><u>Site wide environmental safety case</u></b>
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
<b><u>WMP</u></b>	<b><u>Waste Management Plan</u></b>
WMU	Waste Management Unit
WPA	Waste Planning Authority

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## 1. Introduction

**1.0.1** The County Council has a statutory responsibility to plan for future minerals supply and waste management in Kent. This is ~~being~~ fulfilled through the ~~preparation~~ of the *Kent Minerals and Waste Local Plan* (MWLP).

### 1.1 The Kent Minerals and Waste Local Plan ~~2013-30~~2024-39

**1.1.1** This document, the Kent Minerals and Waste Local Plan ~~2013-30~~2024-39, 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~~9:

- 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 planning applications
- the framework to enable annual monitoring of the policies within the Plan

**1.1.3** The specific sites for mineral developments are set out in the separate Kent Mineral Sites Plan. The site selection process for the final sites included in the Mineral Sites Plan was based on the policies in the Kent MWLP.

**1.1.4** Preparing the Plan has involved engagement and collaboration with communities, local organisations and businesses. Public consultation was held for each stage of the plan-making process. It has also been prepared in cooperation with Kent's districts, neighbouring authorities and other minerals and waste planning authorities that may be affected by the strategies and policies in the Plan. This has ensured that effective cooperation has been undertaken where there are cross-boundary impacts.

**1.1.5** This Plan is accompanied by the following:

- *Sustainability Appraisal (SA)*
- *Habitat Regulations Assessment (HRA)*
- *Strategic Flood Risk Assessment (SFRA)*
- *Strategic Landscape Assessment*
- *Strategic Transport Assessment*
- *Equalities Impact Assessment (EqIA)*<sup>1</sup>

## 1.2 The Status of the Kent Minerals and Waste Local Plan 2013-30 2024-39

**1.2.1** The Plan is part of the statutory development plan for Kent together with the adopted Local Plans prepared by the twelve Kent district and borough planning authorities and relevant Neighbourhood Plans prepared by local communities. Proposals for waste and mineral developments will be considered against the policies contained in the development plan as whole, not just those included in this Plan.

**1.2.2** The policies in this Plan **update policies in the Kent Minerals and Waste Local Plan 2013-30**, ~~replace the earlier versions of the saved Kent Minerals and Waste Local Plan policies. Appendix B lists the schedules of saved Kent Local Plan policies replaced, deleted or retained.~~

**1.2.3** This Plan will be mainly used by the County Council **and the Ebbsfleet Development Corporation** when determining applications for minerals and waste facilities. The Plan is also relevant to the determination of non-minerals and waste applications which may be determined by the District and Borough Councils and the County Council (in terms of other County matters such as schools). It is envisaged that the main policies that will be implemented when non-minerals and waste applications are being determined are as follows:

- Policy CSM 6: Safeguarded Wharves and Rail Depots
- Policy CSM 7: Safeguarding Other Mineral Plant Infrastructure
- Policy CSM 8: Secondary and Recycled Aggregates
- Policy CSW 3: Waste Reduction
- Policy CSW 16: Safeguarding of Existing Waste Management Facilities
- Policy DM 7: Safeguarding Mineral Resources
- Policy DM 8: Safeguarding Minerals Management, Transportation Production & Waste Management Facilities
- Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development
- Policy DM 20: Ancillary Development
- Policy DM 21: Incidental Minerals Extraction

**1.2.4** Section 38(6) of the *Planning and Compulsory Purchase Act 2004* and Section 70(2) of the *Town and Country Planning Act (TCPA) 1990* requires that planning applications "must be made in accordance with the [*development*] plan unless material considerations indicate otherwise."

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<sup>1</sup> These documents form part of our evidence base and are available online from [www.kent.gov.uk/mwlp](http://www.kent.gov.uk/mwlp).

**1.2.5** This document was prepared in accordance with national legislation<sup>2</sup>. It has also been prepared to be in general conformity with the *National Planning Policy Framework (NPPF)*<sup>3</sup>, *National Planning Policy for Waste (NPPW)*<sup>4</sup> and the *Waste Management Plan for England*<sup>5</sup>.

**1.2.6** The Kent MWLP only applies to the administrative county of Kent. Medway Council are ~~writing~~ **maintain** their own local plan. ~~The position regarding saved minerals and waste planning policies in Medway is set out in Appendix B.~~

**1.2.7** Annual monitoring will determine when it is necessary to trigger a review of the adopted plans and their policies. The monitoring schedule in Chapter 8 identifies when, where and by whom, actions will be taken to implement the Plan. The timetable for the preparation and review of Kent's minerals and waste plans is set out in the Kent MWLP Scheme<sup>6</sup>.

**1.2.8** A list of the abbreviations used can be found on page ~~v~~**5** and Appendix A lists a glossary of terms.

### **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<sup>7</sup>. 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** provides **much of** the international legislative context for minerals and waste plan-making.

<sup>2</sup> 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.

<sup>3</sup> ~~Department of Communities and Local Government (DCLG) (March 2012)~~ **Department for Levelling Up, Housing and Communities (DLUHC)** National Planning Policy Framework **(September 2023)**.

<sup>4</sup> ~~DCLG~~ **DLUHC** (October 2014) National Planning Policy for Waste

<sup>5</sup> DEFRA (December 2013 **January 2021**) Waste Management Plan for England.

<sup>6</sup> Available online from: [www.kent.gov.uk/mwlp](http://www.kent.gov.uk/mwlp).

<sup>7</sup> Statutory Instruments 2013 No. 427: The Regional Strategy for the South East (Partial Revocation) Order 2013.

**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<sup>8</sup> 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<sup>(8)</sup> 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

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<sup>8</sup> The Waste Hierarchy is defined in the Glossary in Appendix A and is shown diagrammatically in the text supporting Policy CSW 2.

planning. Kent lies within the Thames River Basin District and South East River Basin District<sup>9</sup>.

## National Planning Policy and Guidance

**1.3.36** The Government **originally** published the NPPF in March 2012. **The NPPF has been amended several times and most recently in July 2021-September 2023.** 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.

**1.3.47** Specific policies on waste are described in the *National Waste Management Plan for England*<sup>10</sup> and the *National Planning Policy for Waste 2014*<sup>11</sup>. 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.**

**1.3.58** Since the publication of the NPPF, **DCLG Government** has 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)*<sup>12</sup>
- ~~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**<sup>13</sup>

**1.3.69** 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 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~~ guides the development of Marine Plans across the UK. **The South East Inshore Marine Plan provides guidance for sustainable development from Felixstowe in Suffolk to near Folkestone. The South Marine Plan covers an area of around 20,000 square kilometres of inshore and**

<sup>9</sup> Environment Agency (December 2015~~09~~) Thames River Basin Management Plan (RBMP) and the South East RBMP.

<sup>10</sup> DEFRA (December 2013 **January 2021**) Waste Management Plan for England.

<sup>11</sup> **DCLG DLUHC** (October 2014) National Planning Policy for Waste.

<sup>12</sup> **DCLG DLUHC** (December 2012) Guidance for local planning authorities on implementing planning requirements of the EU Waste Framework Directive (2008/98/EC).

<sup>13</sup> **DCLG** (Revised March 2014) Planning Practice Guidance: Minerals Web-based resource available from: <http://planningguidance.planningportal.gov.uk/>

**offshore waters across 1,000 kilometres of coast line from Folkestone to the river Dart. The County Council continues to work with the Marine Management Organisation (MMO) to aid the implementation of policies and ensure there is no conflict with the KMWLP and the Marine Plan.**

## Local Plans and Strategies

**1.3.710** The Plan **is** also **informed by the County Council's Strategic Statement, which sets out the priorities for the Council and** considers other relevant local policies and strategies.

## Kent Joint Municipal Waste Strategy

**1.3.811** As Waste Disposal Authority (**WDA**), 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, **which** comprises 12 district/borough councils and KCC, **is a forum for WDA and Waste Collection Authorities (WCA) co-operation.** 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~~

**1.3.913** Since 2007 the KRP have achieved the following targets **have been achieved:**

- 40% recycling and composting across Kent County Council
- KCC's Household Waste Recycling Centres (HWRCs) ~~to achieved~~ **a 60%** recycling and composting rate

**1.3.104** ~~These targets were achieved in 2011/12. Also~~ **In addition,** the amount of waste sent to landfill ~~has been~~ reduced from around 72% in 2005/06 to **22.8%** in **2016/17** and **2017/18**.

**1.3.145 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% and a landfill target of no more than 2% by 2020/21 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**

**1.3.16 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 in Kent for the ongoing management of local authority collected waste arising in across Kent.**

### **Kent County Council Climate Emergency Statement**

**1.3.17 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**

**1.3.18 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:**

***‘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

**1.3.1219** The County Council has a statutory duty to prepare and update its Strategic Transport Plan. The Local Transport Plan for Kent ~~2014-2016~~**2016-2031** was adopted in ~~2014~~**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<sup>14</sup> and provide an integrated public transport network.

**1.3.1320** The Kent Freight **Action** Plan **for Kent** was adopted in 2012~~7~~. 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

## District Local Plans

**1.3.1421** The Kent district local plans form part of the development plan **and these** - ~~While they do not address minerals and waste matters, their Sustainable Community Strategies have been considered in the preparation of the Kent MWLP.~~

## 1.4 The Evidence Base

**1.4.1** The evidence base required for plan-making must be: *proportionate*<sup>15</sup>, kept up-to-date and address all of the relevant legislative and policy requirements.

**1.4.2** An adequate and relevant evidence base on the economic, social and environmental characteristics and prospects of the area has been available to inform the preparation of the Plan.

**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*<sup>16</sup> and prepared in parallel with the Kent MWLP. The SA influences the production of the Plan and ensures that plan-making

<sup>14</sup> 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.

<sup>15</sup> Proportionate means being in due proportion, so that there is sufficient evidence (facts and figures) to justify the decisions made in the Plan.

<sup>16</sup> Iterative means that there is repetitive on-going discussion and resolution of issues.



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<sup>17</sup>. 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<sup>18</sup> to minimise the possibility of impacts on internationally designated sites.

**1.4.5** When ~~the Plan is also~~ **was adopted in 2016** it was accompanied by the following assessments:

- **Strategic Flood Risk Assessment (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~~ **were** 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**<sup>19</sup>
- the Kent and Surrey County Council collaboration on an evidence base for their plans for silica sand<sup>20</sup>

**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<sup>21</sup>.

<sup>17</sup> Ramsar sites are sites designated under The Ramsar Convention as Wetlands of international importance Sites.

<sup>18</sup> The Conservation of Habitats & Species Regulations 2010.

<sup>19</sup> KCC and Medway Council (May 2011) MTR7: Kent and Medway Mineral Imports Study.

<sup>20</sup> GWP Consultants Ltd (2010) Silica Sand Report for KCC and Surrey County Council.

<sup>21</sup> See [www.kent.gov.uk/mwlp](http://www.kent.gov.uk/mwlp).

## 1.5 Planning and Permitting Interface

**1.5.1** When determining planning applications, local planning authorities establish whether a development should go ahead in the particular location proposed. In arriving at its decision, the County Council and it's partner planning authorities will:

- seek to establish the development is an appropriate use of the particular land, and, in doing so, that the development will not result in unacceptable risks from pollution.
- respect the fact that the primary role of controlling pollution falls to the respective pollution regimes.
- pay due **cognizance regard** to the fact that certain activities may be subject to non-planning consenting regimes and securing such consents may be critical in delivering the particular development.
- seek advice from other relevant consenting bodies, such as the Environment Agency, around issues that might affect whether a development is acceptable.
- Where any significant issues are identified, **we it is** recommended that other consents needed, such as environmental permits, be sought in parallel to submission of the planning application so that any issues can be resolved as early as possible.

**1.5.2** The NPPF **(and NPPW)** states that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than **the control** of **processes or emissions** themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that **these regimes will operate effectively**. Equally, where a planning decision has been made on a **particular development**, the planning issues should not be revisited through the permitting **regimes operated** by pollution control authorities<sup>22</sup>.

**1.5.3** The NPPW states that when determining waste planning applications, waste planning authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste Planning Authorities should work on the assumption that the control regime will be properly applied and enforced<sup>23</sup>.

<sup>22</sup> DCLG (2012) **DLUHC (September 2023)** National Planning Policy Framework, para. 122**88**.

<sup>23</sup> DCLG (2014) National Planning Policy for Waste, para. 7.

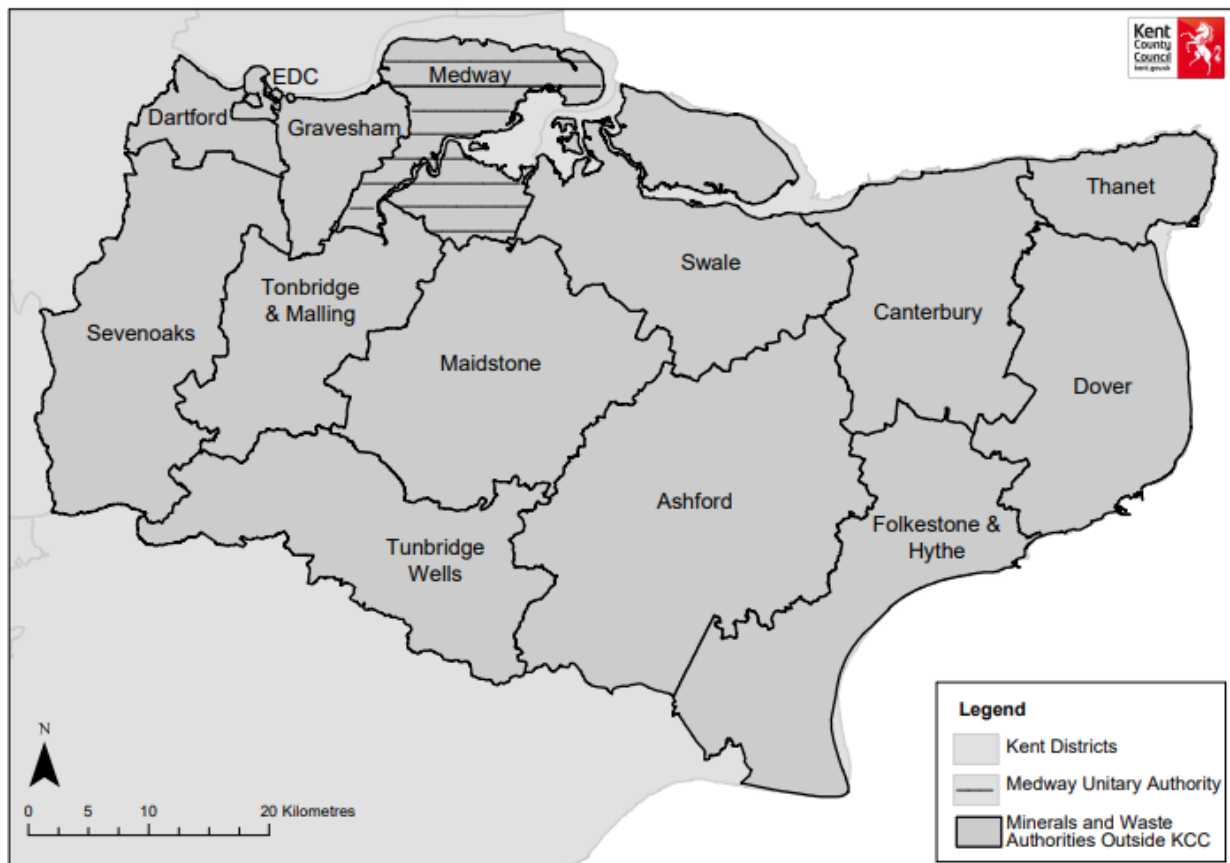
## 2. Minerals and Waste Development in Kent: A Spatial Portrait

### 2.1 Introduction

2.1.1 Kent is located in the south east corner of the United Kingdom (UK). The county consists of 12 districts, as shown in Figure 1. It is surrounded on two sides by water: the River Thames to the north and the English Channel to the south-east. It also neighbours London on its north-west perimeter. It has excellent transportation links by road, rail and water with northern France, London, Essex and the South East of England (see Figure 2). 85% of Kent is defined as rural.

2.1.2 With an estimated population of 1,480,200 **1,589,100** people<sup>24</sup>, (24 — In September 2021, Office for National Statistics) Kent is the largest non-metropolitan local authority area **by population** in England. Projected population growth for Kent is a ~~40.57.5%~~ increase between 2014~~8~~ and 2024~~8~~, with the total population of the county expected to be **over 1.627** million people by 2026~~8~~<sup>25</sup>.

Figure 1: Kent Districts



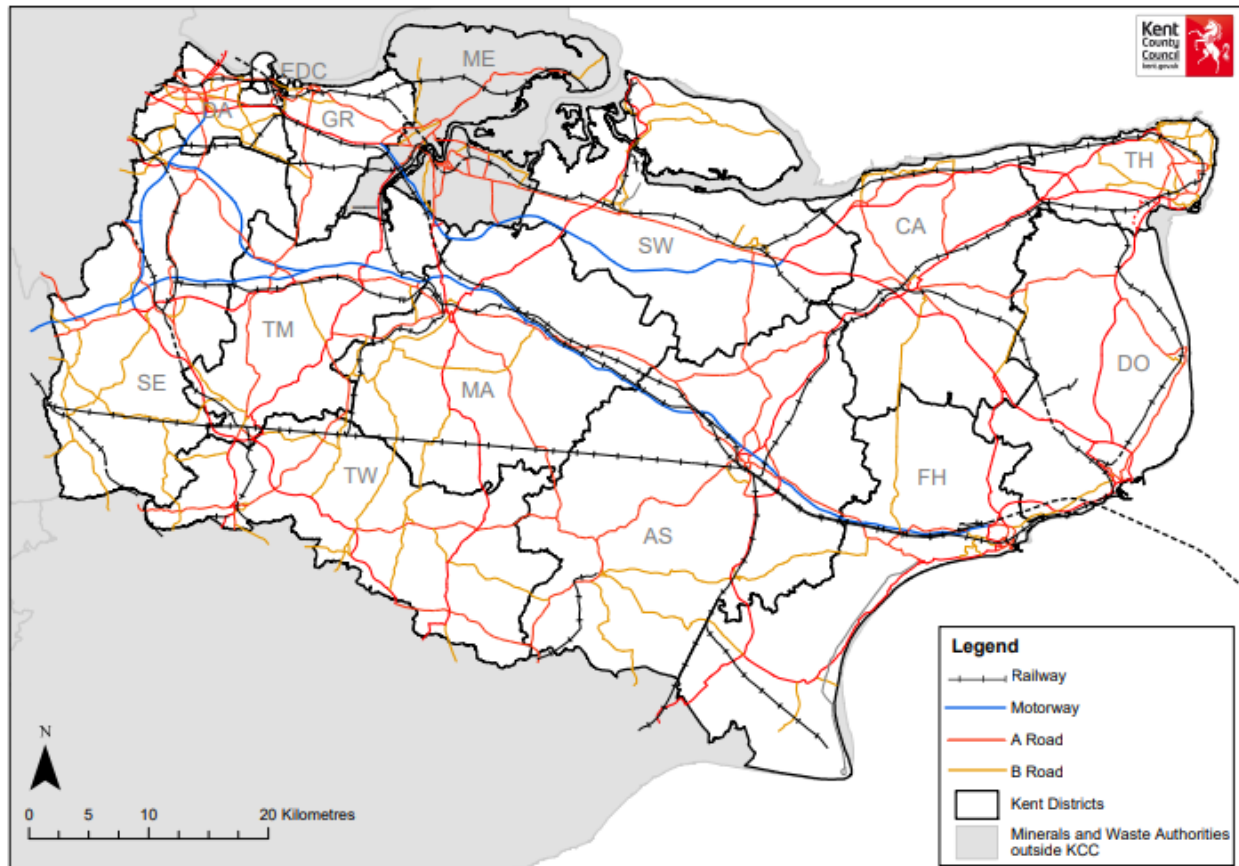
2.1.3 The population of Kent is spread unevenly throughout the county. North-west Kent is the main urban area as part of the Thames Gateway area. The Thames

<sup>24</sup> In September 2021, Office for National Statistics.

<sup>25</sup> ~~KCC (2020) Strategic Commissioning Statistical Bulletin 2018 – Based Subnational Population Projections~~ **KCC (2020) Strategic Commissioning Statistical Bulletin 2018 – Based Subnational Population Projections.**

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.

**Figure 2: Transport Links**



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 **former** Department for Business, Innovation and Skills (BIS) 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 **398** LEPs in operation in ~~September~~ **October 2012**.

2.1.5 Figure 3 shows the extent of the SE LEP and the Thames Gateway area. The SE LEP area has 156,000 businesses and 3.9 million people. 1,526,000 people work within the LEP area, contributing £63bn Gross Value Added (GVA)<sup>26</sup>. This represents 5% of the national contribution<sup>27</sup>. The SE LEP's **aim** ~~vision~~ is to **ensure the survival and stability of our economy in the short term and to drive sustainable economic renewal and growth in the medium to long term**. ~~create the most enterprising economy in England.~~ The SE LEP has identified four strategic

<sup>26</sup> GVA is explained in the Glossary in Appendix A.

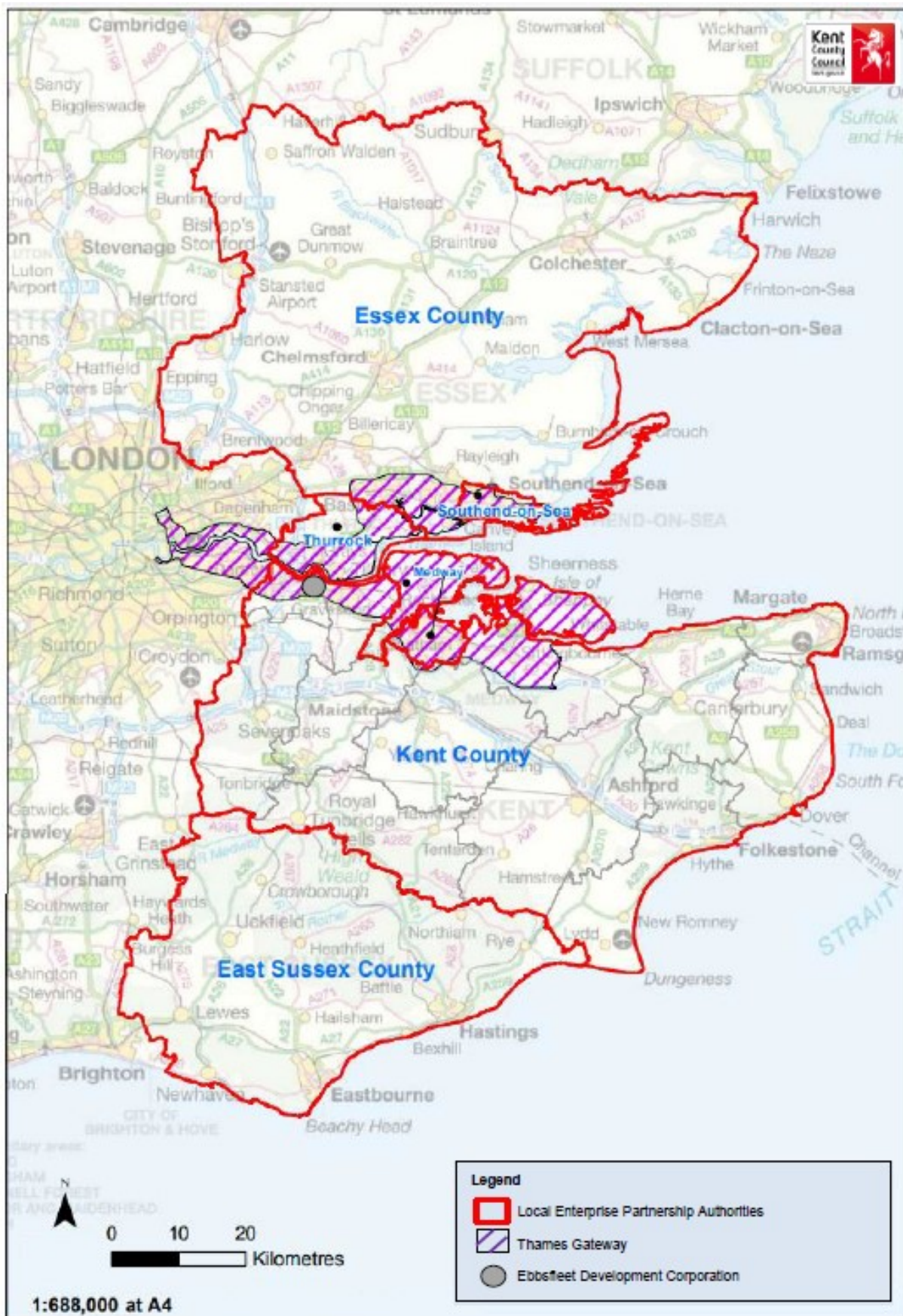
<sup>27</sup> South East Local Enterprise Partnership Strategic Economic Plan.

**objectives/priorities which reflect the unique geography, assets and opportunities:**

1. ~~secure the growth of the Thames Gateway~~ **business resilience and growth**
2. ~~promote investment in coastal communities~~ **UK's global gateway**
3. ~~strengthen the rural economy~~ **communities for the future**
4. ~~strengthen the competitive advantage of strategic growth locations~~ **coastal catalyst**

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Figure 3 SELEP and the Thames Gateway Area



## 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:

**International Importance** (see Figure 4):

- Ramsar sites and/or
- **Special Protection Areas** for Conservation (SPAs)
- **Special Areas for Conservation** (SACs)
- 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<sup>28</sup>
- 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*)<sup>(29)</sup>
- Ancient Woodland (Figure 10)
- **Marine Conservation Zones**

**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) **and Roadside Nature Reserves**
- Kent Biodiversity Action Plan (BAP) **Species and habitats identified in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045**

<sup>28</sup> Listed Buildings in Kent are shown on The National Heritage List for England on the **Natural England** English Heritage website.

<sup>29</sup> **DCLG DLUHC** (2000) Countryside and Rights of Way Act 2000.

- 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, **Historic Environment Records and archaeological assets**
- landscape features of importance for wildlife that are essential for migration and dispersal, and which 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 Local Nature Recovery Strategy 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 **Nature Partnership Biodiversity Strategy 2020 to 2045**.<sup>(39)</sup> The BOAs 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 **interests**. BOA targets reflect the specific landscape, geology and key habitats that are present within each area.

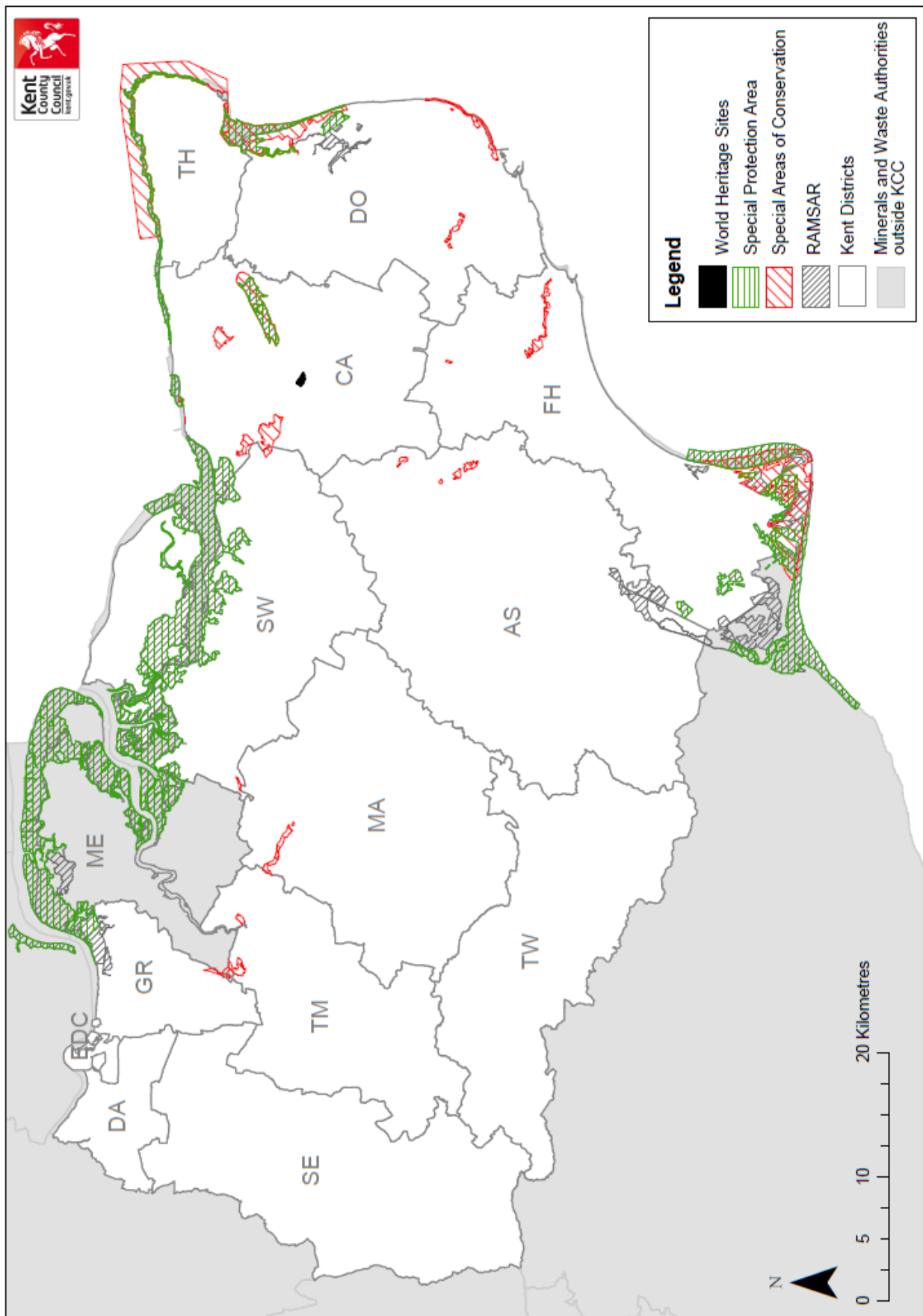
2.2.5 ~~NIAs are areas in which partner organisations are planning and delivering improvements for wildlife and people through sustainable resource use, restoring and creating wildlife habitats, connecting local sites and joining up action on a large-scale. Within Kent there is the Greater Thames Marshes NIA.~~

2.2.6 The BOAs and the ~~NIA~~ are not constraints to development. They are areas where minerals and waste sites will best be able to support the strategic aims for biodiversity conservation in Kent. Sites that are outside of the BOAs and the ~~NIA~~ can still contribute to the delivery of BAP targets and the enhancement of Kent's biodiversity.

**2.2.7 Whilst the BOAs remain current they are likely to be superseded by the Local Nature Recovery Strategy, a requirement of the Environment Act 2021. The Local Nature Recovery Strategy (LNRS) will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits. Whilst the LNRS is not expected to be a constraint to development, they will be an important source of evidence for local planning and public authorities will have a duty to "have regard" to the LNRS. At the time of writing, the secondary legislation and statutory guidance relating to LNRS that will provide the detail and instruct the commencement of their development is awaited.**



Figure 4 International Designations



**Figure 5: Nationally Important Designations: Landscape**

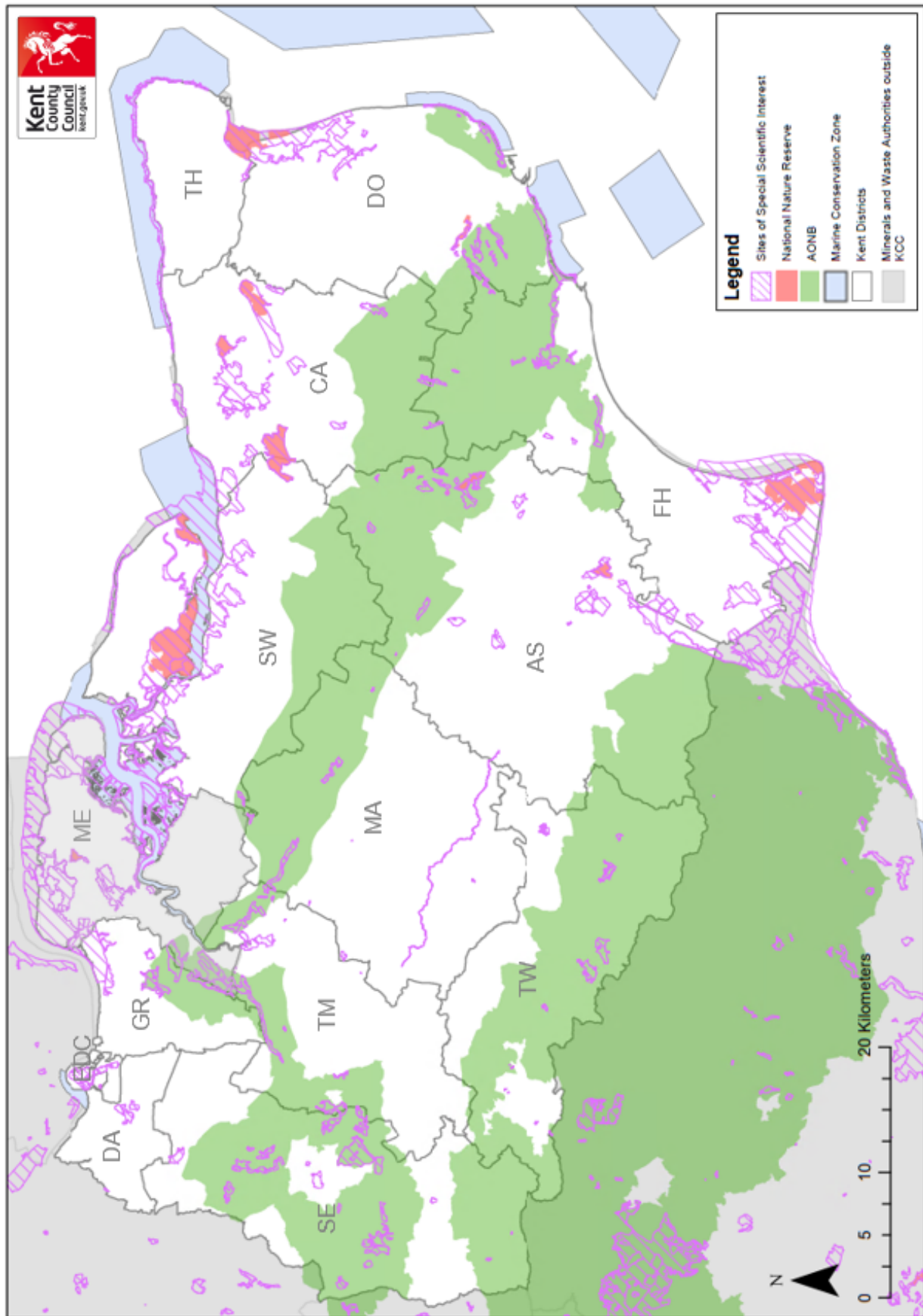
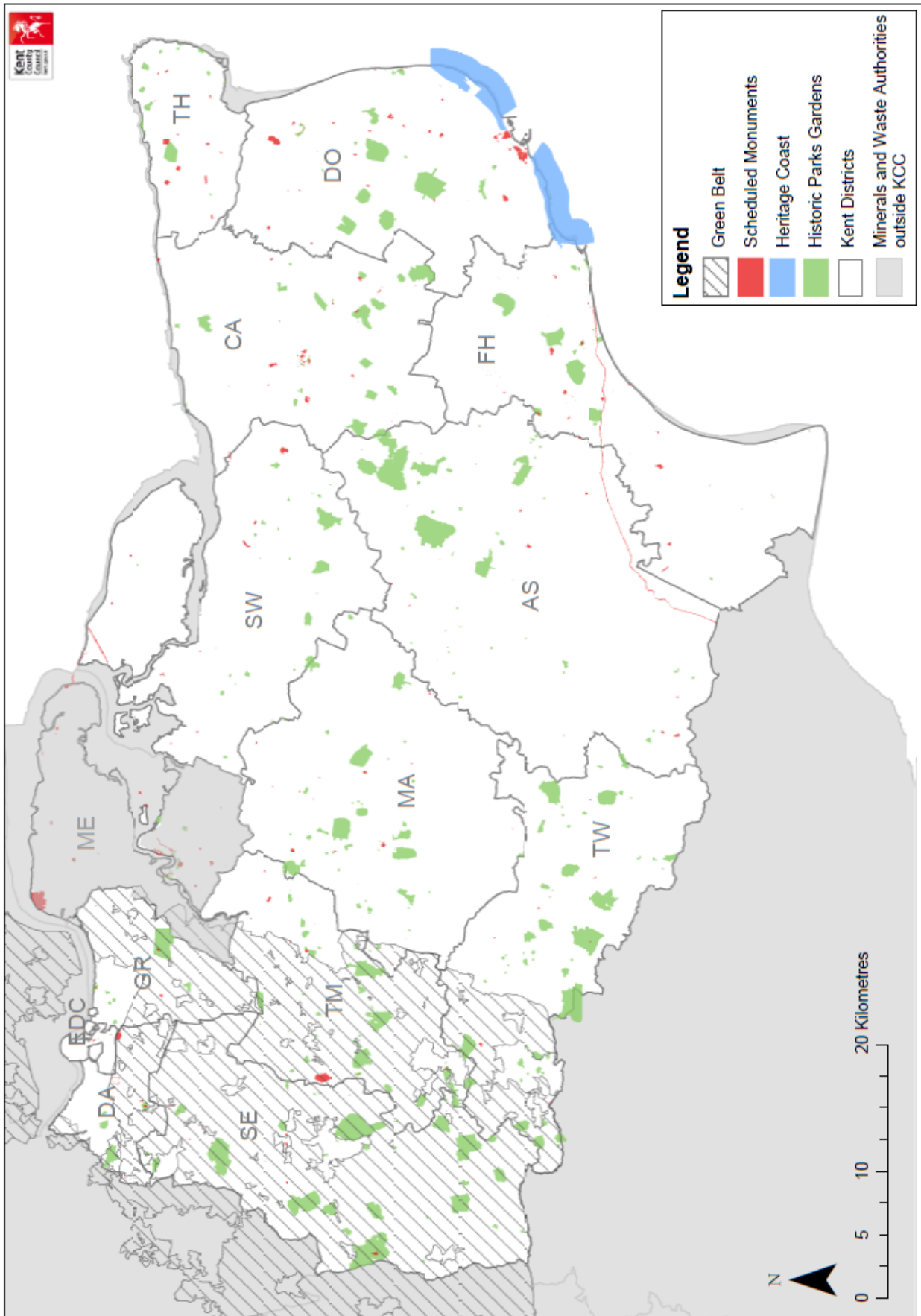


Figure 6: Nationally Important Designations: Heritage and Green Belt



**Figure 7: Local Geological Sites and Local Wildlife Sites**

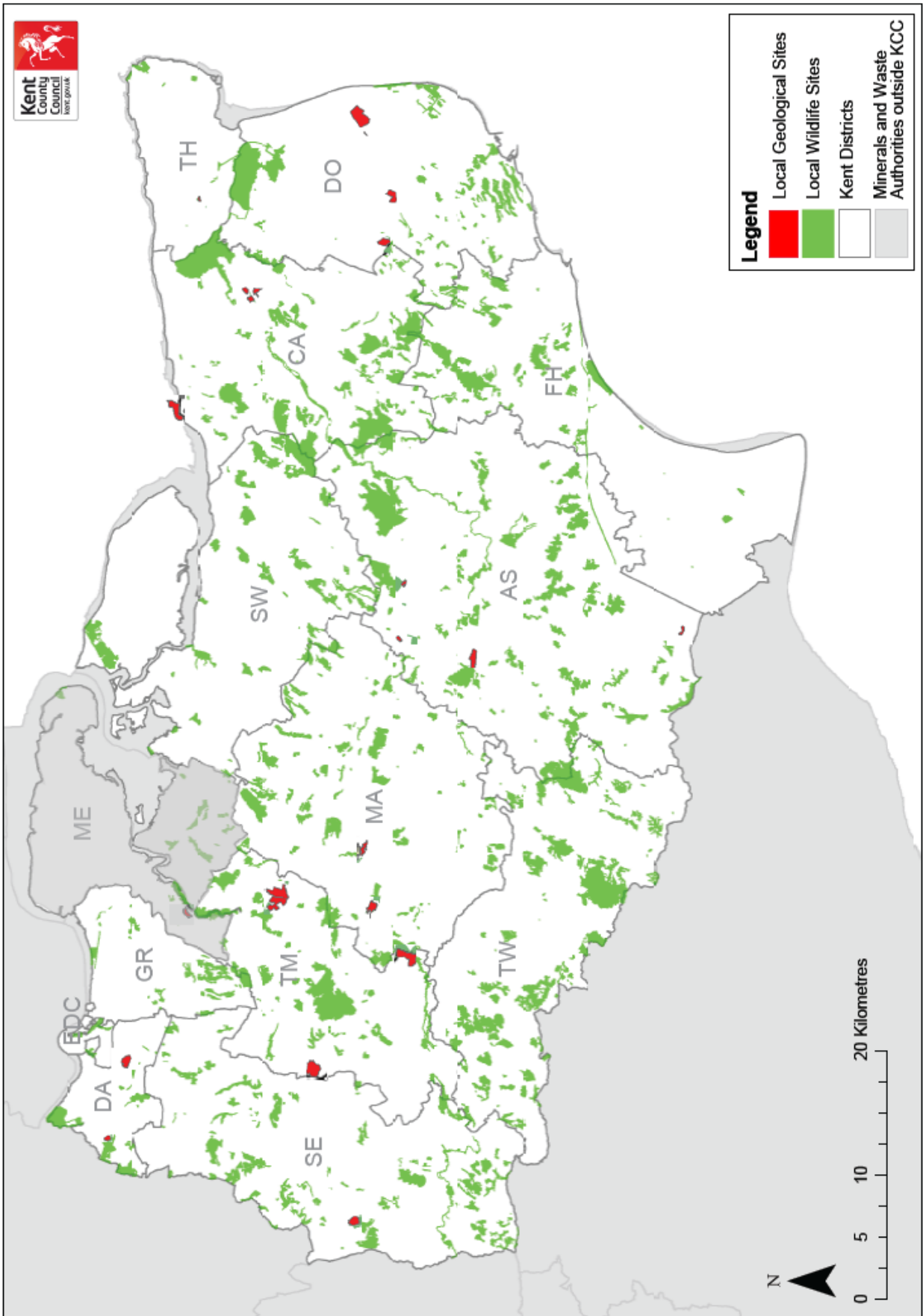


Figure 8: Local Nature Reserves

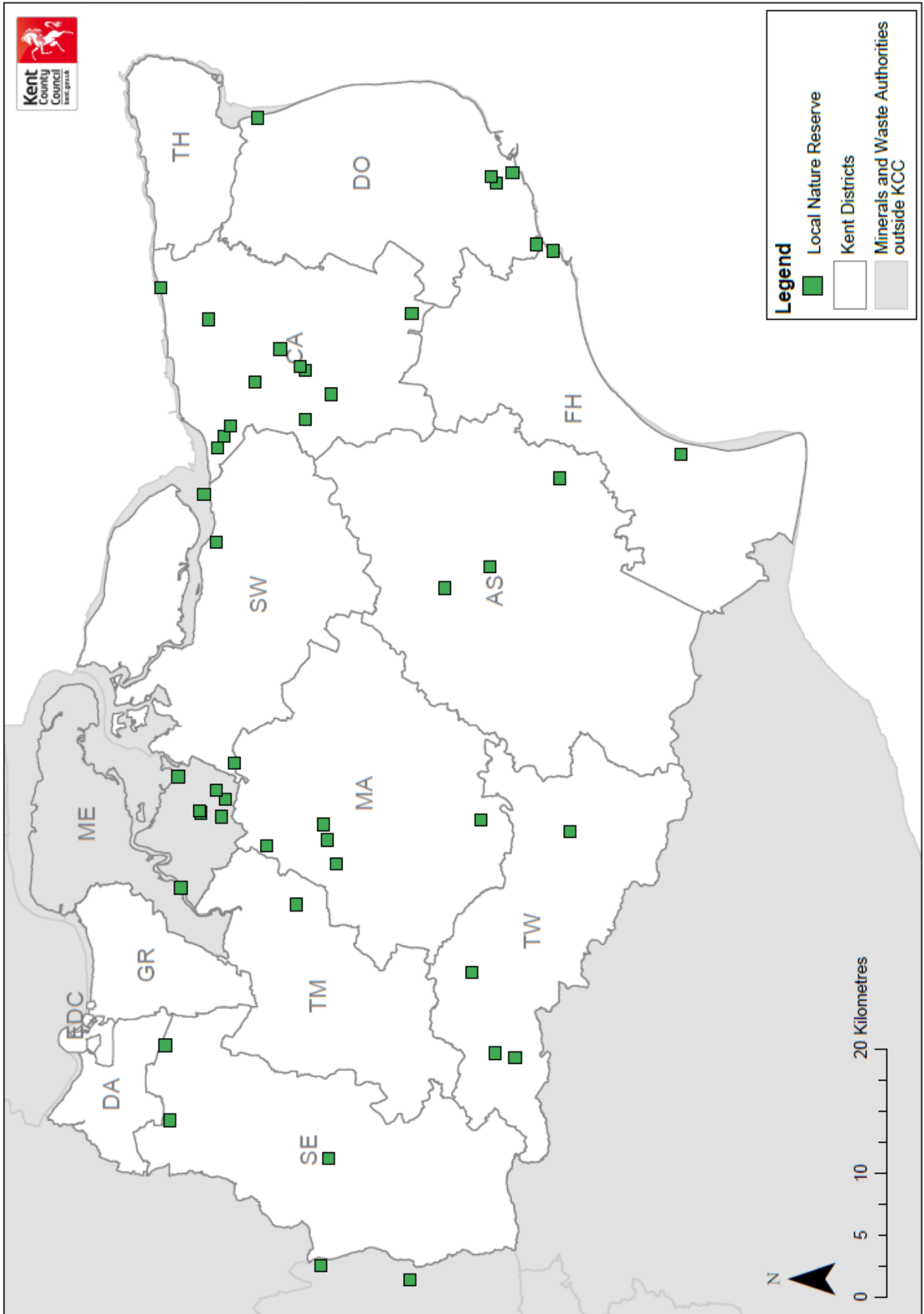


Figure 9: Kent Main Rivers and Waterways

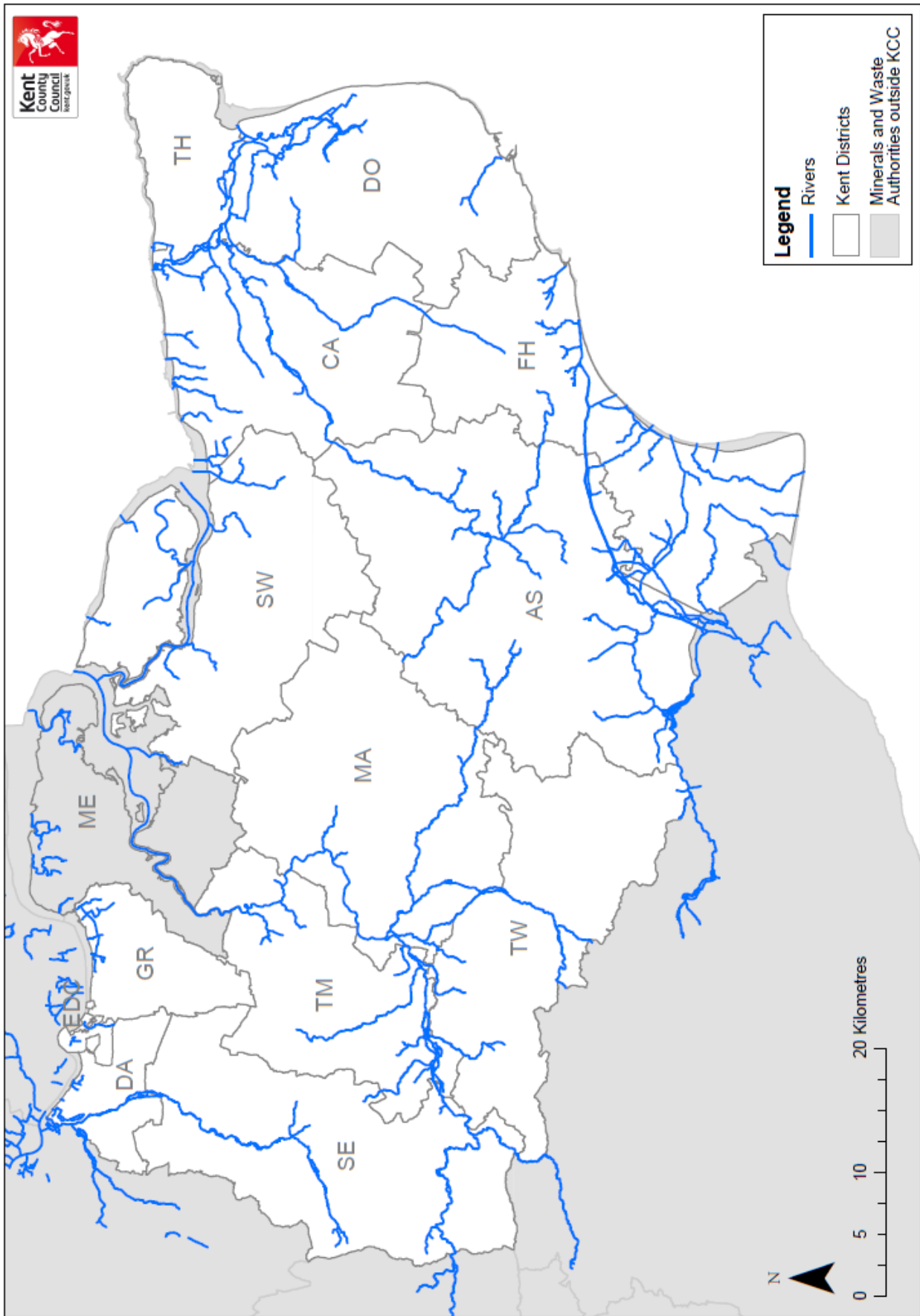


Figure 10: Ancient Woodland

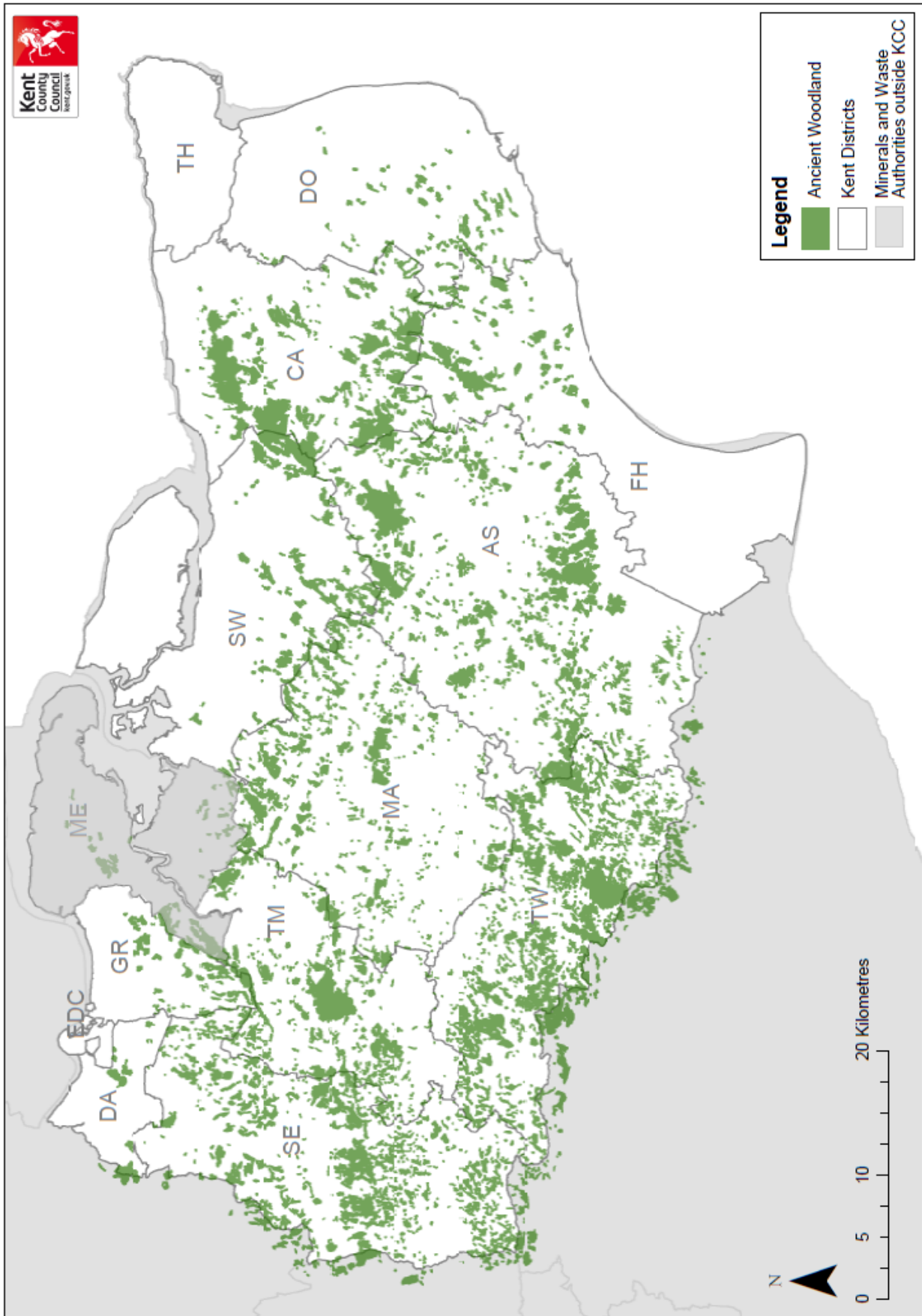


Figure 10A: Priority Habitats

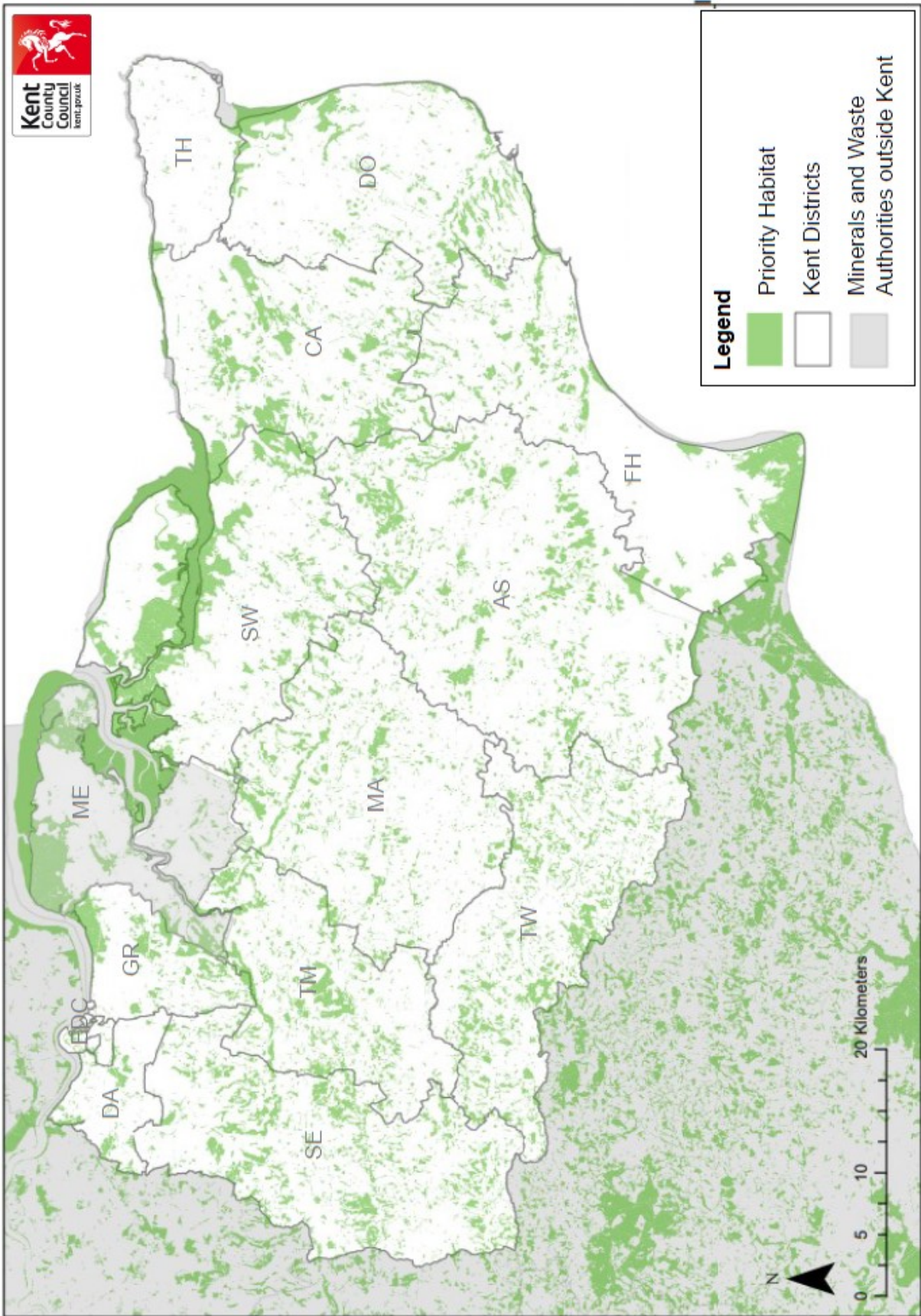
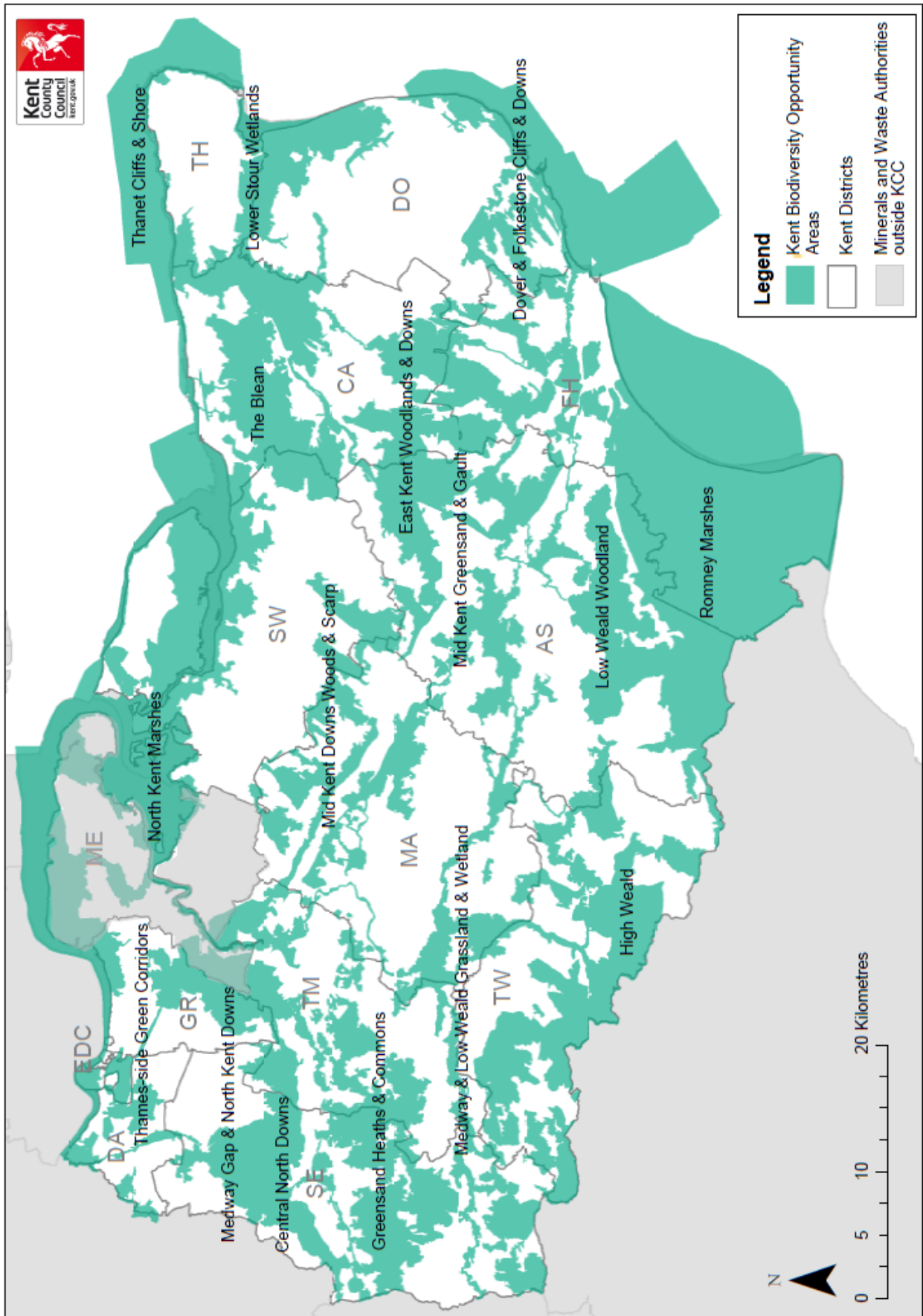




Figure 11: Biodiversity Improvement Areas



## 2.3 Kent's Economic Mineral Resources

**2.3.1** The economic mineral resources<sup>30</sup> 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 and gravel, crushed rock (**a limestone colloquially informally called Kentish Ragstone of the Hythe Formation**), **building sand**, 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. Figures 13 and 14 shows all existing mineral extraction sites, wharves, rail depots, **and** the areas licensed for petroleum exploration and the Strategic Site for Minerals<sup>34</sup>.

**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)<sup>32</sup>.

### 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 ~~Beeds~~ **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 silica sand (a specialist sand **of higher purity that can be used in certain industrial processes, e.g., foundry sands, ceramics, and chemical 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 **all similar in size and shape with a** low **in** angularity **and are more equidimensional, and their**

<sup>30</sup> A resource is a concentration or occurrence of workable material of intrinsic economic interest.

<sup>34</sup> See Policy CSM 3: Strategic Site for Minerals for details.

<sup>32</sup> All Annual Monitoring Reports are available online from: [www.kent.gov.uk/mwlp](http://www.kent.gov.uk/mwlp).

~~particle size distribution is not high, meaning that the sand particulates generally fall within a narrow size range,~~ making them **soft sand** suitable for mortar mixes. Sharp sands are more angular and variable in size and they **which** provide ~~the a~~ high structural strength **(tensile and compressive) useful** 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 Ragstone** extraction is carried out to the west of Maidstone. **Another** ~~Crushed rock resources~~ also exists 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 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 **(a limestone that can provide**

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 (**so called because of their high purity of silicon dioxide or quartz**) 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<sup>33</sup>

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<sup>33</sup> GWP Consultants (March 2010). A study of Silica sand Quality and End Uses in Surrey and Kent. Final Report for KCC.

## Legend: Geology of Kent

<u>Superficial (Drift) Deposits of Kent</u>	<u>Solid Geology of Kent</u>
 Landslip	 Mineral & Waste Authorities outside KCC
 Blown Sand	 Lenham Beds
 Marine Beach / Tidal Flats	 Bagshot Beds
 Storm Gravel Beach Deposits	 Claygate Beds
 Marine (/Estuarine) Alluvium (Clay	 London Clay
 (Sand (Sand & Gravel)	 Blackheath / Oldhaven Beds
 Calcareous Tufa	 Woolwich Beds
 Alluvium	 Thanet Beds
 Dry Valley & Nailbourne Deposits	 Bullhead Bed
 Peat	 Upper Chalk
 Brickearth	 Middle Chalk
 Undivided Flood Plain Gravel	 Melbourne Rock
 1st Terrace River Gravel	 Lower Chalk (Glaucanitic Marl)
 2nd Terrace River Gravel	 Upper Greensand
 3rd Terrace River Gravel	 Gault Clay
 4th Terrace River Gravel	 Lower Greensand
 5th Terrace River Gravel	 Folkestone Beds
 1st/2nd Terrace River Gravel	 Sandgate Beds
 2nd/3rd Terrace River Gravel	 Hythe Beds
 4th/5th Terrace River Gravel	 Atherfield Clay
 Taplow Gravel	 Weald Clay
 Boyn Hill Gravel	 Sand in Weald Clay (/Sandstone)
 Head	 Large 'Paludina' Limestone
 Coombe Deposits	 Small 'Paludina' Limestone
 Head Brickearth	 'Cyrene' Limestone
 Head Brickearth (Older)	 Clay Ironstone
 Head Brickearth 1st Terrace	 Undifferentiated Clay & Limestone
 Head Gravel	 Hastings Beds
 Plateau Gravel	 Upper Tunbridge Wells Sand
 Clay-with-Flints	 Upper
 Sand in Clay-with-Flints	 Cuxfield Stone
 Disturbed Blackheath Beds	 Lower Grinstead Clay
	 Ardingley Sandstone
	 Lower Tunbridge Wells Sand
	 Tunbridge Wells Sand
	 Clay in Tunbridge Wells Sand
	 Grinstead Clay
	 Wadhurst Clay
	 Sand in Wadhurst Clay
	 Ironstone in Wadhurst Clay
	 Ashdown Beds

Figure 12: Geology of Kent

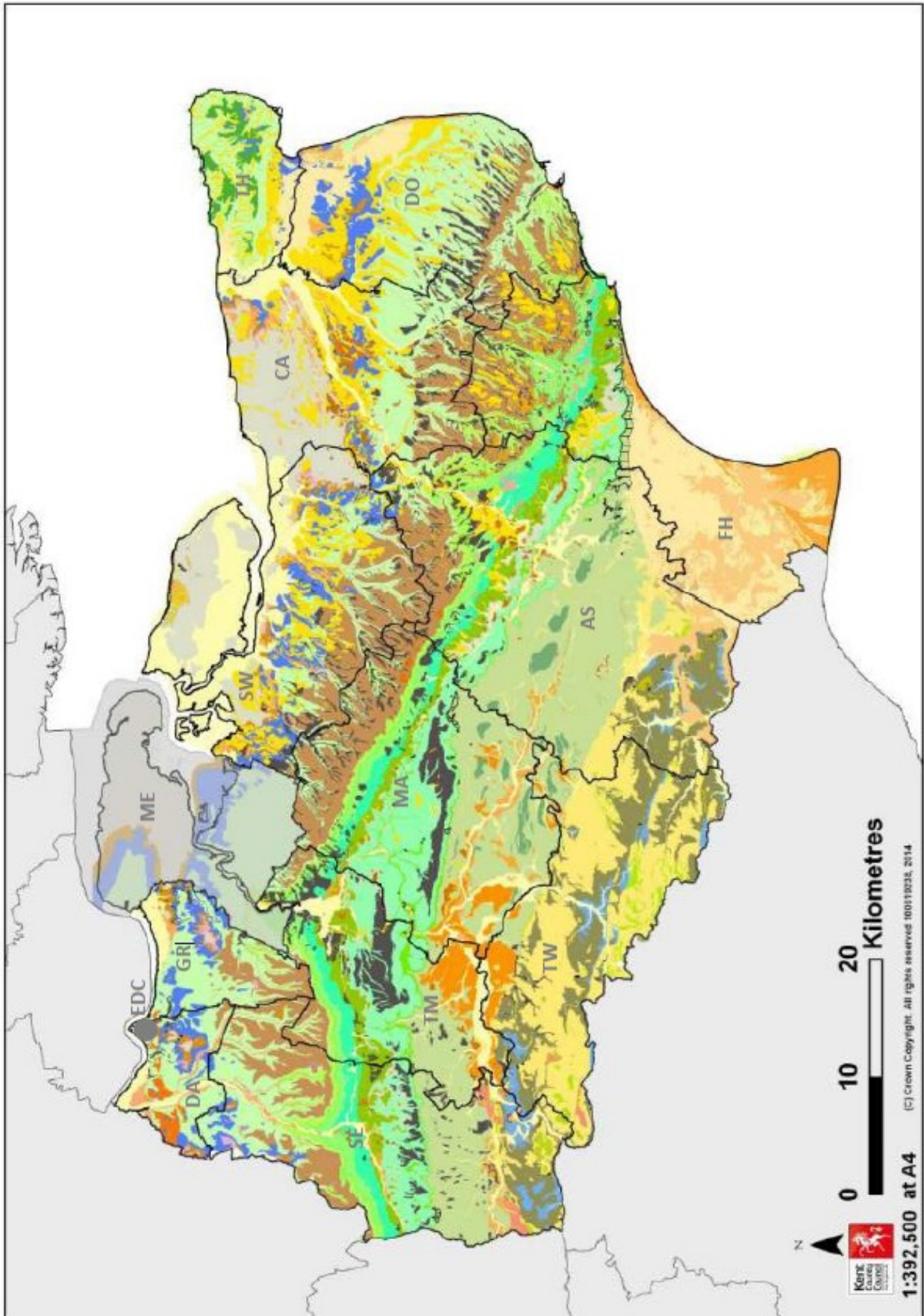
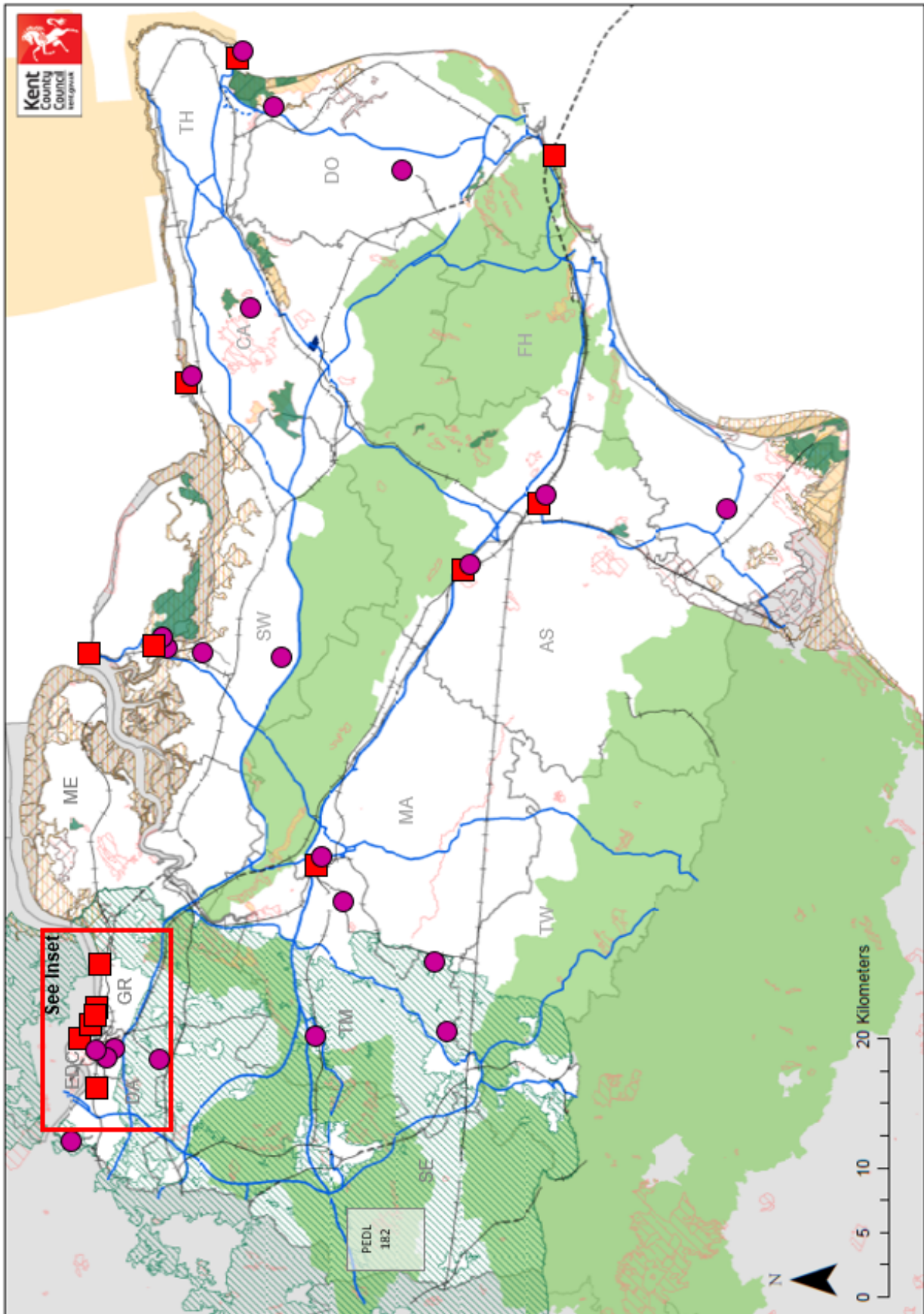
















Figure 13: Minerals Key Diagram - Sustainable Mineral Supply

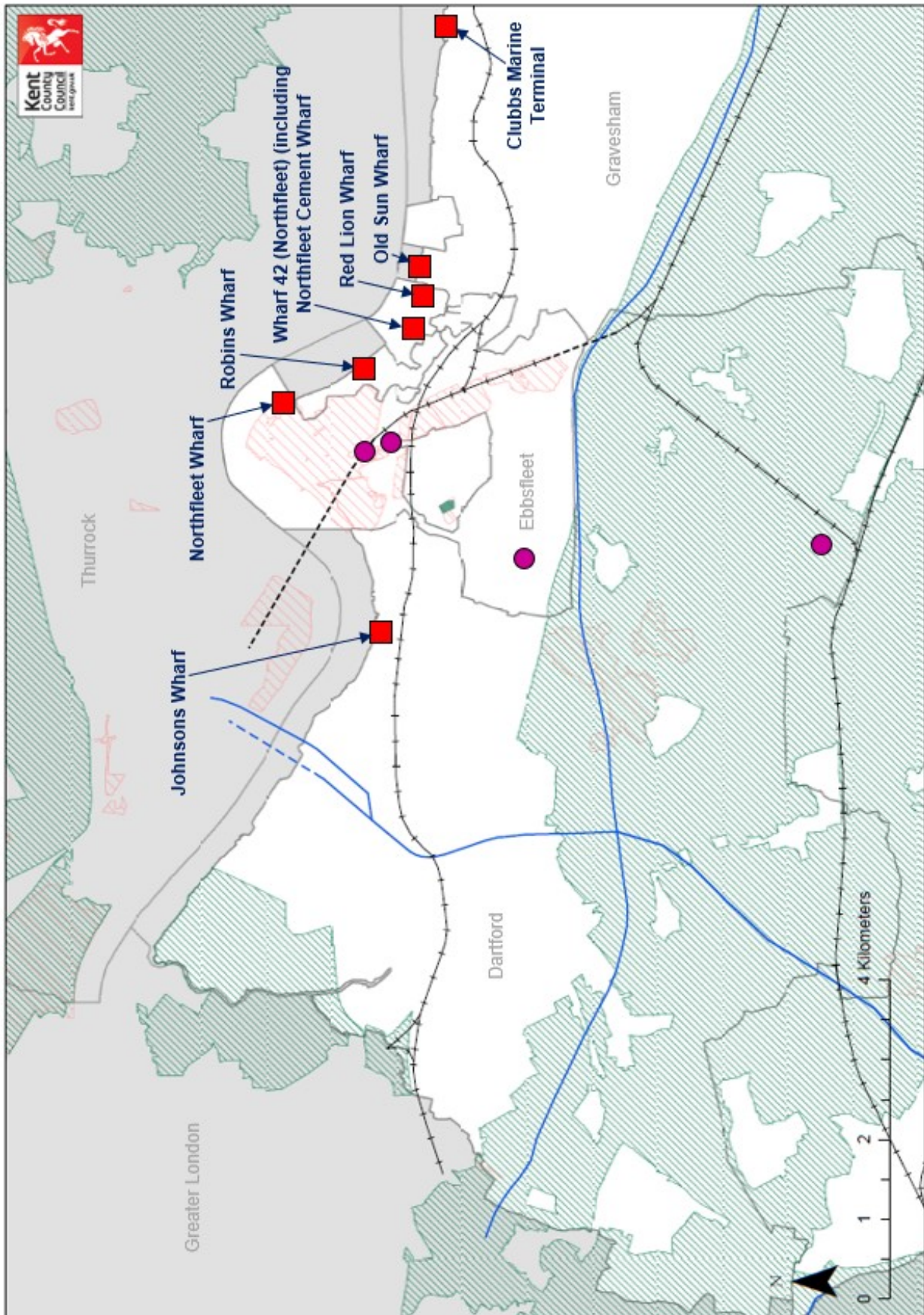
















Legend	
 Railway	 Safeguarded Wharves and Rail Depots
 Motorway	 Secondary and Recycled Aggregate Facilities
 Green Belt	
 National Nature Reserve	
 Ramsar	
 Special Area of Conservation	
 Special Protection Areas	
 World Heritage Sites	
 Sites of Special Scientific Interest	
 Area of Outstanding Natural Beauty	
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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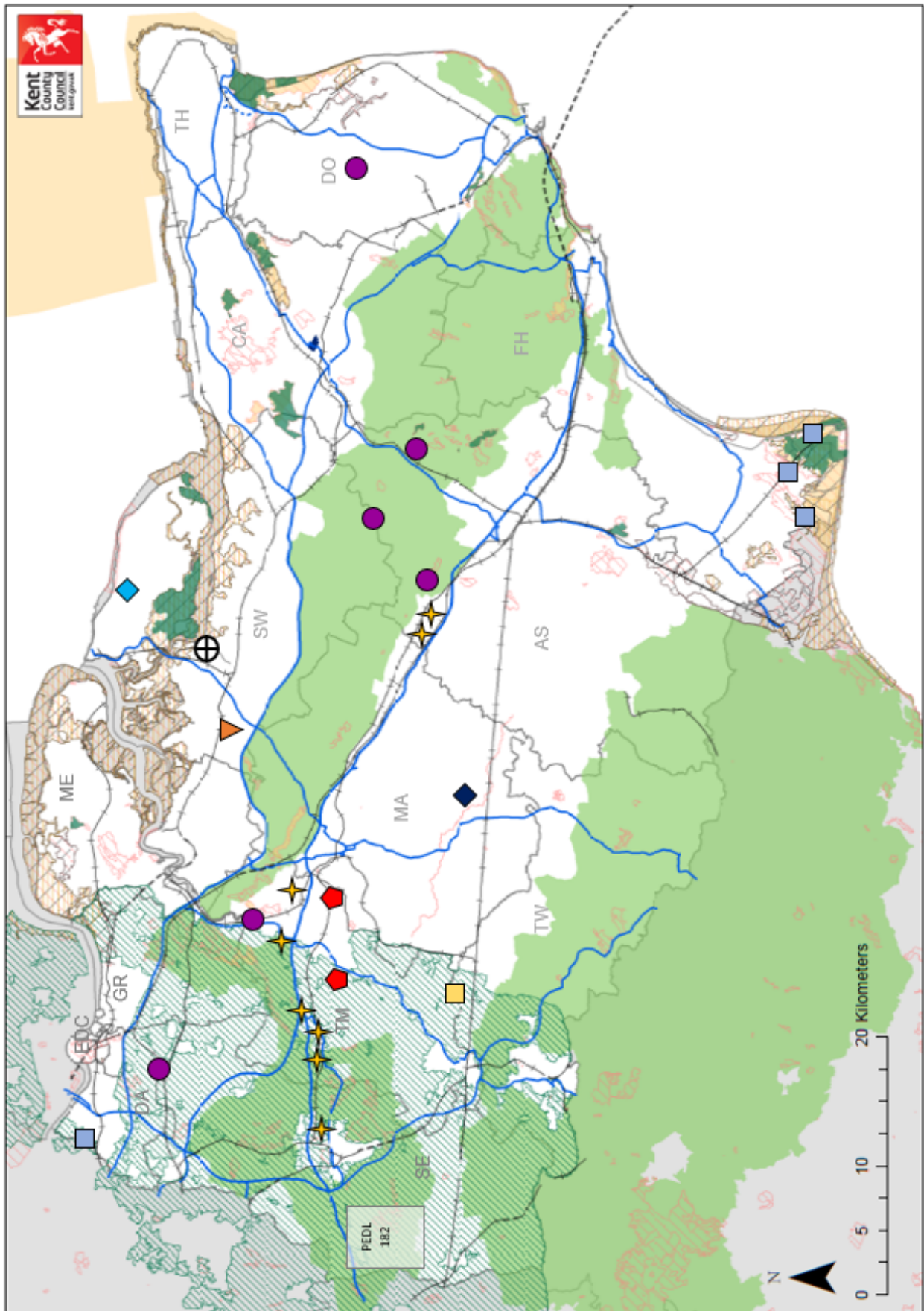
**Figure 13A: Minerals Key Diagram Inset Map - Sustainable Mineral Supply**
























Legend	
 Railway	 Safeguarded Wharves and Rail Depots
 Motorway	 Secondary and Recycled Aggregate Facilities
 Green Belt	
 National Nature Reserve	
 Ramsar	
 Special Area of Conservation	
 Special Protection Areas	
 World Heritage Sites	
 Sites of Special Scientific Interest	
 Area of Outstanding Natural Beauty	
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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Figure 14: Minerals Key Diagram - Land-won Supply



Legend	
	Railway
	Motorway
	Green Belt
	National Nature Reserve
	Ramsar
	Special Area of Conservation
	Special Protection Areas
	World Heritage Sites
	Sites of Special Scientific Interest
	Area of Outstanding Natural Beauty
	Kent Districts
	Minerals and Waste Authorities outside KCC
	Brickworks
	Chalk
	Clay for Tiles
	Clay for Engineering
	Brickearth
	Building Sand (soft sand)
	Crushed Rock
	Sand and Gravel (flint)
	Sand and Gravel (sandstone)

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## 2.4 Kent's Waste Infrastructure

**2.4.1 It is estimated that** Kent has a population of 1,480,200 **1,578,000**<sup>34</sup> 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 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**<sup>35</sup>.

**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 Disposal Authority (WDA)** and **the** Waste Planning Authority (WPA), must achieve targets and apply policies for the county as a whole. The JMWMS<sup>36</sup>, which provides guidance for the future direction of household waste management in Kent, has informed the Kent **Minerals and Waste Local Plan.**

**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 There are other EfW facilities in Kent including one at Kemsley.** 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 in Sittingbourne that has a waste throughput of 550,000 tonnes a year (with permission granted for a further 107,000 tonnes per year) and supplies 49.9MW of power to an adjacent paper mill.**

<sup>34</sup> Kent Statistical Bulletin, **July 2021 January 2023, 2021 Mid-year population estimates: Total population in Kent,** Kent County Council

<sup>35</sup> **Kent and Medway Growth and Infrastructure Framework 2018 Update**

<sup>36</sup> KCC (2007/18) **refreshed** Joint Municipal Waste Management Strategy.

**2.4.6** Kent neighbours **Medway**, London, Essex, Surrey and East Sussex. Waste crosses the borders into and out of Kent, **this includes those areas that border Kent and beyond.**

**2.4.7** Construction, **demolition and excavation** 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** Figures **16a and 16B** shows the location of key existing facilities. ~~This Plan aims to provide a balanced and accessible network of modern facilities.~~

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Figure 15 Flood Zones, Sources Protection Zones and Petroleum Exploration and Development Licence areas

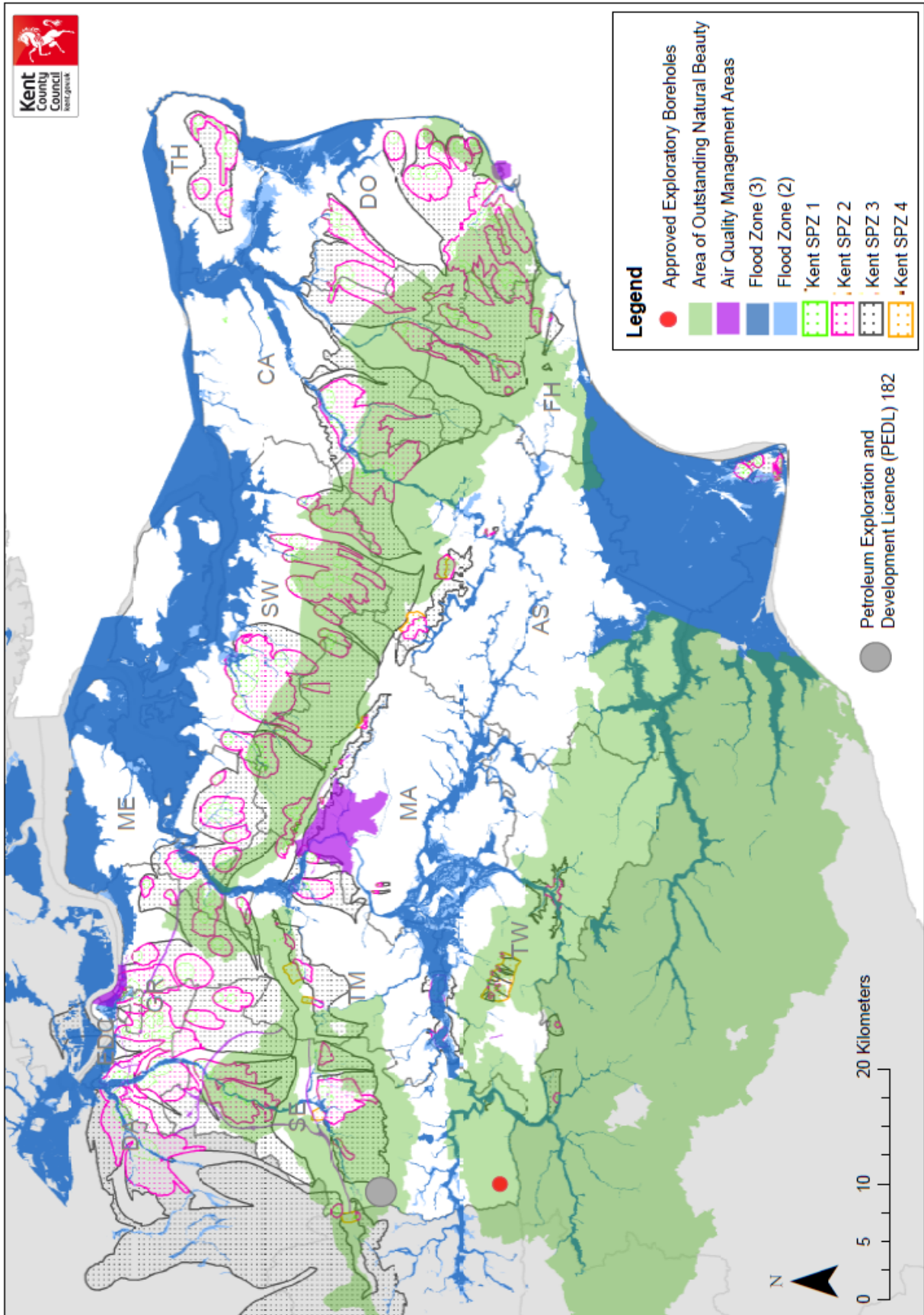
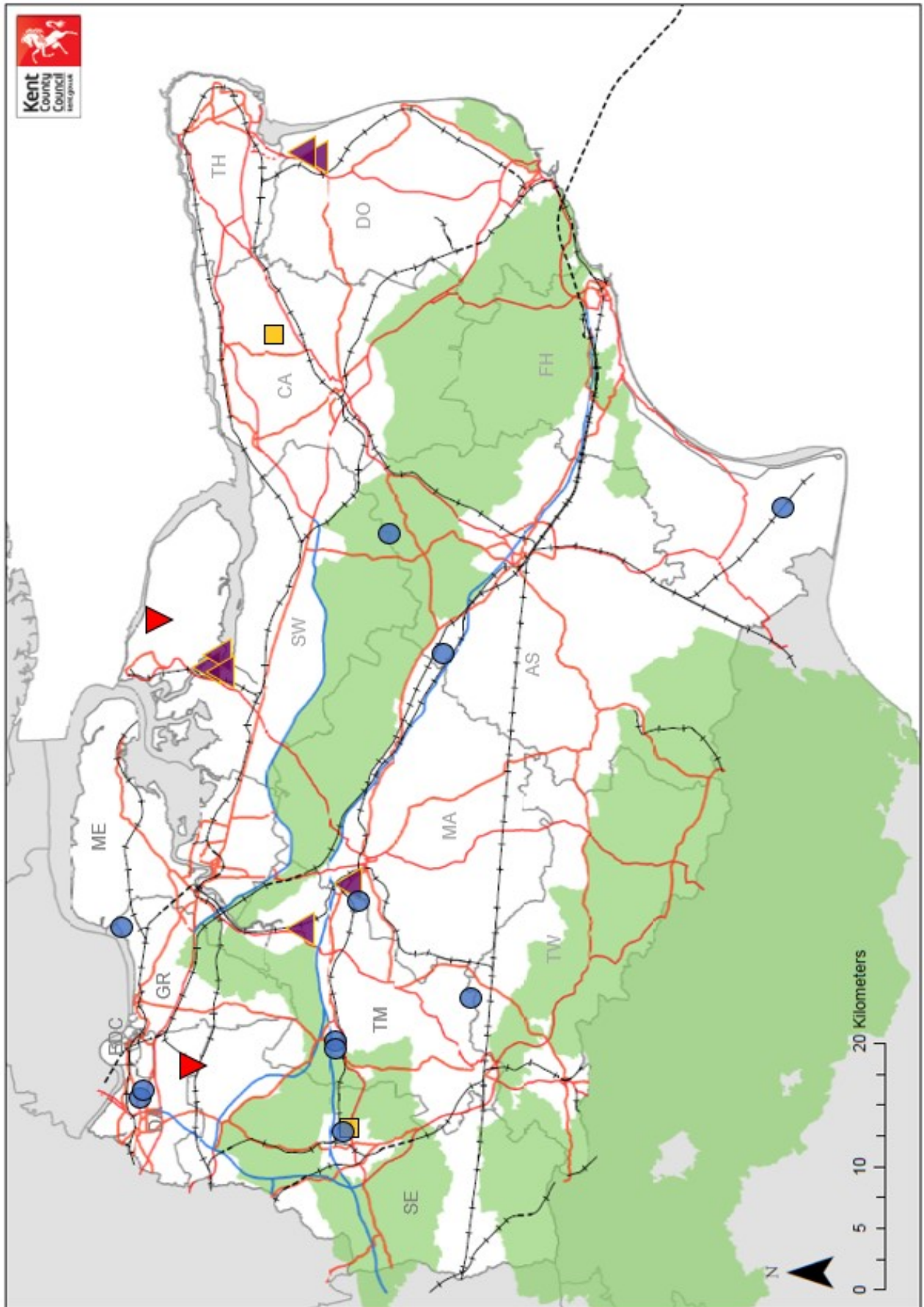












Figure 16A: Waste Key Diagram - Residual Waste Management Capacity

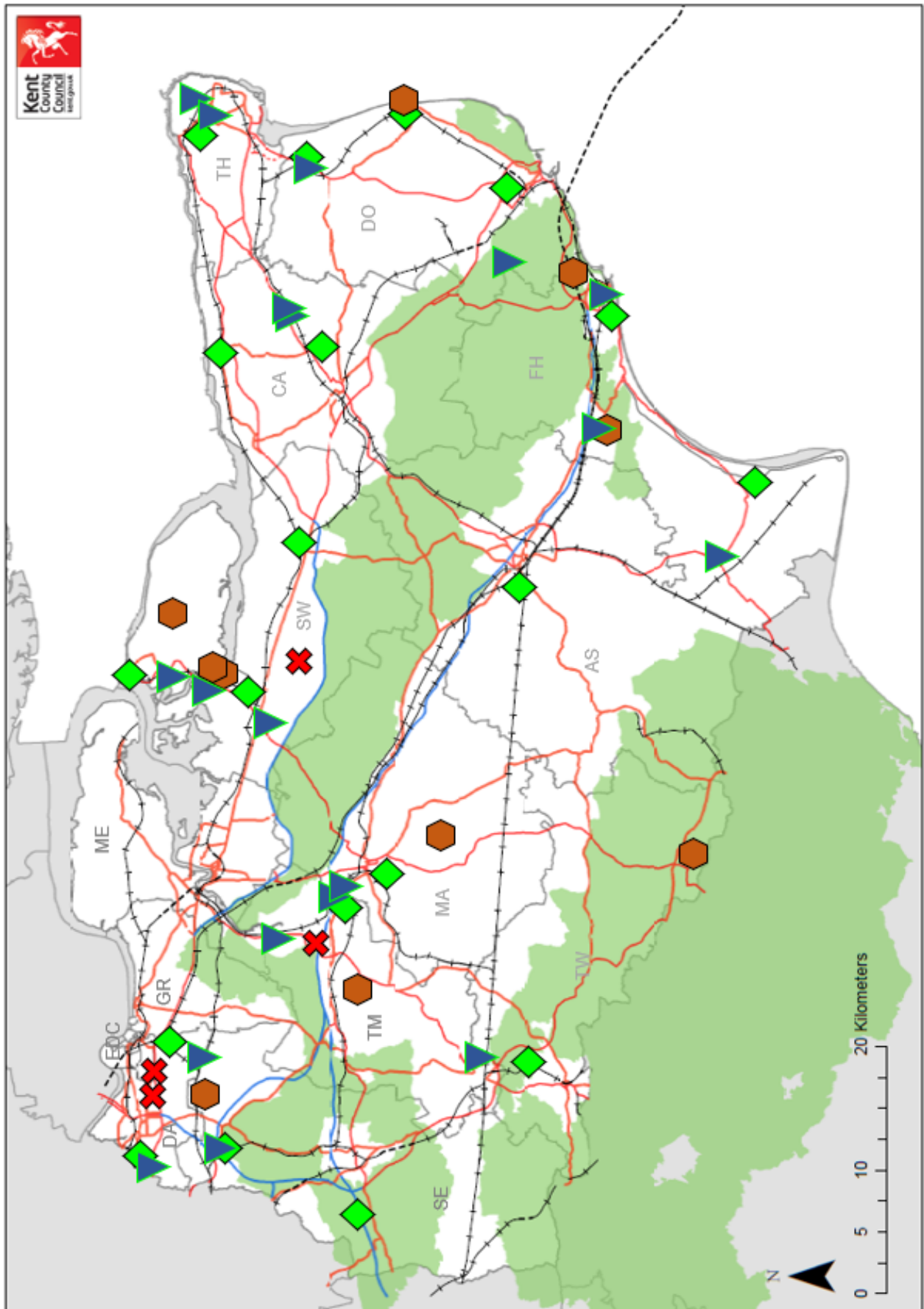














Legend	
 Railway	 Energy from Waste
 Motorway	 Inert Landfill
 A Road	 Non-Hazardous Landfill
 Area of Outstanding Natural Beauty	 Hazardous Landfill
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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Figure 16B - Waste Key Diagram - Reuse/Recycling and Treatment Capacity



Legend	
 Railway	 Household Waste Recycling Centre (HWRC)
 Motorway	 Organic Treatment and Composting
 A Road	 Hazardous Waste Transfer and Treatment
 Area of Outstanding Natural Beauty	 Recycling
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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### 3. Spatial Vision for Minerals and Waste in Kent

**3.0.1** The Kent MWLP provides an opportunity to take a fresh look at minerals and waste issues and to take some bold steps towards delivering improvements in mineral supply and waste resource management based on the principles of sustainable development. Identifying a vision for minerals and waste in Kent allows us to translate broad sustainability principles and put them into a context that is relevant to our communities and businesses.

**3.0.2** The main aims of the Plan are to drive waste up the Waste Hierarchy (see Figure 18) enabling waste to be considered as a valuable resource, while at the same time providing a steady supply of minerals to allow sustainable growth to take place. It will also ensure that requirements such as a Low Carbon Economy (LCE) and climate change issues are incorporated into new developments for minerals and waste development in Kent.

**3.0.3** The vision outlines our ambition for sustainable resource management and mineral supply.

**3.0.4** As the Kent MWLP will plan for minerals and waste in Kent up to the end of 2030~~9~~, it is important to recognise that technology will change over the plan period. Therefore, the Plan has to be robust and flexible enough to enable improvements in technology to be incorporated into future mineral supply and waste management developments.

#### Spatial Vision for Minerals and Waste in Kent

Throughout the Plan period 2013-30~~24-39~~, 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.
2. Supports the needs arising from growth in Kent.
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.
4. Embrace the naturally and historically rich and sensitive environment of the plan area, and ensure that it is conserved and enhanced for future generations to enjoy.

### Planning for Minerals in Kent will:

5. Seek to deliver a sustainable, steady and adequate supply of land-won minerals including aggregates, silica sand, crushed rock, brickearth, chalk and clay, building stone and minerals for cement manufacture.
6. Facilitate the processing and use of secondary and recycled aggregates to and become less reliant on land-won construction aggregates.
7. Safeguard economic mineral resources for future generations and all existing, planned and potential mineral transportation and processing infrastructure (including wharves and rail depots and production facilities).
8. Restore minerals sites to a high standard that will deliver sustainable benefits to Kent communities.

### Planning for Waste in Kent will:

9. ~~Move waste up the Waste Hierarchy~~ **Facilitate the achievement of a more circular economy in all forms of development, ensuring the maximum reuse of materials and goods, minimising waste and ensuring its management is sustainable and takes place 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 cannot be re-used or recycled (i.e. unavoidable residual waste) and minimize the amount of non-hazardous waste sent to landfill.**
11. Ensure waste is managed close to its source of production.
12. ~~Make provision~~ **Allow for the development of** a variety of waste management facilities to ensure that Kent remains at the forefront of waste management with solutions for all major waste streams, while retaining flexibility to adapt to changes in technology **and legislation.**
13. Ensure sufficient capacity exists to meet the future needs for waste management.
14. Restore waste management sites to a high standard that will deliver sustainable benefits to Kent's **environment and its** communities.

## 4. Objectives for the Minerals and Waste Local Plan

**4.0.1** The Spatial Vision outlines our ambition for sustainable resource management for minerals and waste development in the plan area up to the end of 2030~~9~~. While this vision describes what will be achieved, the objectives explain how the vision will be achieved.

**4.0.2** All of the Kent MWLP objectives that follow are underpinned by an ambition to manage waste and mineral extraction and supply according to the principles of sustainable development, and in support of the National Infrastructure **Strategy Plan**<sup>37</sup> and the delivery of Kent's community strategies.

**4.0.3** Through regular monitoring and review of the progress of the Plan's policies against these objectives, it will be possible to see how much progress is being made towards achieving these requirements. Monitoring will also show whether the policies are having the required effects and will help to identify what may need to be undertaken to implement improvements, or whether a review of the policies is necessary. Chapter 8 sets out a schedule for managing and monitoring the delivery of the strategy.

**4.0.4** The Strategic Objectives are listed overleaf and are in no particular order of priority.

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<sup>37</sup> National Infrastructure Strategy Plan (December 2014~~2014~~**November 2020**) HM Treasury

## Strategic Objectives for the Minerals and Waste Local Plan

### General

1. Encourage the use of sustainable, **low carbon** modes of transport for moving minerals and waste long distances and minimise road miles.
2. Ensure minerals and waste developments contribute towards the minimisation of, and adaptation to, the effects of climate change. This includes helping to shape places to secure radical reductions in greenhouse gas emissions and supporting the delivery of renewable and low carbon energy and associated infrastructure.
3. Ensure minerals and waste sites are sensitive to both their surrounding environment<sup>38</sup> and communities, and minimise their impact on them.
4. Enable minerals and waste developments to contribute to the social and economic fabric of their communities through employment, **educational and recreational** opportunities **where possible**.

#### **4a. Ensure that waste is managed and minerals are supplied in a manner which is consistent with the achievement of a more circular economy.**

### Minerals

5. Seek to ensure the delivery of adequate and steady supplies of sand and gravel, chalk, brickearth, clay, **building sand**, silica sand, crushed rock, building stone and minerals for cement during the plan period, through identifying sufficient sites and safeguarding mineral bearing land for future generations.
6. Promote and encourage the use of recycled and secondary aggregates in place of **primary** land **and marine** won minerals.
7. Safeguard existing, planned and potential sites for mineral infrastructure including wharves and rail depots across Kent to enable the on-going transportation of marine dredged aggregates, crushed rock and other minerals as well as other production facilities.
8. Enable the ~~small scale, low intensity~~ extraction of building stone minerals for heritage building products.
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**

<sup>38</sup> Surrounding environment: see the Glossary in Appendix A for details.

opportunities for **improvements in biodiversity which to meet and, where relevant, exceed** targets outlined in the Kent Biodiversity Action Plan **Nature Partnership Biodiversity Strategy 2020 to 2045**, 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 help maximise/achieve an overall net-gain in biodiversity on restoration**

10. Encourage the sustainable use of the inert non-recyclable fraction of Construction, Demolition and Excavation for quarry restoration.

## Waste

- 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 improve the management of resources** and deliver **further a major reduction**s in the amount of Kent's waste being disposed of in landfill and through waste to energy.
- 12 Promote the management of waste close to the source of production in a sustainable manner using appropriate technology and, where applicable, innovative technology, such that net self sufficiency is maintained throughout the plan period.
- 13 If it cannot be reduced, reused, recycled or composted, use waste as a fuel for the generation of renewable energy, in the form of both heat and electricity through energy from waste **including** and technologies such as gasification and anaerobic digestion.
- 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.
- 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 **Nature Partnership Biodiversity Strategy 2020 to 2045**, 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 maximise overall net-gain in biodiversity on restoration.**



## 5. Delivery Strategy for Minerals

**5.0.1** Minerals are essential to support sustainable economic growth and quality of life. It is important that there is a sufficient supply of minerals to provide the infrastructure and its maintenance, buildings, energy and goods that the country needs. However, since they are a finite natural resource, and can only be worked where they are found, it is important to make the best use of them to secure their long-term conservation<sup>39</sup>.

### 5.1 Policy CSM 1: Sustainable Development

**5.1.1** The purpose of the planning system is to contribute to the achievement of sustainable development<sup>40</sup>, 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, social and environmental these require the planning system to perform three roles:

- **An economic role:** contributing to building a strong, responsive and competitive economy, 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.
- **A social role:** supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well being.
- **An environmental 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 adapt to climate change including moving to a LCE.
- **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.**
- **Social - to support strong, vibrant and healthy communities, by the appropriate siting, operation and restoration of mineral development**

<sup>39</sup> DCLG (March 2012) **MHCLG (2021) DLUHC (2023)** National Planning Policy Framework, paragraph 7442

<sup>40</sup> DCLG (March 2012) National Planning Policy Framework Ministerial Foreword DCLG **MHCLG (2021) DLUHC (2023)** National Planning Policy Framework, paragraph 209.

**including the contribution minerals makes to the delivery on new homes, buildings and infrastructure needed to support communities' health, social and cultural well-being**

- **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.**

**5.1.2** At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF requires that policies in local plans should follow the approach of the presumption in favour of sustainable development. The Kent MWLP is therefore based on the principle of sustainable development. This is demonstrated in the Spatial Vision and the Strategic Objectives, and the policies that seek sustainable solutions.

**5.1.3** Planning law requires planning decisions to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that it does not change the statutory status of the development plan as the starting point for decision making.

**5.1.4** All references to 'community' or 'communities' in the policies that follow should be taken in the widest sense of including both economic and social roles and potential impacts on both people and business.

**5.1.5** Policy CSM 1 is included in the Plan to ensure the presumption in favour of sustainable development is taken into account in KCC's approach to minerals development.

## **Policy CSM 1**

### **Sustainable Development**

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<sup>41</sup> indicate that development should be restricted.

## 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<sup>42</sup>.

**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.

**Relevant Statements of Common Ground between Kent County Council and other MPAs are taken into account when planning for the supply of aggregate.**

### **Aggregate**

#### **Sharp Sand and Gravel**

#### **Flint Gravels**

**5.2.3** High quality flint gravels (**so called given their high compressive and tensile strength properties of their quartz mineral composition**) in Kent are concentrated in the areas where flints derived from the **eroded** 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<sup>43</sup> 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

<sup>41</sup> For example, those policies relating to land within an Area of Outstanding Natural Beauty, Green Belt, sites protected under the Birds and Habitats Sites Directives and/or as Sites of Special Scientific Interest, designated heritage assets and locations at risk of flooding.

<sup>42</sup> More details of non-aggregate minerals in Kent are given in: KCC (May 2011) TRM3: Other Minerals

<sup>43</sup> Evidence prepared for the Kent Structure Plan in 1975.

near Herne Bay, previously identified as Areas of Search (AoS)<sup>44</sup> have not proved to be sufficiently attractive for development.

### Sandstone Gravels

**5.2.4** The sandstone dominant gravels (so called by their brown coloration due to the occurrence of a quartz polymorph of lower compressive and tensile strength than the 'flint' 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 two active (and three inactive) sharp sand and gravel sites within the County.

### Soft Sand

**5.2.6** 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

**5.2.7** The only resource exploited commercially to supply crushed rock in the county is from the Hythe Formation (limestone) colloquially informally called the 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 the Carboniferous Limestone deposit in east Kent (see section 5.11).

### Alternative Sources of Materials to Markets Supplied by Land-won Sharp Sand & Gravels

**5.2.8** 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~~<sup>45</sup>. Sales of secondary and recycled materials in **2014 2021 2022** were 0.84mt **0.811mt 0.802mt**, although sales have been as high as 4.3mt **1.029mt** in the last decade (**2016**). 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.

<sup>44</sup> KCC (1993) Kent Minerals Local Plan Construction Aggregates Written Statement.

<sup>45</sup> See report: KCC (2013) Interchangeability of Construction Aggregates.

**5.2.9** 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 4.7 ~~1.44~~ **1.9** million tonnes (mt) being imported into its wharves in 2013 ~~2020-2022~~. ~~and~~ **Of 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<sup>46</sup>. More recent m-Monitoring shows no significant change in the importance of Kent's wharves in the supply of this material, the 10-year sales average in 2020-2022 was 1.68mt 1.65mt 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<sup>47</sup>.~~

### Demand for Land-won Aggregates

**5.2.10** The NPPF<sup>48</sup> 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<sup>49</sup> 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.

**5.2.11** The NPPF and planning practice guidance<sup>50</sup> 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:**

- **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 of various specifications**
- **soft sands that are predominantly used in asphalt and mortar production**

<sup>46</sup> KCC (January 2015) The 2nd Local Aggregate Assessment for Kent, Table 3.

<sup>47</sup> ~~KCC (2014) Duty to Co-operate Report, Table 5.~~

<sup>48</sup> ~~DCLG (2012) National Planning Policy Framework~~ **[2023]**, para. 415213.

<sup>49</sup> 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](http://www.kent.gov.uk/mwlp).~~

<sup>50</sup> ~~DCLG~~ **MHCLG DLUHC** (Revised March 2014) Planning Practice Guidance: Minerals.

5.2.12 The Kent Local Aggregate Assessment (January 2015) 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.

5.2.13 Between 2004 ~~20112~~ and 2013 ~~20201~~ sales of sharp sand and gravel from quarries in Kent dropped from around 908,000 ~~620,000~~ ~~652,285~~ tonnes in 2004 ~~20112~~ to around 273,000 ~~132,000~~ tonnes in 2013 ~~2020~~, with somewhat of a recovery to ~~202,000~~ tonnes in 2021. The average of 10 years' sales of sharp sand and gravel is 0.78 million tonnes per annum (mtpa) ~~270,300~~ ~~228,526~~ tonnes per annum as of 2021. If demand were at this level for the rest of the Plan period (the ~~176~~ years ~~2013213~~ to the end of ~~203037~~ with a 7-year landbank maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 13.26mt ~~4.32~~ ~~5.015~~mt.

5.2.14 Between 2004 ~~20112~~ and 2013 ~~20201~~ sales of soft (building) sand from Kent's quarries have dropped from around 780,000 ~~439,000~~ ~~387,745~~ tonnes in 2004 ~~20112~~ to around 483,000 ~~393,000~~ ~~202,000~~ tonnes in 2013 ~~20201~~. The average 10 years sales of soft sand is 0.65 mtpa ~~441,000~~ tonnes per annum, as of 2021 is ~~228,526~~ tonnes per annum. If demand were at this level for the rest of the Plan period (2023 to the end of 2037 with a 7-year landbank maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 10.032mt.

5.2.15 Between 2012 and 2021 sales of hard (crushed) rock have climbed from 526,281mt in 2012 to 814,859mt in 2021 (in 2020 they were as high as 1,508,859mt). The 10-year average sales figure for crushed rock is, 0.78mtpa ~~830,000~~tpa as of 2021 ~~856,686~~tpa and, as presented in the 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. If demand were at this level for the rest of the Plan period (2023 to the end of 2037 with a 10-year landbank maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 21.425mt.

5.2.16 Other relevant local information that may affect supply of, or demand for, aggregates is considered in the LAA<sup>51</sup>. This did not indicate that a figure higher than the 10-year average sales figures would be justified as a basis for future provision.

### Future Supplies of Land-won Sharp Sand and Gravel

#### Landwon Aggregate Supply Considerations

5.2.17 The starting point for identifying requirements for future land release for landwon aggregates sand and gravel is the expected need for materials over the Plan period and beyond. It takes into account the material which can be supplied from sites which already exist and have planning permission, allocations in the

<sup>51</sup> 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.

**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.

5.2.18 The sites included in the calculations of the supply of land-won **aggregates sand and gravel** are **published in the LAA and/or AMR** listed in Appendix C.

5.2.19 **The sharp sand and gravel sites allocated in the Kent Mineral Sites Plan 2020 are Stonecastle Farm Quarry Extensions, Hadlow and Land at Moat Farm, Five Oak Green. The soft sand site allocated in the Kent Minerals Sites Plan 2020 is Chapel Farm (West), Lenham.**

5.2.20 **The criteria set out in Policy CSM 2 is used to select suitable sites for allocation in the Minerals Sites Plan.**

### Sharp Sand and Gravel

5.2.21 **The annual position on sharp sand and gravel in the County is reported in the Council's Local Aggregate Assessment (LAA). Between 2013 and 2022 sales of sharp sand and gravel from quarries in Kent dropped from around 376,250 tonnes in 2013 to around 124,200 tonnes in 2022. The average of 10 years' sales of sharp sand and gravel is 175,700 tonnes per annum (0.176mtpa) as of 2022. If demand were at this level for the rest of the Plan period (2024 to 2039 with a 7-year landbank of 1.232mt maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 3.872mt. Permitted reserves at the end of 2013 ~~2020~~ were 3.61mt ~~2.78~~ **1.384mt**. Initial work through the 'Call for Sites' identified potential suitable sites that 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. This will not significantly alter the long term supply situation of the land-won resource over the remaining plan period (2030+7). Based on 10-year sales the potential reserves available are not sufficient to meet maintained landbank requirements.****

5.2.22 **Permitted reserves at the end of 2022 were recorded at 2.230mt. Annual sales from this sector have been reducing for several years and this has had the effect of lengthening the life of the permitted reserves projected over the Plan period which is estimated using the 10-year rolling sales average. The available reserves at commencement of year 2024 are estimated at 2.054mt. The allocation (two sites) of 2.5mt of potentially replenishing resource are identified in the Kent Mineral Sites Plan 2020. Should these sites be granted planning permission this would provide a total surplus of 0.682mt over the Plan period. If the allocations do not come forward during the Plan period, increased importation is anticipated to occur, thereby addressing the market need for this aggregate type. Managed decline is the anticipated pattern of supply of land won resources in Kent in the longer term, as sustainable resources of sharp sand and gravel are becoming depleted.**

**5.2.23 It is possible that other suitable sources of aggregates may be identified, for example, currently uneconomic deposits become economic, or 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 CSM 4: Non-identified Land-won Mineral Sites or to further sites being proposed in a review of the Mineral Sites Plan. However, the Kent Minerals and Waste Local Plan 2016 accepted that land-won sharp sands and gravel were a physically depleting resource that are unlikely to be sustainably replenished in the long term.**

**5.2.24 As 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 Even if the a 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 that 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 CSM 4: Non-identified Land-won Mineral Sites or to further sites being proposed in the a review of the 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.**

**5.2.25 Therefore, it is anticipated that the Dd**iminishing land-won sharp sand and gravel supplies will increasingly be substituted over the plan period by supplies from production of alternative materials. **This would** include **inge** secondary and recycled aggregates<sup>52</sup> supplies gained from **the** blending of materials to generate **a material** suitable **to** supply **to** the construction aggregate market<sup>53</sup> **together with** 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 **maintain adequate** meet the predicted shortfall in supply of **land-won** sharp sand and gravel aggregate as **landwon** 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 **and safeguarded.**

**5.2.26 In conclusion, based on 2022 aggregate monitoring data, the position for landwon sharp sand and gravel is as follows:**

<sup>52</sup> KCC (January 2015) Kent's 2nd Local Aggregate Assessment

<sup>53</sup> This currently occurs at two sites (Hermitage Quarry - rock and hassock & East Peckham - imported rock and extracted sandstone gravels)



- Sharp sand and gravel: at least 4.554mt of actual and potential reserves (comprising currently permitted reserves estimated at the commencement of 2024 as 2.054mt plus 2.5mt of resources from allocated sites), and a 7-year landbank of at least 1.232mt as long as resources allow. Should the allocated sites come forward, this provides a surplus of 0.682mt over the Plan period.

## Soft Sand

5.2.27 The annual position of soft sand in the County is reported in the Council's Local Aggregate Assessment. Between 2013 and 2022 sales of soft (building) sand from Kent's quarries have increased from around 483,200 tonnes in 2013 to around 574,700 tonnes in 2022. The average 10 years sales of soft sand has also increased slightly, and as of 2022 is 475,038 tonnes per annum (0.475mtpa). If demand were at this level for the rest of the Plan period (2024 to 2039 with a 7-year landbank of 3.325mt maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 10.45mt. Permitted reserves at the end of 2021 were 9.34 6,224,773mt. Both the 10 and 3-year sales averages are were down, although 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 Minerals Sites Plan at Chapel Farm, Lenham (3.2mt) The total soft sand requirements (sufficient for 15 years and a 7-year landbank at the end of the Plan, 22 years in all) is 10.032mt. Reserves at the end of 2021 were 6.225mt and are forecast to be 5.769mt at the beginning of the Plan period (2023) (assuming a reduction at the 10-year sales average rate). This results in a shortfall of 4.263mt in the required landbank to the end of 2037 (+7). However, a soft sand allocation in the Kent Minerals Sites Plan at Chapel Farm (West), Lenham (3.2mt) is expected to come forward during the plan period to replenish the landbank. This could allow a 7-year landbank (of 3.192mt) to be maintained until 2035. Resulting in a deficit estimated to be 1.063mt in 2037. The estimate of available reserves and sales rates will likely change over time and there is the potential for the maintained soft sand landbank requirement to increase or decrease over time. As the landbank will be around 20 years at the start of the plan period (taking account of the Chapel Farm allocation), any increase in depletion rates will be revealed by annual aggregate monitoring well ahead of the landbank decreasing below 7 years. The policy enables the matter to be reassessed well ahead of any identified supply constriction and so it is considered that further allocation of soft sand is not justified at this time. 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.

**5.2.28 Permitted reserves at the end of 2022 were recorded at 5.574mt. The available reserves at commencement of year 2024 are estimated at 5.099mt. The allocation (one site) of 3.2mt of potentially replenishing resource is identified in the Kent Mineral Sites Plan 2020 and is expected to come forward during the Plan period. Should this site be granted planning permission this would provide a total of 8.299mt of reserves over the Plan period, excluding any windfall sites. This results in an estimated shortfall of 2.15mt in the maintained 7-year landbank to the end of 2039.**

**5.2.29 Assuming the Chapel Farm allocation comes forward as expected without any windfall sites, this indicates a 7-year landbank (of 3.325mt) to be maintained until around 2036. The estimate of available reserves and sales rates will likely change over time and there is the potential for the maintained 7-year landbank requirement to increase or decrease over time. At no time over the Plan period will the supply of soft sand be exhausted (based on current sales rolling averages and permitted reserves plus potential reserves from the Chapel Farm allocation). In addition, following the Plan's adoption, there is a subsequent statutory requirement to review the Plan every five years which provides future staged opportunities to assess if further monitored supply requirements justify any allocation of additional sites.**

5.2.30 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, **as part of the same geological deposit**. 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. **This can affect the aggregate monitoring data.**

**5.2.31 In conclusion, based on 2022 aggregate monitoring data, the position for landwon soft sand is as follows:**

- **Soft sand: at least 8.299mt of actual and potential reserves (comprising currently permitted reserves estimated at the commencement of 2024 as 5.099mt plus 3.2mt of resources from the allocated site), and a 7-year landbank of at least 3.325mt. Should the allocated site come forward, this would result in a theoretical shortfall of 2.15mt over the Plan period, though no exhaustion of available reserves during the plan period to 2039 is indicated and no account is taken of windfall sites. In addition, following the Plan's adoption, there is a subsequent statutory requirement to review the Plan every five years which provides future**

**staged opportunities to assess if further monitored supply requirements justify any allocation of additional sites.**

### **Hard (Crushed) Rock**

**5.2.32** The annual position on crushed hard rock in the County is reported in the Council's Local Aggregate Assessment. Between 2013 and 2022 sales of hard (crushed) rock have increased from 722,985mt in 2013 to 1,242,839mt in 2022 (in 2020 they were as high as 1,508,859mt). Local circumstances support the use of an average 6-year sales figure. The average 6 years sales of crushed rock is, as of 2022, 1,240,913 tonnes per annum (1.24mtpa). If demand were at this level for the rest of the Plan period (2024 to 2039 with a 10-year landbank of 12.4mt maintained at the end of the Plan period) the requirement (based on the 6-year sales average) would be 31.0mt. The stock of planning permissions for crushed rock (currently Kentish Ragstone) in Kent at the time of plan preparation is considered to be insufficient based on an average supply of 0.8356mtpa throughout and beyond the end of the plan period and so no additional crushed rock (ragstone) sites are required for the plan period. The Plan expects a 10-year landbank of hard crushed rock to be maintained throughout and at the end of the plan period this equates to a period of 25 years (2023 to the end of 2037 (15 years) + 10 years). This requires 21.425mt of crushed rock supply overall. At the end of 2021 reserves were estimated as 16.10mt and, assuming extraction in 2022 at the 10-year sales average rate, reserves at the start of the Plan period (2023) are forecast to be 15.243mt overall. Therefore, additional crushed rock (ragstone) reserves of at least 6.182mt will, if possible, need to be identified in the Minerals Sites Plan as no crushed rock sites were allocated in the adopted Kent Mineral Sites Plan 2020.

**5.2.33** At the time of plan preparation, Currently the Consented 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 policy covering situations where non-identified land-won mineral sites could be acceptable is included as Policy CSM 4. **Soft sand (Folkestone Formation) is a strategically important aggregate mineral in the South East, using the 10-year sales averages to calculate overall needs for Kent and what it contributes to the supply of the surrounding areas ensures an adequate supply.**

**5.2.34** Permitted reserves at the end of 2022 were recorded at 14.85mt. The available reserves at commencement of year 2024 are estimated at 13.62mt giving an estimated 17.38mt shortfall over the Plan period.

**5.2.35** The identified shortfall may be addressed by the allocation of new hard (crushed) rock potential reserves (in an updated Mineral Sites Plan) sufficient to ensure an adequate and steady supply of this type of aggregate is maintained over the Plan period 2024-2039. Any allocation would need to be acceptable in planning terms and subject to detailed examination.

**5.2.36** Currently the consented reserves of crushed rock are contained within two Kentish Ragstone sites. A policy covering situations where non-identified land-won mineral sites could be acceptable is included as Policy CSM 4.

**5.2.37** In conclusion, based on 2022 aggregate monitoring data, for land-won hard (crushed) rock the position is as follows:

- **Crushed rock: at least 13.62mt of reserves (comprising currently permitted reserves estimated at the commencement of 2024), and a 10-year maintained landbank of at least 12.4mt, giving an estimated 17.38mt shortfall over the Plan period. Subject to detailed assessment, the shortfall is to be addressed by an allocation(s) of new hard (crushed) rock reserves in an updated Mineral Sites Plan sufficient to ensure an adequate and steady supply of this type of aggregate is maintained over the Plan period 2024-2039.**

#### **Overall Provision of Land-won Aggregates**

**5.2.38** The Plan will provide, based on 2021 aggregate monitoring data, for land-won aggregates as follows:

- **Sharp sand and gravel: at least 10.08mt ~~4.323.656mt~~ of reserves (including ~~comprising currently permitted reserves estimated at 2023 as 1.156 mt plus~~ 3.61mt 2.5mt of currently permitted reserves and of resources from allocated sites), and a landbank of at least 5.46 mt ~~1.83 1.596mt~~ as long as resources allow.**
- **Soft sand: at least 10.64 ~~7.056mt 8.969mt~~ of reserves including the at least ~~8.899mt 5.769mt~~ from existing permitted reserves estimated in 2023, in necessary and the resources from the allocation site at Chapel Farm (West), Lenham 3.2mt and a landbank of ~~3.192 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 15.243mt~~ c.50mt of reserves at existing permitted sites ~~estimated at 2023~~, 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 with, if possible, an additional provision of at least 6.182mt mt to be identified as site allocation(s) in a Mineral Sites Plan, will be required over the plan period.~~**

**5.2.39** 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 Minerals Sites Plan is Chapel Farm (Wwest), Lenham.** land-won sharp sand and gravel sites, and soft sand (building sand) sites.

**5.2.40** Criteria that will be taken into account for In selecting and screening the suitability of sites for identification in a the Minerals Sites Plan the criteria as are set out in Policy CSM2 will be taken into account.

## Industrial Minerals

**5.2.41** In seeking to provide a steady and adequate supply of industrial minerals, and following national policy, the County Council will co-operate with other **Mineral Planning Authorities** 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.

**5.2.30** This section deals with how the Plan intends to provide to meet these expectations.

## Brickearth and Clay for Brick and Tile Manufacture

**5.2.31** ~~At the time of plan preparation, Kent only has one operational brickworks near Sittingbourne, which is supplied by brickearth extracted from a sites in the Sittingbourne area to make yellow London stock bricks. National planning policy requires the provision of a stock of permitted reserves of at least 25 years for brick clay<sup>54</sup>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: a site called 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 up to in the 25–30 29 years range.**

**5.2.32** 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

<sup>54</sup> **MHCLG DLUHC** (February 2010 **2023**) National Planning Policy Framework, paragraph **21408**.

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<sup>55</sup>. Therefore, there is no need to identify further reserves of brick clay or colliery shale for brickmaking in the a Mineral Sites Plan.

**5.2.33** 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 **well** beyond this date. **No further reserves are needed to be identified to sustain this operation during the plan period.**

## Silica Sand

**5.2.34** Silica sand (**a form of sand such that it is almost pure quartz, or silicon dioxide**) 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 maneges 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<sup>56</sup>. National policy requires MPAs to plan for a steady and adequate supply of silica sand by 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<sup>57</sup>.

**5.2.35** **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 three** quarries: **Iqtham Quarry**, Wrotham Quarry (Addington Sand Pit) and Nepicar Sand Pit. **In 201420 2022, t**These **quarries had an esitimated** have permitted **total** reserves in the region of 2.4mt **1.86mt 1.58mt**. These quarries are identified in Appendix C and shown in Figure 13: Minerals Key Diagram **and reported in the Annual Monitoring Report**. 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

<sup>55</sup> KCC (May 2011) TRM3: Other Minerals

<sup>56</sup> 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.

<sup>57</sup> DCLG **MHCLG DLUHC** (2021) National Planning Policy Framework, paragraph 2146 **footnote 74**.

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 **unacceptable** 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.

## Chalk

**5.2.36** Chalk is abundant in Kent. It is used for agricultural and construction purposes (primarily as a bulk fill material) across the county<sup>58</sup>. ~~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 0.65751-0.532 million tonnes as of the end of 2020-2022 (these figures are considered broad estimates).** **Based on the current yearly rate of extraction there is a permitted reserve life of approximately only 13 years, compared to an excess of 100 years previously monitored.** ~~However, given that the rate of extraction varies so considerably this may change. However, t~~he rate of extraction **also** varies greatly from year to year. **As the NPPF does not require specific chalk landbanks to be maintained at any particular level and taking account of the massive nature of the deposit in Kent, sites for Chalk extraction are not included in the Mineral Sites Plan.** The indicative Kent landbank of chalk for agricultural and engineering uses is estimated to be around 17.6 years as of 2018<sup>59</sup>.

**5.2.37** While Kent was once a major producer of cement, there are no operational cement works remaining within the county. A cement works and its associated mineral reserves (Medway Works, Holborough) has the benefit of an extant implemented planning permission with the permitted mineral resources that are required to supply the works being sufficient for at least 25 years. Policies CSM5, DM7 and DM8 safeguard the permitted mineral use and, were an application to come forward that proposed another form of use for this site, then these would need to be taken into account.

**5.2.38** Reserves of chalk and rates of demand will be monitored and reported in the **successive** Annual Monitoring Reports and taken into account when any proposals for new sites come forward.

**5.2.37** ~~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.~~ **Proposals for chalk extraction will be assessed against Policy CSM 4: Non-identified Land-won Mineral Sites.**

## Clay for Engineering Purposes

<sup>58</sup> KCC (May 2012) TRM3: Other Minerals.

<sup>59</sup> ~~KCC (2018) Kent's 12th Annual Kent Minerals and Waste Monitoring Report 2017/18.~~

**5.2.39** 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<sup>60</sup>. This equates to a need over the plan period of around 459,000mt. The 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 also be identified as an extraction site for engineering clay. Sites which come forward for the extraction of clay for engineering purposes will be assessed against Policy CSM 4: Non-identified Land-won Mineral Sites for future extraction to maintain such supply.

## Policy CSM2

### Supply of Land-won Minerals in Kent

Mineral working will be granted planning permission at sites identified in the Minerals Sites Plan<sup>61</sup> subject to meeting the requirements set out in the relevant site schedule in the Mineral Sites Plan and the development plan.

#### 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 unallocated sites are brought forward which would be assessed against Policy CSM 4). Demand will instead be increasingly met from other sources, principally a combination of recycled and secondary aggregates, landings of MDA, blended materials and imports of crushed rock through wharves and railheads. The actual proportions will be decided by the market. A landbank of sharp sand and gravel at least equal to the 7-year landbank (as set out in the latest Local Aggregate Assessment) will be maintained throughout the Plan period for as long as reserves and potential resources allow.~~
- 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 Mineral Sites~~

<sup>60</sup> KCC (2012) TRM3 Other Minerals, Table 4B.

<sup>61</sup> 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~~ **is** considered ~~ed~~ that planning applications are likely to be acceptable in principle in planning terms.



**Plan A landbank of soft sand at least equal to the 7-year landbank (as set out in the latest Local Aggregates Assessment) will be maintained throughout the Plan period.**

- **Crushed rock:** Rolling landbanks for the whole of the plan period and beyond of at least 10 years equivalent to at least 20.5mt, all from existing permitted sources. **A landbank of hard crushed rock at least equal to the 10-year landbank (as set out in the latest Local Aggregates Assessment) will be maintained throughout the Plan period.**

Sites will be identified in the Mineral Sites Plan to support supplies of land-won aggregates. **Additional sites required to maintain landbanks of land-won aggregates** at the levels stated above **will be identified if possible in the** Mineral Sites Plan. A rolling average of ten years' sales data and other relevant information will be used to assess 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 permission at Paradise Farm, **Hartlip Sittingbourne**, ~~Hempstead House and Claxfield Road~~ for brickearth **for brick making and** clay for brick and tile making **at 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 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 Report) 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<sup>62</sup>. Proposals will be considered on their own merits, having regard to the policies of the Development Plan as a whole subject to them demonstrating:

- how the mineral resources meet technical specifications required for silica sand (industrial sand) end uses; **and**
- how the mineral resources will be used efficiently so that high-grade sand deposits are reserved for industrial end uses.

<sup>62</sup> 'Plant and equipment' is taken to mean that used in the processing of minerals and its use in industrial and manufacturing processes.

#### 4. Chalk for Agriculture and Engineering Purposes

The stock of existing planning permissions for chalk **is** sufficient to supply Kent's requirements for agricultural and engineering chalk over the plan period, **although monitoring data is showing a wide variation in overall permitted reserves.** 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 permission 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.**

#### 6. 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 **Habitat Regulations Assessment (HRA)** as appropriate;
- their deliverability; **and**
- other relevant national planning policy and guidance

### ~~5.3 Policy CSM 3: Strategic Site for Minerals~~

~~5.3.1 While Kent was once a major producer of cement, there are no operational cement works remaining within the county. Re-establishing cement manufacture in Kent is sufficiently important to the achievement of the Plan's Spatial Vision and Strategic Objectives to warrant the identification of a proposed cement works and its associated mineral reserves as a Strategic Site. Medway Works, Holborough (shown~~

on Figure 17) has the benefit of an extant planning permission with the permitted mineral resources that are required to supply the works being sufficient for at least 25 years. However, there are likely to be significant changes needed to the approved layout and design to reflect modern requirements that would require a fresh planning application being approved prior to the development of the site. In view of the potential job opportunities and level of investment required to construct a new cement works, this site is considered sufficiently important to designate it as the only Strategic Site for minerals. Policy CSM 3 addresses the planning issues of this Strategic Site's potential for significant investment for long term cement manufacture while maintaining a sensitive protection of the environment, with particular regard to the Kent Downs AONB landscape designation.

## **Policy CSM 3**

### **Strategic Site for Minerals**

The site of the proposed Medway Cement Works, Holborough and its permitted mineral reserves are together identified as the Strategic Site for Minerals in Kent. The site location is shown on Figure 17.

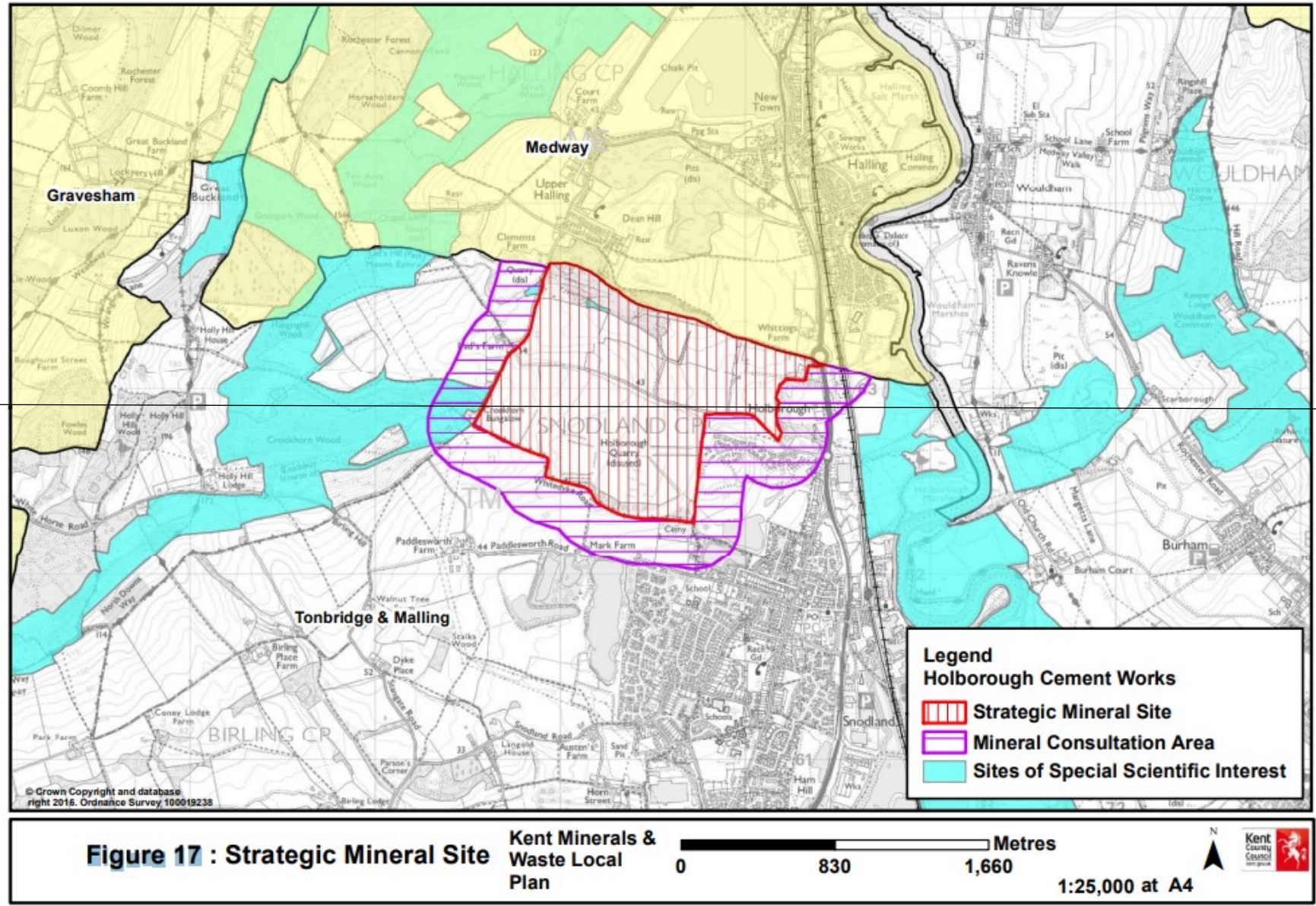
Planning permission will not be granted for any development other than chalk extraction for cement manufacture, cement manufacture and restoration of the resulting void.

Mineral working and processing at the Strategic Site for Minerals will be permitted subject to meeting the requirements of the development plan and the following criteria:

- an assessment of the impact of mineral working upon views from the Kent Downs Area of Outstanding Natural Beauty, with suitable sufficient landscaping mitigation measures to minimise the impacts upon views, protect the amenity of nearby residents and enhance and restore the landscape character
- the development not generating more traffic movements than can be accommodated without any unacceptable adverse impacts upon the local highway network
- the site and any associated land being restored to a high quality standard and where appropriate after-use that supports and enhances the long term local landscape character

This allocation is proposed to be deleted

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## 5.4 Policy CSM 4: Non-identified Land-won Mineral Sites

~~5.4.1 Policy CSM 3: Strategic Site for Minerals, together with the other Plan policies and the sites identified in the Mineral Sites Plan, will help~~ provide the framework that seeks to enable a stock of planning permissions for aggregates, chalk, brickearth, clay, silica sand and minerals for cement manufacture to be maintained at the required levels throughout the plan period.

~~5.4.2 The Allocated sites identified in the Minerals Sites Plan will have been~~ **are** subject to a detailed assessment that ~~will seeks~~ to balance demand for the mineral and any other benefits against potential adverse impacts, with a view to securing a steady and adequate supply of aggregates and industrial minerals, having regard to national planning policy and the objectives and policies of this plan, including sustainability objectives. The presumption is that provision will be made by means of the allocated sites coming forward and providing the mineral required at the appropriate time. Planning applications for minerals development on non-allocated sites (other than with respect to silica sand, **which is provided for under Policy CSM2** where no allocations are proposed to be made) will be considered having regard to the relevant objectives and policies of the development plan as a whole, in particular the need to plan for a steady and adequate supply of mineral.

**5.4.3** Where a proposal for minerals development on a non-allocated site fails to comply with the development plan or is otherwise shown to cause harm to its objectives, planning permission will be granted only if sustainable benefits are clearly demonstrated that are sufficient to outweigh the harm identified. Examples of criteria that may justify permission being granted include:

- the possibility of prior extraction of an economic mineral ahead of other development taking place within the safeguarded mineral resource<sup>63</sup>
- the possibility of borrow pit developments that can supply materials in a sustainable manner to major infrastructure developments including road, rail and ports
- locations of consented reserves and any alternative supply options<sup>64</sup> being remote from main market areas necessitating unduly long road journeys from the source to the market
- the nature and qualities of the mineral such as suitability for particular use
- known constraints on the availability of consented reserves that might limit output over the plan period
- the extent to which permitted reserves are within inactive sites that are unlikely to ever be worked
- the assurance that large landbanks bound up in very few sites do not stifle competition
- sites in the Minerals Sites Plan not coming forward as anticipated.

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<sup>63</sup> Safeguarding of mineral resources is dealt with by Policies CSM 5, DM 7 and DM 8 and prior extraction principally by Policy DM 9.

<sup>64</sup> Alternative supply options include secondary or recycled materials and imports through wharves and rail depots.

## Policy CSM 4

### Non-identified Land-won Mineral Sites

With the exception of proposals **on land allocated in the Mineral Sites Plan and** for the extraction of silica sand provided for under Policy CSM 2, proposals for mineral extraction ~~other than the Strategic Site for Minerals~~ and **additional** sites identified **assessed for allocation** in the Minerals Sites Plan will be considered having regard to the policies of the development plan as a whole and in the context of the Vision and Objectives of this Plan, in particular the objective to plan for a steady and adequate supply of aggregates and industrial minerals. Where harm to the strategy of the development plan is shown, permission will be granted only where it has been demonstrated that there are overriding benefits that justify extraction at the exception site.

## 5.5 Policy CSM 5: Land-won Mineral Safeguarding

**5.5.1** Protecting mineral resources from unnecessary sterilisation is a very important part of minerals planning policy, it is central to supporting sustainable development. Minerals are a finite natural resource which need to be used prudently. The purpose of safeguarding minerals is to ensure that sufficient economic minerals are available for future generations to use. The viability of extracting resources may change over time and is likely to increase as resources become more scarce. Mineral transportation infrastructure is also important because, as described in section 5.2, imported minerals make a major contribution to the County's requirements and production facilities convert materials into useable products. Such transportation infrastructure also allows for the export of minerals from Kent to other areas. The British Geological Society (BGS) Mineral Resource maps provide the best available geological data on the extent of mineral resources in Kent and so have been used as the starting point for safeguarding mineral resources in Kent.

**5.5.2** Policy CSM 5 describes how land-won minerals will be safeguarded and Policies CSM 6 and CSM 7 describe how mineral infrastructure will be safeguarded. Policy DM 7 describes the circumstances in which non-mineral developments that are incompatible with safeguarding a resource ~~or a safeguarded wharf or rail depot~~ would be acceptable. Policies CSM 4 and DM 9 set out how applications for prior extraction of safeguarded mineral resources, that would otherwise be sterilised by non-minerals development, would be considered. Policy DM 8 describes the circumstances in which non-mineral developments that might be incompatible with safeguarding minerals **(such as wharfs and rail depots)** and/or waste infrastructure would be acceptable.

**5.5.3** Land-won mineral safeguarding is carried out through the designation of Mineral Safeguarding Areas (MSAs) and Mineral Consultation Areas (MCAs). Further explanation is provided below.

**5.5.4** MSAs cover areas of known mineral resources that are, or may in future be, of sufficient value to warrant protection for future generations. MSAs ensure that such resources are adequately and effectively considered in land-use planning decisions so that they are not needlessly sterilised. The level of information used to indicate the existence of a mineral resource can vary from geological mapping to more in-depth geological investigations. Defining MSAs carries no presumption for extraction and there is no presumption that any areas within MSAs will ultimately be acceptable for mineral extraction.

**5.5.5** National policy expects all MPAs, both unitary and two-tier authorities, to include policies and proposals in their local plans to safeguard mineral resources and to set out their extent on maps of MSAs. In two-tier authority areas, such as Kent, MSAs should be included on the Policies Maps of the Development Plan maintained by the District and Borough Councils. This is intended to alert prospective promoters of development and the local planning authority, to the existence of mineral resources and shows where local mineral safeguarding policies may apply.

**5.5.6** Geological mapping is indicative of the existence of a mineral resource. It is possible that the mineral has already been extracted and/or that some areas may not contain any of mineral resource being safeguarded. Nevertheless, the onus will be on promoters of non-mineral development to demonstrate satisfactorily<sup>65</sup> at the time that the development is promoted that the indicated mineral resource does not actually exist in the location being promoted, or extraction would not be viable or practicable under the particular circumstances.

**5.5.7** The MCA designation is intended to ensure that consultation takes place between county and district/borough planning authorities when mineral interests might be compromised by non-minerals development, especially in close proximity to a known mineral resource. The designation of MCAs is not obligatory, but consultation on development within an MCA is. The MCAs within Kent cover the same areas as the MSAs, ~~other than that around the safeguarded mineral reserves at Holborough Works as shown in Figure 17.~~

**5.5.8** Where an application is made for non-mineral development within a MSA identified in this Plan, then the determining authority will consult the MPA for its views on the application and take them into account in its determination. For non-minerals development determined by the County Council e.g. schools and waste management, the safeguarding policies will equally apply.

**5.5.9** Economic land-won minerals that are identified for safeguarding in Kent are sharp sand and gravel, soft sand, silica sand, crushed rock, building stone and brickearth. ~~As e~~Chalk and clay (other than brickearth) are abundant across the county, **and so thesey resources** are not being safeguarded. The mineral resource areas identified for safeguarding are shown in the MSAs in Chapter 9: Adopted Policies Maps. The MSAs are based on mapping of the mineral resource prepared

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<sup>65</sup> Non-minerals development will mainly be promoted through planning applications or through proposed allocations in Local Plans. Advice will be provided by Kent County Council (as the Minerals Planning Authority).

by the BGS. Current guidance advises that mineral safeguarding should not be curtailed by any other planning designation, such as environmental designations without sound justification. The mineral resources within the Plan area are extensive and whilst they continue beneath urban areas they are already sterilised by non-mineral development with very little prospect of future working. Therefore in order for the safeguarding to be practical such areas have been excluded from the MSAs.

**5.5.10** The surface working area of the proposed East Kent Limestone Mine is not identified for safeguarding. This is because there has been no advancement in the mine's development since the identification of this resource as a possible area of mining in the 1993 Minerals Subject Plan<sup>66</sup>. There is no certainty where the built footprint for the surface aggregate processing facility is likely to be situated (if it is ever developed) and planning policies should avoid the long-term protection of sites identified for employment use where there is no reasonable prospect of a site being used for that purpose. Any proposals for prospecting the Carboniferous Limestone deposit will be considered under Policy CSM 11<sup>67</sup>.

**5.5.11** Coal, oil, and deep pennant sandstone resources are also not being safeguarded, as they are located at considerable depth underground and may potentially form extensive resources. The safeguarding of these deep underground minerals would dilute the focus of safeguarding mineral resources, access to which is more likely to be lost to built development.

**5.5.12** ~~Following the adoption of this Plan, the MSAs will be reviewed and updated as necessary. Further reviews of the MSAs will take place at least every five years. Matters to be taken into account in these reviews are will be set out in a Supplementary Planning Document on minerals safeguarding to be prepared following adoption of this Plan.~~ Such matters will include the following:

- Previously worked land (provided the mineral resource is exhausted)
- Transport infrastructure
- Land within urban areas
- Proposed urban extensions and site allocations for non-minerals uses in adopted local plans
- The importance of minerals resources
- The accessibility of the minerals resource i.e. whether it can be practicably and viably worked

**5.5.13** At the same time, the need to safeguard sites hosting specific infrastructure (transportation and production) will also be reviewed.

**5.5.14** The process of allocating land for non-minerals uses in local plans will take into account the need to safeguard minerals resources and mineral infrastructure. The allocation of land within an MSA will only take place after consideration of the factors that would be considered if a non-minerals development were to be proposed

<sup>66</sup> KCC (1993) Mineral Subject Plan Construction Aggregates.

<sup>67</sup> ~~DCLG (March 2012)~~ **MHCLG (2021) DLUHC (2023)** National Planning Policy Framework, para. 122.



in that location, or in proximity to it, as set out in Policies DM 7, DM 8, CSM 5 and CSM 6. The Minerals Planning Authority will support the District and Borough Councils in this process.

## Policy CSM 5

### Land-won Mineral Safeguarding

Economic mineral resources are safeguarded from being unnecessarily sterilised by other development by the identification of:

- Mineral Safeguarding Areas for the areas of brickearth, sharp sand and gravel, soft sand (including silica sand), ragstone and building stone as defined on the Mineral Safeguarding Area Policies Maps in Chapter 9
- Mineral Consultation Areas which cover the same area as the Minerals Safeguarding Areas, ~~and a separate area adjacent to the Strategic Site for Minerals at Medway Works, Holborough as shown in Figure 17~~
- Sites for mineral working within the plan period **are** identified in ~~Appendix G~~ **the Annual Monitoring Report** and in the Mineral Sites Plan.

## 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, **given their very probable irreplaceability**, 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.

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.

## Policy CSM 6

### Safeguarded Wharves and Rail Depots

Planning permission will not be granted for non-minerals development that may unacceptably adversely affect the operation of existing<sup>68</sup> planned or potential sites, such that their capacity or viability for minerals transportation purposes may be compromised.

The following sites, and the **any** allocated sites **for wharves and rail depots** included in the Minerals Sites Plan, are safeguarded:

1. Allington Rail Sidings
2. Sevington Rail Depot
3. Hothfield Work
4. East Peckham
5. Ridham Dock (both operational sites)
6. Johnson's Wharf, Greenhithe
7. Robins Wharf, Northfleet (both operational sites)
8. Clubbs Marine Terminal, Gravesend
9. East Quay, Whitstable
10. Red Lion Wharf, Gravesend
11. Ramsgate Port
12. Wharf 42, Northfleet (including Northfleet Cement Wharf)
13. Dunkirk Jetty (Dover Western Docks)
14. Sheerness
15. Northfleet Wharf
16. Old Sun Wharf, Gravesend

Their locations are shown in Figure 13: Minerals Key Diagram in Chapter 2 and their site boundaries are shown in chapter 9: Adopted Policies Maps.

The Local Planning Authorities will consult the Minerals Planning Authority and take account of its views before making a planning decision (in terms of both a planning application and an allocation in a local plan) for non-mineral related development (other than that of the type listed in policy DM 8 (clause 1)) on all development proposed at, or within 250m of, safeguarded minerals transportation facilities.

## 5.7 Policy CSM 7: Safeguarding Other Mineral Plant Infrastructure

**5.7.1** National policy requires other types of mineral infrastructure to be safeguarded. This includes existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate materials.

**5.7.2** As there are many sites within the county, with considerable numbers being located on industrial estates identified in local plans for general industrial and

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<sup>68</sup> Existing sites are taken as sites that have permanent planning permission for minerals transportation purposes.

commercial uses, a generic (non-site specific) policy for safeguarding these facilities and their ongoing, overall capacities is necessary. Policy CSM 7 addresses the need to safeguard mineral production infrastructure, while being flexible to the needs of the industry by enabling the loss of capacity (potentially required for the industry to remain competitive and viable) provided there is replacement capacity available elsewhere of a type that is at least equal to that provided by the original facility. Policy DM 8 identifies situations where development at, or in proximity to safeguarded mineral plant infrastructure would be acceptable.

## Policy CSM 7

### Safeguarding Other Mineral Plant Infrastructure

Facilities for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material in Kent are safeguarded for their on-going use.

**W**here these facilities are situated within a host quarry, wharf or rail depot facility, they are safeguarded for the life of the host site.

Where other development is proposed at, or within 250m of, safeguarded minerals plant infrastructure, Local Planning Authorities will consult the Minerals Planning Authority and take account of its views before making a planning decision (in terms of both a planning application and an allocation in a local plan).

## 5.8 Policy CSM 8: Secondary and Recycled Aggregates

**5.8.1** The use of secondary and recycled aggregates is generally more sustainable than extracting primary land-won aggregates. It is for this reason that national policy expects MPAs to **so far as practicable**, take account of the contribution that secondary and recycled materials would make, before considering extraction of primary materials **so far as practicable**. As considered in Section 5.2, the replacement of primary aggregates with secondary and recycled **supplies** materials is becoming increasingly important as indigenous land-won primary supplies diminish. The County Council is therefore keen to see the quantities of secondary and recycled aggregates being produced within Kent increase.

**5.8.2** **In 2016** ~~t~~The consented secondary and recycled aggregates processing capacity within Kent ~~currently exceeds~~ **exceeds** 2.7mtpa, 0.63 mtpa of which ~~was~~ **was** 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 ~~were~~ **are** 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 **will are expected to** increase **if** ~~as~~ more Energy from Waste capacity is developed during the plan period in line with Policy CSW 8: Recovery Facilities for Non-hazardous Waste.

**5.8.3** Policy CSM 8 sets out criteria to be used in the consideration of additional secondary and recycled aggregate production capacity. Where permanent consent is being sought, to avoid adverse amenity impacts, the presumption will be that processing activities will be contained within a covered building or similar structure. While sites **with permanent** consent will be safeguarded under Policy CSM 7, to compensate for the loss of capacity located on temporary sites, sites **will may** 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 of secondary and recycled aggregates, throughout the Plan period.

## Policy CSM 8

### Secondary and Recycled Aggregates

~~Sites will be identified in the Minerals Sites Plan to ensure processing capacity will be~~ maintained to allow the production of at least 2.7 million tonnes per annum **or the productive capacity value in the latest Local Aggregate Assessment (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 **type of** site that meets the requirements cited in the second paragraph of this policy above.

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.

## 5.9 Policy CSM 9: Building Stone in Kent

**5.9.1** Only two ragstone quarries have consented reserves at the time of the preparation of this Plan: Hermitage Quarry and Blaise Farm in mid Kent. Although building stone has been produced from both quarries, only Hermitage Quarry has the ability to produce high-quality cut stone from the full sequence of ragstone beds in the Hythe Formation, and it continues to provide building stone for building conservation uses. However, in the past, small-scale quarries have provided locally distinctive stone including Paludina Limestone (found near Bethersden), Tunbridge Wells Sandstone and flint (from chalk strata). Calcareous tufa found in small outcrops near Ditton has also been used in a few buildings, including Leeds Castle in Kent. These have been popular building materials and supplies may be needed in the future to maintain and restore the buildings that use them.

**5.9.2** **Small-scale Quarries** for building stone can play an important part in providing historically authentic building materials in the conservation and repair of historic and cultural buildings and structures. Policy CSM 9 addresses the potential need for granting planning permission for small-scale, local restoration building stone quarrying in Kent.

### Policy CSM 9

#### Building Stone in Kent

Planning permission will be granted for ~~small-scale~~ proposals<sup>69</sup> 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.~~

<sup>69</sup> ~~A small-scale building stone extraction site is one that produces predominantly building stone for conservation and restoration of old buildings or for new build purposes in areas where the stone provides historically authentic materials in keeping with the local built environment. Operations are likely to be intermittent and volumes produced are low.~~

## 5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons

~~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.~~

**5.10.21** All hydrocarbons are owned by the State, in the form of the Oil and Gas Authority, the Coal Authority and the Department **for Business, Energy and Industrial Strategy** ~~of Energy and Climate Change~~. Companies who wish to exploit these minerals are invited to bid for licences by the Government. A conditional underground licence does not give an operator the power to exploit underground resources and is conditional upon planning permission (and other rights) being granted too.

**5.10.32** Where possible reserves have been identified there is a need to establish, through exploratory drilling, whether or not there are sufficient recoverable quantities of unconventional hydrocarbons present to facilitate economically viable full scale production. There are three phases of onshore hydrocarbon extraction: exploration, testing (appraisal) and production.

**5.10.43** In the case of appraisal wells, decisions will not take account of hypothetical future activities, since the further appraisal and production phases will be the subject of separate planning applications and assessments. When determining applications for subsequent phases, the fact that exploratory drilling has taken place on a particular site is only likely to be material in determining the suitability of continuing to use that site insofar as it establishes the presence of hydrocarbon resources. There is no presumption that because permission is granted for one phase, then permission will be granted for a subsequent one, i.e. permission granted for exploration should not be assumed to lead to permission for appraisal, nor for appraisal to production. Each application will be considered on its merits. Proposals associated with exploration, appraisal and production might reasonably include underground gas storage and associated infrastructure, for which encouragement is sought in the NPPF.

**5.10.54** The Mineral Planning Authority (**MPA**) is one of four key regulators for hydrocarbon extraction. Its role is to provide clear guidance and criteria for the local assessment of hydrocarbon extraction within Petroleum Licence Areas and to grant planning permission for the location of any wells and wellpads and impose conditions to ensure that the impact on the use of land is acceptable. There are clear roles and responsibilities for each of the regulators and an expectation that the Mineral Planning Authority should assume non-planning regimes will operate effectively and should not ordinarily need to carry out its own assessments where it can rely on the assessments of other regulatory bodies. However, before granting planning permission the MPA will need to be satisfied that these issues can or will be adequately addressed by taking and considering advice from the relevant regulatory body relating to the specific risks/concerns posed by particular proposals. For example in the case of proposals involving hydraulic fracturing mitigation of seismic risks; well design and construction; well integrity during operation; operation

of surface equipment on the well pad; mining waste; chemical content of hydraulic fracturing fluid flaring or venting; final off-site disposal of water and well decommissioning/abandonment.

**5.10.65** Where it is intended to utilise new or existing infrastructure, the MPA will need to be satisfied that any associated environmental and amenity impacts are mitigated to ensure that there is no unacceptable adverse impact on the local environment or communities.

## Resources and Potential

### Oil

**5.10.76** Kent is part of the Southern Permian Basin Area, an area of potential for oil resource that stretches across northern Europe from Dorset to Yorkshire in the west, across northern France, Belgium, Holland, Denmark, Germany and Poland. On-going exploration has established a series of oil and gas fields across the Basin Area. Notable commercial discoveries in the English sector of this basin, associated with the Weald and south coast, are Wytch Farm (Dorset) which is the largest onshore oil field in western Europe, Alvington (Hampshire), Storrington (West Sussex) and Palmers Wood (Surrey). The Department of Energy and Climate Change (DECC) **Business, Energy and Industrial Strategy (BEIS)** issues Petroleum Exploration and Development Licenses (PEDLs). In the past, parts of west and east Kent have been included. These licensing areas are subject to periodic revision by ~~DECC~~**BEIS**.

**5.10.87** A planning permission was granted in 2012 for exploratory drilling and subsequent oil and gas field testing at Bidborough in West Kent. **This permission has not been implemented and has now lapsed.** ~~In 201522 the planning permission had not been implemented.~~ Exploratory drilling has also taken place in Cowden near Tunbridge Wells from August 1999 (planning permission SE/98/234). Subsequent extensions were granted to complete planned testing operations on the capped well at Cowden to establish the extent of productive capacity of the oil field, the last of which expired in 2012 (SE/11/1396).

### Gas

**5.10.98** Minor reserves of natural gas have been exploited in the past in East Sussex; however only two resources have been detected following exploration undertaken more recently as a result of licences issued.

## Unconventional hydrocarbons

**5.10.109** Unconventional hydrocarbons refers to oil and gas which comes from sources such as shale or coal seams which act as the reservoirs. Shale gas, shale oil and coal bed methane are often referred to as unconventional hydrocarbons as they are extracted using technologies that enable s oil and gas locked into rock formations that were previously considered to be unsuitable or uneconomic to be exploited.

**5.10.140** Coal Bed Methane is methane that is trapped within the pore spaces of coal in coal seams, such as the East Kent Field. In coal, methane is held in an almost liquid state within the porous elements so that if pressure is reduced by human intervention such as mining or drilling into a coal seam, the gas is liberated. As the gas is combustible it is a potential resource. The East Kent Coalfield covers an area of 157,900 hectares beneath the Kent landmass. It was exploited for its coal reserves between 1912 and 1989. ~~Underground licence applications to investigate the East Kent Coalfield are being processed by the Coal Authority at the time of writing this Plan.~~ There is currently no information available on the potential of coal bed methane resources in Kent. However, interest has been shown in Kent and permission was granted to drill an exploratory borehole to test the in situ coals, Lower Limestone Shales and associated strata in 2011 at Woodnesborough, in East Kent. **This permission was not implemented and has now lapsed.** During the preparation of the Plan, ~~A~~ a further three planning applications for test drilling in East Kent were received by Kent CC **in 2013** but were subsequently withdrawn.

**5.10.121** Underground coal gasification is a technique that gasifies coal underground and then brings the resultant gas to the surface for subsequent use in heating or power generation. It requires precision drilling of two boreholes: one to supply oxygen and water/steam and the other to bring the resulting gas back to the surface. Currently there are no commercial scale underground coal gasification processes present in the UK.

**5.10.132** Hydraulic fracturing (often called fracking) is a technique used to extract gas or oil from shale rock strata whereby water (and additives) is pumped under pressure into productive shale rocks via a drilled bore to open up pore spaces releasing the gas or oil for pumping to the surface for use<sup>70</sup>.

**5.10.143** The BGS completed a resource study for the Weald Basin, which includes part of Kent. The study concluded that with the current level of geological data and information there is no significant shale gas potential within the Weald Basin. There is however potentially a significant volume of unconventional shale oil. The study estimates that the oil in place (OIP) across the whole Weald Basin, which is the resource estimate, ranges from 2.2 to 8.6 billion barrels (billion bbl). There is currently insufficient information and data to estimate how much of that oil resource is economically and technically viable to extract; further exploratory drilling, sampling and socio-economic and environmental studies would be required.

**5.10.154** Section 50 of the Infrastructure Act 2015 inserts section 4A of the Petroleum Act 1998, which sets out a number of safeguards for developments involving onshore hydraulic fracturing. This includes no hydraulic fracturing within protected groundwater source areas and within "other protected areas". "Other protected areas" are defined in the secondary legislation, Onshore Hydraulic Fracturing (Protected Areas) Regulations 2016. Section 3 of these Regulations define "other protected areas" in the following manner, as areas of land at a depth of less than 1,200 metres beneath a National Park, the Broads, Areas of Outstanding

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<sup>70</sup> Information on unconventional hydrocarbon extraction is available in the Planning Practice Guidance website at: <http://planningguidance.planningportal.gov.uk/blog/guidance/minerals/planning-for-hydrocarbon-extraction/annex-a-shale-gas-and-coalbed-methane-coal-seam-gas>



Natural Beauty or a World Heritage site. Decisions on planning applications will be made in accordance with the Infrastructure Act and the associated secondary legislation.

**5.10.165** The Act also places a duty on the Mineral Planning Authority to take account, where relevant, of the cumulative effects of an application for onshore hydraulic fracturing, and any other applications relating to exploitation of onshore oil and gas obtainable by hydraulic fracturing. It is important to examine how differences in context such as geological and environmental characteristics might lead to differing levels of risk, for example this may include consideration of the depth of shale exploration and mitigation measures such as restricting water use to wetter seasons or requiring recirculation. Each application will be considered on its merits.

**5.10.176** Provision has also been made in the Infrastructure Act (in section 49) for the Secretary of State to request the Committee on Climate Change to provide advice (in accordance with section 38 of the Climate Change Act 2008) on the impact which combustion of, and fugitive emissions from, petroleum produced through onshore activity, is likely to have. The way in which minerals produced in Kent are subsequently used is not within the control of the Plan. However, the Council will review any such advice to consider whether it raises any consideration that needs to be taken into account in determining an application for planning permission relating to hydraulic fracturing and whether any review of policy CSM 10 is required. Any such reviews will take into account any relevant national planning policy and guidance.

**5.10.187** There are several issues associated with the extraction of oil and gas and unconventional hydrocarbons which need careful attention at the planning application stage. The nature and significance of these issues will vary between the technology utilised and the phases of exploration, testing (appraisal) and production. These issues are set out below, together with the development management policies which ensure they are adequately addressed:

- The discharge of artesian groundwater to the surface (Policy DM 10)
- Impact on ground and surface waters (both quantity and quality) (Policy DM 10)
- Visual and amenity (e.g. noise, lighting, PROW) impacts of surface operations (including those resulting from 24 hour operations) (Policies DM 2, DM 11, DM 12, DM 14)
- Impacts of vehicles transporting staff and materials to and from the drill site (Policy DM 13)
- Impacts on biodiversity (Policy DM 3)
- Stability of land (Policy DM 18)
- Restoration of the surface operations following their cessation (Policy DM 19)
- Cumulative effects (Policy DM 12)

**5.10.198** Policy CSM 10 sets out the matters that need to be taken into account when considering proposals for the exploration, appraisal and development of oil, gas and unconventional hydrocarbons.

## Policy CSM 10

### Oil, Gas and Unconventional Hydrocarbons

Planning permission will be granted for proposals associated with the exploration, appraisal and production of oil, gas and unconventional hydrocarbons subject to:

1. well sites and associated facilities being sited, so far as is practicable, to minimise impacts on the environment and communities
2. developments being located outside Protected Groundwater Source Areas<sup>71</sup>
3. there being no unacceptable adverse impacts (in terms of quantity and quality) upon sensitive water receptors including groundwater, water bodies and wetland habitats
4. all other environmental and amenity impacts being mitigated to ensure that there is no unacceptable adverse impact on the local environment or communities
5. exploration and appraisal operations being for an agreed, temporary length of time
6. the drilling site and any associated land being restored to a high-quality standard and appropriate after-use that reflects the local landscape character at the earliest practicable opportunity
7. it being demonstrated that greenhouse gases associated with fugitive emissions from the exploration, testing and production activities will not lead to unacceptable adverse environmental impacts

Particular consideration will be given to the location of hydrocarbon development involving hydraulic fracturing having regard to impacts on water resources, seismicity, local air quality, landscape, noise and lighting impacts. Such development will not be supported within protected groundwater source protection zones or where it might adversely affect or be affected by flood risk or within Air Quality Management Areas or protected areas for the purposes of the Infrastructure Act 2015, section 50.

### 5.11 Policy CSM 11: Prospecting for Carboniferous Limestone

5.11.1 While the East Kent Limestone mine has not been progressed since it was included in the *Kent Minerals Local Plan Construction Aggregates Written Statement (1993)*<sup>72</sup> as a possible area of mining, it is still considered to be a possible long-term source of construction aggregates in Kent. The location of the underground limestone resource is in the vicinity of calcareous grassland which is an important habitat, being registered with both the national and Kent BAPs and as a Habitat of Principal Importance under the NERC Act 2006. There are also ~~Natura 2000~~ **Habitat**

<sup>71</sup> Advice will be sought from the Environment Agency.

<sup>72</sup> KCC (1993) Kent Minerals Local Plan Construction Aggregates Written Statement.

sites, SSSIs and LWSs throughout the area. If prospecting is proposed in the plan period, it will have to be undertaken sensitively with sufficient controls to avoid any impacts upon sensitive receptors.

**5.11.2 As any application ~~would~~ ~~may~~ 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.**

## **Policy CSM 11**

### **Prospecting for Carboniferous Limestone**

Planning permission will be granted at suitable locations for the drilling operations associated with the prospecting for underground limestone resources in East Kent subject to: ~~4~~ exploration and appraisal operations are being for an agreed, temporary length of time.

## **5.12 Policy CSM 12: Sustainable Transport of Minerals**

**5.12.1** ~~Whilst~~ 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,** 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.

## **Policy CSM 12**

### **Sustainable Transport of Minerals**

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 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<sup>73</sup> across Kent; and
2. The proposals are compatible with other local employment and regeneration policies set out in the development plan.

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<sup>73</sup> These are made up of Motorways and Trunk Roads, County Primary Routes and County Principal Routes. County Primary Routes link major urban centres, including the A228/A26 between Medway and Tonbridge, the A229 between Medway and East Sussex, the A299 between Faversham and Thanet, the A28 between Thanet and East Sussex, the A256 between Dover and Thanet, the A26 between Tonbridge and Tunbridge Wells and the A25 between Wrotham and Sevenoaks. County Principal routes are generally A class roads with relatively high traffic flows, including the A225 between Sevenoaks and Dartford and the A251 between Faversham and Ashford. These are shown on Figure 2.

## 6. Delivery Strategy for Waste

**6.0.1** The following policies give the delivery strategy for waste management development in Kent over the plan period~~up to the end of 2030~~.

### 6.1 Policy CSW 1: Sustainable Development

□ As stated in paragraph 5.1.1, the purpose of the planning system is to contribute to the achievement of sustainable development<sup>74</sup> At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF requires that policies in local plans should follow the approach of this presumption. The Kent MWLP is therefore based on the principle of sustainable development. This is demonstrated in the Spatial Vision, the Strategic Objectives and the policies that seek sustainable solutions.

**6.1.2** Planning law requires planning decisions to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that it does not change the statutory status of the development plan as the starting point for decision making. Policy CSW 1 ensures the presumption in favour of sustainable development is taken into account in KCC's approach to waste development.

### Policy CSW 1

#### Sustainable Development

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 benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or~~

~~2. specific policies in that Framework<sup>75</sup> indicate that development should be restricted.~~

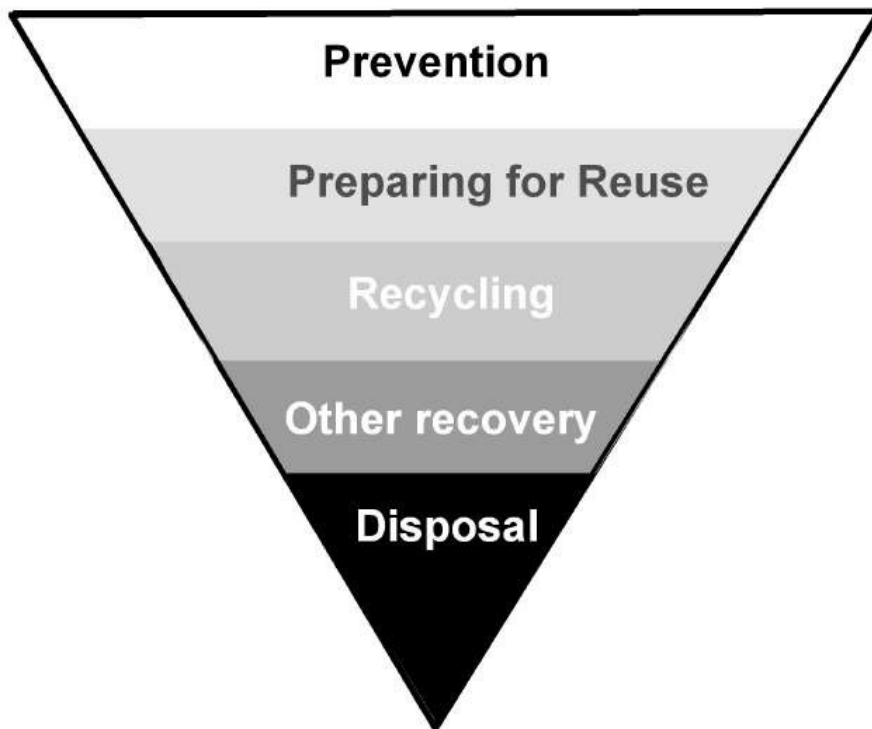
<sup>74</sup> ~~MHCLG (2021) DLUHC (2023)~~ National Planning Policy Framework: **Chapter 2** Ministerial Foreword.

<sup>75</sup> ~~For example, those policies relating to land within an Area of Outstanding Natural Beauty, Green Belt, sites protected under the Birds and Habitats Directives and/or as Sites of Special Scientific Interest, designated heritage assets, and locations at risk of flooding.~~

## 6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction

6.2.1 It is Government policy to break the link between economic growth and the environmental impact of waste by moving the management of waste up the Waste Hierarchy, as shown in Figure 18<sup>76</sup>.

Figure 18 Waste Hierarchy



6.2.2 The Government has also introduced legal requirements to drive waste up the hierarchy including the following:

- plans must be in place detailing measures to ensure 65 per cent of municipal waste, including household waste and household like waste from commercial and industrial sources, is recycled by 2035<sup>77</sup>
- the volume of residual waste per person which is not reused or recycled must be halved by 2042 from 2019 levels<sup>78</sup>
- by 2050, avoidable waste must be eliminated by recycling or reusing any waste which possibly can be reused or recycled<sup>79</sup>.

6.2.23 The Kent MWLP mainly implements this policy through influence over waste and minerals developments. However, the Plan also includes a policy (Policy CSW 3) seeking to influence/reduce waste arising from all forms of development. The Kent

<sup>76</sup> The Waste Hierarchy diagram is a copy of the version in Appendix A of [DCLG DLUHC National Planning Policy for Waste](#).

<sup>77</sup> [HM Government \(2020\), The Waste \(Circular Economy\) \(Amendment\) Regulations 2020](#)

<sup>78</sup> [Environment Act 2021](#)

<sup>79</sup> [Department for Environment, Food and Rural Affairs \(2023\), Environmental Improvement Plan 2023](#)

MWLP forms part of the development plan, along with the district local plans, and is therefore relevant to the determination of planning applications for all forms of development in Kent.

6.2.34 In accordance with the Waste Hierarchy, the Plan gives priority to planning for waste management developments that prepare waste for re-use or recycling. The most recent assessment of waste management capacity requirements<sup>(76)</sup> shows that, **overall**, Kent's current recycling and processing facilities have **sufficient adequate** capacity for the anticipated rate of usage with the exception of facilities for green and kitchen wastes. It should be appreciated that ~~these~~ **these** calculations are based upon a rate of use that should only be regarded as a minimum, as the aspiration is to encourage more of the waste that is produced in Kent to be managed by methods at this tier of the hierarchy. **Local needs may arise to enhance waste logistics on a case by case basis.**

6.2.45 Encouraging more waste to be managed via re-use or recycling will be achieved by enabling policies for the development of additional waste management capacity for recycling and processing **for reuse** including a policy presumption to grant planning permission for redevelopment or extensions to lawful existing waste management facilities to enable more waste to be recycled or processed for re-use providing the proposal is in accordance with the locational and development management policies in the Plan.

6.2.56 The application of the Waste Hierarchy is a legal requirement under the Waste (England and Wales) Regulations 2011. ~~It is anticipated that there will be a~~ **The** transition over time to forms of waste management at the higher end of the Waste Hierarchy **is ongoing and** ~~the Kent MWLP addresses this transition by~~ **seeking to rapidly provide encouraging** a more sustainable option for the mixed non-hazardous waste that is going to landfill by applying ambitious but achievable landfill diversion targets presented in Policy CSW 4. **Ambitious targets for recycling have also been applied.**

## Policy CSW 2

### Waste Hierarchy

~~To deliver sustainable waste management solutions for Kent, P~~ **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 life cycle assessment (LCA) demonstrates otherwise.** ~~whenever possible.~~

**6.2.7 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 carbon savings that occur during the operational phase of the new buildings. This is because of the embodied energy associated with the manufacture of 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.

6.2.8 Proposals for major development should be submitted with a Circular Economy Statement that demonstrates how the above matters have been taken into account. This will include a waste management audit setting out how waste is to be managed during construction (including any demolition and refurbishment) and during the occupation and use of the development. Guidance on the content of Circular Economy Statements will be prepared but in the meantime, developers should refer to related guidance published by the Greater London Authority in 2022.

6.2.9 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) will be sought to assist with the provision of related infrastructure.

6.2.10 As Policy CSW3 applies to all forms of development (not just minerals and waste), it should be read alongside other policies in the Development Plan which may require consideration of waste and resource use.

6.2.11 The Environment Act 2021 requires the 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. This will require business premises to be designed with sufficient space for the storage of materials to be separately collected.

6.2.12 In order to maximise the opportunities for new residents to reuse and recycle their household waste, except for householder applications, planning applications involving additional residential development should include the following details:

- the measures to be taken to show compliance with this policy; and
- the details of the nature and quantity of any construction, demolition and excavation waste which will arise from the development and its subsequent management.

## **Policy CSW 3**

### **Waste Reduction**

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/repurpose 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 minimize waste and allow for ease of deconstruction and reuse of building components.**

**For major developments<sup>80</sup> the above should be demonstrated via the submission of a Circular Economy Statement.**

**In order to maximise the opportunities for new residents to reuse and recycle their household waste, except for householder applications, 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**
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; and
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~~ **systems failures**. All relevant proposals should be accompanied by a recycling & **and** waste management strategy which

<sup>80</sup> **Development requiring a Circular Economy Statement will have a total floor space of greater than 1000 square metres and/or comprise greater than 10no. units of housing and/or where the site is 1 hectare or more**

considers the above matters and demonstrates the ability to meet local authority waste management targets.

### 6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements

6.3.1 Kent currently achieves net self-sufficiency in waste management capacity for all waste streams. I.e. the annual capacity of the waste management facilities (excluding transfer) in Kent is sufficient to manage the equivalent quantity of waste to that predicted to arise in Kent. The continued achievement of net self-sufficiency and the management of waste close to its source are key Strategic Objectives of the Kent MWLP, because it shows that Kent is not placing any unnecessary burden on other WPAs to manage its waste. Net self-sufficiency recognises that existing (and future) waste management capacity within Kent may not necessarily be for the exclusive management of Kent's waste. Moreover, proposals that would result in more waste being managed in Kent than is produced may be acceptable if they resulted in waste moving up the hierarchy. Achievement of net self-sufficiency is the baseline aspiration and can be monitored on an annual basis and will provide an indicator as to whether the policies in the Plan need to be reviewed. The purpose in adopting the principle of net self-sufficiency is not to restrict the movement of waste as such restriction of waste catchment areas could have an adverse effect upon the viability of the development of new waste management facilities **that may be** needed to provide additional capacity for **the management of** Kent's waste arisings **in accordance with the waste hierarchy**.

6.3.2 In reality, different types of waste are managed at different types of facilities. To assess the future needs for waste **management capacity** facilities in Kent, net self-sufficiency has been studied for the individual waste streams of inert, non-inert (also called non-hazardous) **and hazardous** wastes. While Kent currently achieves net self-sufficiency **in the management of each waste stream**, this position will be monitored to ensure this remains the case throughout the plan period. ~~The purpose in adopting the principle of net self-sufficiency is not to restrict the movement of waste as such restriction of waste catchment areas could have an adverse effect upon the viability of the development of additional waste management capacity.~~

**6.3.3 The Environment Act 2021 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.**

**6.3.43** Implementation of **the Environment Act 2021** these requirements will be crucial to achievement of the recycling/composting ambitions of the Kent Minerals and Waste Local Plan. These include recycling targets for the Kent Commercial & Industrial (C&I) waste stream of 55% by 2025/26 and 60% by 2030/31.

**6.3.54** 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 recyclable materials generated as a consequence of population growth and the imperative to achieve increasing recycling targets. 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).

**6.3.65** 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) hasve also been identified as an issue by the WDA. 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 management and is working with the local WCAs to secure this. **Over the plan period it is possible that significant development elsewhere in Kent may require the provision of additional waste management facilities.**

#### **Provision for Waste From London**

**6.3.3** Specific provision in the calculations for capacity required for non-hazardous waste going to landfill or EfW) has been made for waste from London. The reason for this is that, due to land constraints, London's residual waste cannot all be managed within London itself and so, as a neighbouring waste planning authority, Kent County Council has some responsibility to make provision for element of this waste. Historical data indicates the tonnage to be provided for is in the region of 35,000 tonnes per annum. It is also recognised that closure of Rainham Landfill in the London Borough of Havering in 2026 may result in the displacement of waste from Kent currently managed there. Therefore, an additional tonnage of 20,000 tpa has been planned for on a contingency basis.

**6.3.86** An assessment has been made of the current profile of management of the principal waste streams. The targets applied reflect ambitious (but realistic) goals for moving waste up the hierarchy and seek to ensure that the maximum quantity of non-hazardous waste is diverted from landfill.

## **Policy CSW 4**

### **Strategy for Waste Management Capacity**

The strategy for waste management capacity in Kent is to provide sufficient waste

management capacity to manage at least the equivalent of the waste arising in Kent plus some **an amount of** residual non-hazardous waste from London **that takes account of London Plan targets for net self sufficiency<sup>81</sup>**. As a minimum it is to achieve the targets set out below for recycling and composting (**floor-minima**) and **landfill limits (ceiling maxima)** with the difference managed by other forms of recovery.

2015/16 Local Authority Collected Waste	2020/ 21	2025/ 26	20 30/ 31	<b>2035/ 36</b>	<b>2040/ 41</b>
Recycling/Composting <b>minima</b> <sup>82</sup> n/a	50%	55%	60 %	<b>65%</b>	<b>70%</b>
Remainder to Landfill <b>maxima</b> n/a	2%	2%	2%	<b>2%</b>	<b>2%</b>
<b>Remainder to Other Recovery maxima</b> n/a	45%	43%	38 %	<b>33%</b>	<b>28%</b>
<b>Commercial and Industrial Waste</b>					
Recycling/Composting <b>minima</b> <sup>83</sup> n/a	50%	55%	60 %	<b>65%</b>	<b>70%</b>
Remainder to Landfill <b>maxima</b> n/a	15%	12.5 %	10 %	<b>8.5%</b>	<b>5%</b>
<b>Remainder to Other Recovery maxima</b> n/a	35%	32.5 %	30 %	<b>26.5 %</b>	<b>25%</b>

#### Construction and Demolition Waste (Non-inert only)

Recycling	n/a	12%	13%	14%
Composting	n/a	1%	1%	1%
Other Recovery	n/a	5%	5%	5%
Remainder to Landfill	n/a	2%	1%	0.5%

Component	Management Method	2020/21	2025/26	2030/31	2035/3	2040/41
<b>Inert CDEW Arising</b>	<b>Proportion of Projected Arising taken to be Inert*</b>	<b>80%</b>	<b>80%</b>	<b>80%</b>	<b>80%</b>	<b>80%</b>
	<b>Inert waste recycling minima (as proportion of inert arisings)</b>	<b>60%</b>	<b>65%</b>	<b>70%</b>	<b>75</b>	<b>80</b>
	<b>Permanent deposit of inert waste other than for disposal to landfill**</b>	<b>25%</b>	<b>25%</b>	<b>25%</b>	<b>20</b>	<b>17.5</b>

**81 The London Plan 2021 expects net self sufficiency in the management of waste to be achieved by 2026. Actual progress towards meeting this target will be considered.**

<sup>82</sup> This is taken to include organic waste (including green and kitchen waste) treatment by Anaerobic Digestion.

<sup>83</sup> This is taken to include organic waste (including green and kitchen waste) treatment by Anaerobic Digestion.

	<u>(as proportion of inert arisings)</u>					
	<u>Landfill <b>maxima</b> (as proportion of inert arisings)***</u>	<u>15%</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>	<u>2.5%</u>
	<u>Total (inert CDEW arisings)</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>
<b>Non-Inert CDEW Arisings</b>	<u>Proportion of Projected Arisings taken to be Non-Inert*</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>
	<u>Composting (as proportion of non-inert arisings)</u>	<u>5%</u>	<u>5%</u>	<u>5%</u>		
	<u>Non-hazardous waste recycling <b>minima</b> (as proportion of non-inert arisings)</u>	<u>60%</u>	<u>65%</u>	<u>65%</u>	<u>75%</u>	<u>80%</u>
	<u>Non-hazardous residual waste treatment <b>maxima</b> (as proportion of non-inert arisings)</u>	<u>25%</u>	<u>30%</u>	<u>25%</u>	<u>22.5%</u>	<u>20%</u>
	<u>Landfill <b>maxima</b> (as proportion of non-inert arisings)***</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>	<u>2.5%</u>	<u>0%</u>
	<u>Total (non-inert CDEW arisings)</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>

**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 limits rather than targets but are included for completeness.**

## **6.4 Policy CSW 5: Strategic Site for Waste**

**6.4.1** To meet the Kent MWLP objective of reducing the amount of waste being landfilled, the Plan is using policies to drive a major change in the way that waste is managed in Kent. Enabling the change in perception of waste from being something that has to be disposed to something that can be used as a resource will be helped by the development of such additional capacity further up the hierarchy.

**6.4.2** The landfill at Norwood Quarry on the Isle of Sheppey accommodates the hazardous flue ash residues from the Allington EfW facility that features heavily in the Waste Management Unit (WMU) contracts for residual MSW, but it has limited consented void space remaining. To make provision for this waste for the duration of the Plan an extension to Norwood Quarry is identified. Enabling the continued management of hazardous flue ash within Kent has the added benefit of contributing to achieving net self-sufficiency in hazardous waste management capacity<sup>84</sup>

<sup>84</sup> KCC (May 2011) TRW5: Hazardous Waste Management.

~~6.4.3 While there is a risk that identifying the extension area at Norwood Quarry as a Strategic Site for Waste could hinder the development of alternative treatment solutions for the flue ash, there is a need to make provision for this waste stream.~~

~~6.4.4 The proposed extension areas to Norwood Landfill are identified as the Strategic Site for Waste. The location of these extension areas is shown on Figure 19.~~

## **Policy CSW 5**

### **Strategic Site for Waste**

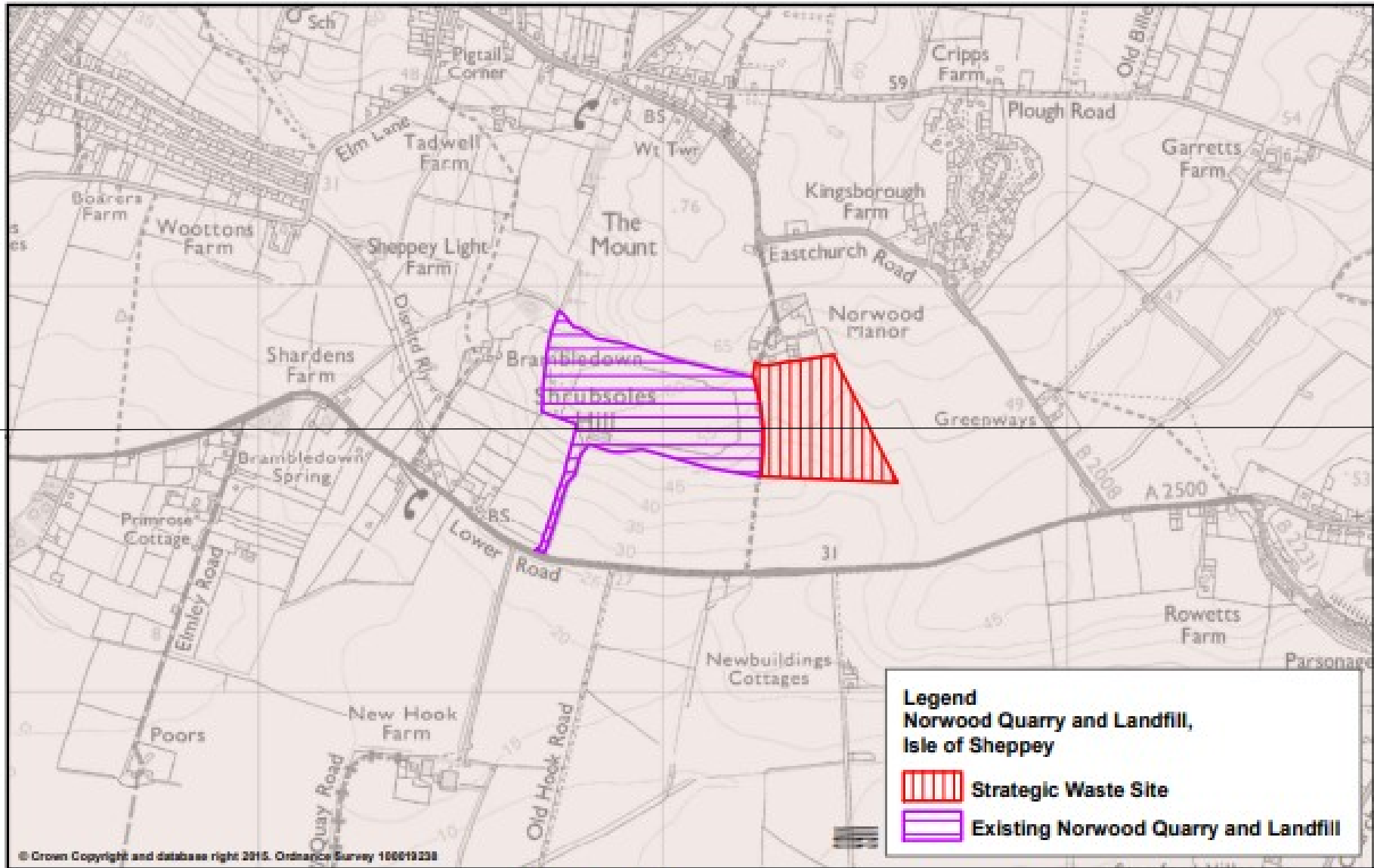
~~The proposed extension areas for Norwood Quarry and Landfill Site, Isle of Sheppey are together identified as the Strategic Site for Waste in Kent. The site location is shown on Figure 19. Unless criterion 1 below is satisfied, planning permission will not be granted for any other development other than mineral working with restoration through the landfilling of hazardous (flue) dust ash residues from Energy from Waste plants.~~

~~Mineral working and restoration by hazardous landfill and any ancillary treatment plant at the Strategic Site for Waste will be permitted subject to meeting the requirements of the development plan and the following criteria:~~

- ~~1. Demonstration that the site can be suitably restored in the event that landfilling of hazardous (flue) dust ash residues from Energy from Waste plants were to cease before completion of the final landform due to changes in treatment capacity and/or government policy that may result in the diversion of these wastes from landfill~~
- ~~2. an air quality assessment is made of the impact of the proposed development and its associated traffic movements<sup>85</sup> on the Medway Estuary and Marshes Special Protection Area and the Swale Special Protection Area sites and if necessary mitigation measures are required through planning condition and/or planning obligation~~
- ~~3. the site and any associated land being restored to a high quality standard and appropriate after use that accords with the local landscape character~~
- ~~4. Any proposal for this site would need to consider the requirements of other relevant policies of this Plan and in particular would need to consider any impacts on the A2500 Lower Road. Depending on the nature of any proposal it may be necessary for the developer to make a contribution to the improvement of this road.~~

<sup>85</sup> Traffic movements consist of the total vehicles entering and leaving the site.

This allocation is proposed to be deleted



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Figure 19: Strategic Waste Site

Kent Minerals & Waste Local Plan



1:12,000 at A4



## 6.5 Policy CSW 6: Location of Built Waste Management Facilities

**6.5.1** The preference identified in response to earlier consultations during the formulation of the Plan was for a mix of new small and large sites for waste management. This mix gives flexibility and assists in balancing the benefits of proximity to waste arisings while enabling developers of large facilities to exploit economies of scale. National policy recognises that new facilities will need to serve catchment areas large enough to secure economic viability and this is particularly relevant when considering the possible sizing and location of facilities required to satisfy any emerging need indicated by monitoring e.g. in the relevant AMR.

**6.5.2** The location of waste sites in appropriate industrial estates was also the preference identified from the consultation. This has the benefit of using previously developed land and enabling waste uses to be located proximate to waste arisings. Employment land availability is monitored by KCC and the district and borough councils<sup>86</sup>. It should be appreciated that all industrial estate locations may not be suitable for some types of waste uses, because of their limited size or close proximity to sensitive receptors or high land and rent costs.

**6.5.3** Certain types of waste or waste management facilities, such as Construction, Demolition and Excavation (CDE) recycling facilities are often co-located on mineral sites for aggregates or landfills, which are usually found in rural areas. Also, in rural areas where either the non-processed waste arisings or the processed product can be of benefit to agricultural land (as is the case with compost and anaerobic digestion), the most proximate location for the waste management facility will likely be within the rural area.

**6.5.4** The development of waste management facilities on previously developed land will be given preference over the development of greenfield sites. In particular, the redevelopment of derelict or **land that is** contaminated **land** may involve treatment of soil to facilitate the redevelopment. Also, redundant agricultural or forestry buildings may be suitable for waste uses where such uses are to be located within the rural areas of the county. Waste management facilities located in the Green Belt are generally regarded as inappropriate development. Developers proposing a waste management facility within the Green Belt shall demonstrate the proposed use complies with Green Belt policy (See Policy DM4).

**6.5.5** The development of built waste management facilities on greenfield sites is not precluded. This is because the goal of achieving sustainable development will lead to new development which may incorporate facilities to recycle or process the waste produced on the site, or to generate energy for use on the site.

**6.5.6** Existing mineral and waste management sites may offer good locations for siting certain waste management facilities and for expansion to deliver further capacity to that which exists because of their infrastructure and location. In such cases, the developer will need to demonstrate the benefits of co-location such as connectivity with the existing use of the site while also demonstrating that any

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<sup>86</sup> KCC (January 2013) Kent County Council & District Authorities Commercial Information Audit Summary Report for 2011/2012



cumulative impact is acceptable. For example, the co-location of CDE recycling (i.e. aggregate recycling) at an aggregate quarry that can enable the blending of recycled and virgin aggregates to increase the marketability of the product or the addition of a facility that will move waste further up the hierarchy at an existing EfW site.

**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 DM10: Water Environment, so that the full implications of the location for waste resources and flood risk are fully assessed and satisfied.**

**6.5.78** Policy CSW 6 applies to all proposals for built waste management facilities.

## Policy CSW 6

### Location of Built Waste Management Facilities

Planning permission will be granted for proposals that:

- a. ~~do 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)
- 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 unacceptable adverse impacts on local roads and/or** villages ~~or on unacceptable stretches of road.~~
- d. do not represent inappropriate development in the Green Belt.
- e. avoid Groundwater Source Protection Zone, ~~or Flood Risk Zone 3b~~
- f. **avoid Flood Risk Zone 3b<sup>87</sup>.**
- 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

<sup>87</sup> Land that has a 3.3% or greater annual probability of flooding

management uses on the site.

- h. for energy producing facilities - sites are in proximity to **existing or planned** potential heat users.
- 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.
- 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 **unacceptable** 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
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 ~~5~~6 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.

## 6.6 Identifying Sites for Household Waste Recycling Centres

**6.6.1** The county has an existing well-established network of facilities for MSW for receiving household waste delivered by residents of Kent. These Household Waste Recycling Centres (HWRC) play an important role in meeting waste recovery and landfill diversion targets. The intention for the Plan period is to ensure facilities are provided to meet local population needs accounting for economic and projected housing growth. During the lifetime of the Plan, there **is a need for HWRCs and other**

**household waste management infrastructure will be reviewed by the WDA** ~~is an intention to rationalise facilities.~~ Proposals for Household Waste Recycling Centres will be considered against Policy CSW6: Location of Built Waste Management Facilities and relevant Development Management Policies.

## 6.7 Policy CSW 7: Waste Management for Non-hazardous Waste

**6.7.1** Policy CSW 7 provides a strategy for the provision of new waste management capacity for non-hazardous waste. The policy will allow the provision of new waste management capacity recognising the need to drive waste up the hierarchy.

**6.7.2** The term non-hazardous waste is regarded, for purposes of the Plan, as being synonymous with **LACW**~~MSW~~<sup>88</sup> and C&I<sup>89</sup> waste and the non inert, non-hazardous, component of CDEW.

**6.7.3** There is no intention to restrict the amount of new capacity for waste management for recycling or preparation of waste for reuse or recycling<sup>90</sup>, or for the provision of additional capacity for green and/or kitchen waste treatment since the sooner it is delivered, the greater the impact will be on reducing organic waste going to landfill, the most significant source of methane production.

**6.7.4** Implementing Policy CSW 7 will result in reducing the amount of Kent non-hazardous waste going for disposal to landfill and by doing so conserve existing non-hazardous landfill capacity in Kent for any non-hazardous waste that cannot be reused, recycled, composted or recovered.

### Policy CSW 7

#### Waste Management for Non-hazardous Waste

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:

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~~

<sup>88</sup> ~~MSW is Municipal Solid Waste~~ **LACW is Local Authority Collected Waste.**

<sup>89</sup> C&I is Commercial and Industrial waste.

<sup>90</sup> A definition of recycling is included in the glossary. Recycling includes composting

within that unit.

## 6.8 Policy CSW 8: Other Recovery Facilities for Non-hazardous Waste

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 residual waste from landfill by means lower down the waste hierarchy than recycling and composting.

6.8.2 Given that the Waste Hierarchy is to be applied in priority order i.e. from the top down, waste that could be practicably managed by a means higher up the waste hierarchy should not be managed by other recovery (see Policy CSW 2). Therefore, proposals for 'other recovery' need to be accompanied by a 'Waste Hierarchy Statement'. Waste Hierarchy Statements must set out the arrangements that will be put in place to ensure that only unavoidable residual waste is managed by 'other recovery'. This must include listings of the types of waste that would be subject to recovery and the reason why they cannot be managed further up the hierarchy. To this end, the Waste Hierarchy Statement must include the following details:

- a. the type of information that will be collected and retained on the sources of the residual waste after recyclable and reusable waste has been removed;
- b. the arrangements to be put in place to ensure that as much reusable and recyclable waste as is reasonably possible is removed from waste to be managed by other recovery at the consented development, including contractual measures to encourage as much reusable and recyclable waste as possible to be removed prior to its use as a fuel/feedstock;
- c. the arrangements to be put in place to ensure that suppliers of residual waste work to a written environmental management system which includes establishing a baseline for recyclable and reusable waste removed from residual waste and setting and working to specific targets for continuously improving and reporting on the percentage of such reusable and recyclable waste removed;
- d. the arrangements to be put in place for suspending and/or discontinuing supply arrangements from suppliers who fail to work to and report on compliance with any environmental management systems relating to waste reporting;
- e. the provision of an annual waste composition analysis of the fuel/feedstock taken at the point of management by the operator, with the findings submitted to the Council within one month of sampling being undertaken; and,
- f. the form of records to be kept for the purpose of demonstrating compliance with 'a' to 'e' above and the arrangements in place for provision of data to the Council and inspection of such records by the Council.

**6.8.23** 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, Proposals 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 identified, will not be permitted.**

**6.8.4** 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<sup>91</sup>. 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.

**6.8.35** 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<sup>92</sup>

<sup>91</sup> **Applicable to biogenic and non-biogenic waste materials.**

<sup>92</sup> For example, if 100 tonnes is fed into the plant: 20 tonnes are lost as moisture; 30 tonnes are diverted as recyclate; 50 tonnes of waste is converted into material that may be suited for use as a fuel. Unless that fuel has a proven market then the contribution counted will be 50 tonnes as the remaining material may end up going to landfill. If the 50 tonnes of fuel goes to a plant built within Kent the recovery contribution will be counted at the combustion plant rather than the fuel preparation plant. If the 50 tonnes of fuel is exported beyond the county then the recovery contribution will be counted at the fuel preparation plant.

## Policy CSW 8

### Other Recovery Facilities for Non-hazardous Waste

Facilities using waste as a fuel will only be permitted if:

- a. they qualify as recovery operations as defined by the **R**evised Waste Framework Directive<sup>93</sup>.
- b) **the waste used to fuel the facility is that which cannot practically be reused, recycled or composted i.e. is unavoidable residual waste. This shall be demonstrated in the Waste Hierarchy Statement.\*\*;**
- c) **solid residues arising from the process will be utilised as a raw material;**
- d) **the maximum amount of energy from the process will be utilised including the requirement for the use of any surplus heat; and,**
- e) **the facility is designed to ensure that non biogenic gaseous carbon emissions are minimised, and those produced are captured and utilized, 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**

## 6.9 Policy CSW 9: Non Inert Waste Landfill in Kent

**6.9.1 The fact that there have been no applications for new non inert landfill sites in Kent since 2005** lack of response to the call for sites for non-hazardous landfill is indicative of a lack of demand by the waste industry to develop non-hazardous landfill. Nevertheless, a proposed development might come forward during the plan period and if so it will be granted permission providing it complies with both Policy CSW 9 and the DM policies in this Plan. In addition, proposed additional capacity for hazardous waste landfill will be assessed against this policy.

**6.9.2** Following the completion of a non-inert waste landfill site, the site will need to be restored and there will be a considerable period of aftercare during which such sites need to be managed in order to prevent unacceptable adverse impacts to the environment. Aftercare management can require new development in order to either prepare the site for re-use or to manage the landfill gas or leachate

<sup>93</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives

production. Policy DM 19 sets out the Plan's provisions with regard to restoration, aftercare and after-use.

**6.9.3 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.**

**6.9.4 As detailed in section 6.8 above, a Waste Hierarchy Statement will also need to be submitted with any application to demonstrate that the waste to be received at the non-inert landfill could not be practically managed by a means further up the waste hierarchy.**

## Policy CSW 9

### Non Inert Waste Landfill in Kent

Planning permission will only be granted for non inert<sup>94</sup> waste landfill if:

1. it can be demonstrated, **in a waste hierarchy statement,** 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.**

## 6.10 Policy CSW 10: Development at Closed Landfill Sites

**6.10.1** Following the completion of a landfill there needs to a considerable period of aftercare during which the site needs to be managed in order to prevent unacceptable adverse impacts to the environment and to bring the site into use. A 5-year aftercare programme following site restoration is normally required as part of the planning permission for the development of **a** landfill site. However, potential problems can occur after the 5-year aftercare period, such as differential settlement,

<sup>94</sup> Non inert waste landfill includes non hazardous waste landfill, separate cells within a non hazardous waste landfill provided to accept stable hazardous waste and dedicated hazardous waste landfill.

which can have an adverse effect upon land drainage. In particular, any landfill sites that contain biodegradable wastes need to be managed in order to prevent unacceptable adverse impacts to the environment from leachate or gas for a period considerably longer than five years. While the management of closed landfill sites is regulated by the Environment Agency (EA), there may be a need for new development at the site to ensure that the protection of the environment is continued. Policy CSW 10: Development at Closed Landfill Sites should be read in conjunction with Policy CSW 11: Permanent Deposit of Inert Waste, and any development at a closed landfill that includes the bringing of additional waste on to the site will need to demonstrate that the amount of waste being used is kept to a minimum. **Any new development at a closed landfill site should ensure that there are no unacceptable adverse impacts (e.g. on local amenity or emissions to air) from the development, or any other impacts that are not outweighed by the need for the non-waste development.**

**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.**

## Policy CSW 10

### Development at Closed Landfill Sites

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 reduce~~ing the emission of gases to the environment.

## 6.11 Policy CSW 11: Permanent Deposit of Inert Waste

**6.11.1** The most recent capacity assessment shows that there is currently permitted capacity at permanent **Construction and Demolition** (CD) recycling sites of over 2 mtpa **where recycled aggregate is produced**. It is considered more sustainable to use recycled aggregates than to extract primary aggregates. ~~The term CD recycling is synonymous with the term aggregate recycling and~~ **T**he criteria for assessing further site proposals for such sites can be read in Policy CSM 8: Secondary and Recycled Aggregates in Chapter 5.

**6.11.2** The most recent capacity assessment shows ~~that Kent has existing consented inert waste landfill capacity~~ **for the permanent deposit of inert waste**



~~in Kent may only be~~ ~~is more than sufficient~~ to meet Kent's need for the plan period. ~~While sites in~~ ~~It is known that Kent~~ **currently** receives a lot of **inert** waste originating out of the county, particularly from London, ~~which goes into inert waste landfill in Kent. It has been concluded that~~ **the** continuation of this waste import throughout the plan period **would likely require development of additional capacity to accommodate this waste** at a rate of 300,000 tpa can be accommodated by the existing consented capacity. **In light of this Policy CSW 11 provides support to operations involving the permanent deposit of inert waste.**

**6.11.3** Another important issue is that without the import of inert waste the ability to restore existing permitted mineral workings would take a lot longer. Policy CSW 11: Permanent Deposit of Inert Waste seeks to ensure that a high priority is given to using inert waste that cannot be recycled in the restoration of existing permitted mineral workings, in preference to uses where inert waste is deposited on land (e.g. bund formation or raising land to improve drainage etc).

## Policy CSW 11

### Permanent Deposit of Inert Waste

Planning permission for the **permanent deposit** ~~disposal~~ of inert waste will be granted where:

- a) **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;**
- b) **if the waste is to be used in an engineering operation, other than the restoration of landfill sites and mineral workings, where it is demonstrated that there is no local Kent demand for its use in such restoration operations; and,**
- c) **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~~
- d) ~~sufficient material is available to restore the site within agreed timescales.~~

## 6.12 Policy CSW 12: Identifying Sites for Hazardous Waste Management

**6.12.1** Hazardous waste arising in Kent is one of the smaller streams of waste. The management of hazardous waste is typically characterised by the following: Hazardous waste is often produced in small quantities and hazardous waste management facilities are often highly specialised with regional or even national catchment areas involving movement of hazardous waste with both waste

originating in Kent going outside the county for management and hazardous waste coming into the county for management.

6.12.2 ~~When Net self sufficiency in hazardous waste~~ **is not a practical aspiration however when management in Kent is** viewed as a whole, net self-sufficiency in hazardous waste management is achieved **in Kent. Pressures in the need for additional** ~~However, Kent could cease to be net self-sufficient in~~ hazardous waste capacity **in Kent might arise in future** if changes in the production and management profile of hazardous waste occur as follows:

- ~~the continued~~ demand for disposal capacity for flue residues from Allington EfW facility
- ~~the likely any~~ increase in hazardous residues from air pollution control from additional EfW capacity requiring management
- if the existing asbestos landfill closes then a significant amount of asbestos based hazardous waste will cease to be imported into the county.

6.12.3 ~~The former issue is partly dealt with through the identification of a Strategic Site for Waste in Policy CSW 5. The need for~~ **additional hazardous waste** management capacity ~~of additional EfWAPC residues~~ can be addressed through Policy CSW 12 should it be required.

6.12.4 Any proposals for future provision for **landfill capacity for** asbestos **and/or hazardous residues from air pollution control** landfill capacity will be **considered against other policies of this Plan including** ~~addressed using~~ Policy CSW9.

## Policy CSW 12

### Hazardous Waste Management

~~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 CSW 9**, regardless of whether their catchment areas for waste extend beyond Kent.

## 6.13 Policy CSW 13: Remediation of Brownfield Land

6.13.1 ~~Recent changes in T~~ the environment permitting regime has enabled soil decontamination and the subsequent reuse in the redevelopment of the decontaminated soil within ~~the a~~ site. Policy CSW 13 seeks to ensure that **land that is** contaminated **land** is treated in situ or in combination with other **land that is** contaminated **land** when those sites are to be redeveloped.

## Policy CSW 13

### Remediation of Brownfield Land

Planning permission will be granted for a temporary period for waste related developments on brownfield land that facilitate its redevelopment by reducing or removing contamination from previous development, where:

1. the site is identified in a local plan for redevelopment or has planning permission for redevelopment, or
2. the site is part of a network of brownfield sites that are identified in a local plan or local plans for redevelopment or that have planning permission for redevelopment and is to receive waste for treatment from those sites as well as treating the land within the site.

### 6.14 Policy CSW 14: Disposal of Dredgings

**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 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.**

**6.14.2** **Currently the Plan makes no allocation for a site for the disposal of marine dredgings. This situation will be kept under review should the need for a specific site with river access arise.**

## Policy CSW 14

### Disposal of Dredgings

Planning permission will be granted for new sites for the disposal of dredging materials where it can be demonstrated that:

1. the re-use of the material to be disposed of is not practicable
2. there are no opportunities to use the material to enhance the biodiversity of the Kent estuaries.

## 6.15 Policy CSW 15: Wastewater Development

**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.

**6.15.2** Such proposals may also need an Environmental Permit and developers are advised to contact the Environment Agency about this matter at the earliest opportunity. Developers should also have regard to the need to address issues relating to nutrient neutrality as required.

### Policy CSW 15

#### Wastewater Development

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<sup>95</sup>.**

## 6.16 Policy CSW 16: Safeguarding of Existing Waste Management Facilities

**6.16.1** The current stock of waste management facilities are important to maintaining net self-sufficiency. The loss of annual capacity at an existing permitted waste site could have an adverse effect upon delivering the waste strategy and so the protection of the existing stock of sites with permanent waste permission is as important to achieving the aims of the Plan as identifying new sites. Existing permitted sites with permanent permission for waste facilities can be protected through refusing permission for the redevelopment of these sites to non-waste uses. A list of waste sites is updated and published each year in the Kent MWLP AMR<sup>96</sup> Policy DM 8 identifies situations where development at, or in proximity to safeguarded waste management facilities would be acceptable.

<sup>95</sup> **As set out by the Environment Agency and industry standards.**

<sup>96</sup> Available online from: [www.kent.gov.uk/mwlp](http://www.kent.gov.uk/mwlp).

## Policy CSW 16

### Safeguarding of Existing Waste Management Facilities

**Capacity at sites 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<sup>97</sup>

**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 Planning 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).

## 6.17 Radioactive Waste Management

**6.17.1** The subject of radioactive waste is complex as it covers waste arisings from nuclear power stations as well as small quantities of radioactive waste that arise from hospitals and other medical activities and research establishments. Details of national policy on this subject, as well as the details of Kent arisings and current management routes are given in the evidence base topic paper on radioactive wastes<sup>98</sup>. The following paragraphs define the various types of radioactive waste.

**6.17.2 High Level Wastes (HLW)** are defined as wastes in which the temperature may rise significantly as a result of their radioactivity, so that this factor has to be taken into account in designing storage or disposal facilities<sup>99</sup>.

**6.17.3 Intermediate Level Wastes (ILW)** are wastes with radioactivity levels exceeding the upper boundaries for low level wastes, but which do not require heating to be taken into account in the design of storage or disposal facilities<sup>100</sup>. ILW is retrieved and processed to make it passively safe and then stored pending the availability of the Geological Disposal Facility (GDF).

**6.17.4 Low Level Wastes (LLW)** are radioactive wastes, other than those suitable

<sup>97</sup> **A list of sites hosting safeguarded capacity is maintained in the Annual Monitoring Report.**

<sup>98</sup> KCC (Updated January 2013) TRW6: Radioactive Waste **Topic Paper, January 2024**.

<sup>99</sup> Defra, BERR and the Devolved Administrations for Wales and Northern Ireland (June 2008) Managing Radioactive Waste Safely: A framework for Implementing Geological Disposal. HLW is largely a by-product from the reprocessing of spent fuel.

<sup>100</sup> Defra, BERR and the Devolved Administrations for Wales and Northern Ireland (June 2008). Managing Radioactive Waste Safely: A framework for Implementing Geological Disposal.

for disposal with ordinary refuse, but not exceeding 4 gigabecquerels per tonne of alpha activity, or 12 gigabecquerels per tonne of beta or gamma activity<sup>101</sup>. LLW does not normally require shielding during handling or transport. LLW consists largely of paper, plastics and scrap metal items that have been used in hospitals, research establishments and the nuclear industry. Across the UK, large volumes of soil, concrete and steel will need to be managed as nuclear power plants are decommissioned. LLW makes up more than 90% by volume of UK radioactive wastes (but contains less than 0.1% of the radioactivity)<sup>102</sup>. Historically most of LLW from the nuclear industry was transferred to the Low Level Waste Repository (LLWR) in Cumbria. In recent years it has been recognised that the capacity of the LLWR is limited and that most types of LLW do not require the level of protection offered by such a highly engineered facility. Not all LLW needs to be transferred to the LLWR for subsequent disposal there. Some types of solid LLW arising from nuclear power stations can be disposed of at suitably licensed landfill sites<sup>103</sup>, or can be incinerated<sup>104</sup>. The Waste Hierarchy has to be considered in order to deal with LLW in the most effective way, so minimising the use of the capacity at the LLWR in order to extend its life. Some LLW arisings are incinerated and some metals are recycled, so there are a number of routes that these waste streams take.

**6.17.5 Very Low Level Waste (VLLW)** is a subcategory of LLW that contains limited amounts of solid radioactive waste that can be disposed of conveniently and without causing unacceptable environmental impacts, provided that it is mixed with large quantities of non-radioactive wastes which are themselves being disposed of<sup>105</sup>.

**6.17.6** The term higher activity waste embraces ILW and any LLW that requires disposal to a GDF. This waste stream has no disposal routes at the time of writing the Plan. Legacy waste refers to all of the radioactive waste streams that arise from the nuclear power stations across the UK.

## **6.18 Policy CSW 17: Policy CSW 17: Nuclear Waste Treatment and Storage Management at the Dungeness Nuclear Licensed Sites Estate**

**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

<sup>101</sup> A becquerel is the unit of radioactivity, representing one disintegration per second. A gigabecquerel is 1000 million becquerels.

<sup>102</sup> DECC, the Welsh Government, DOE and the Scottish Government (12 March 2012). Strategy for the management of solid low level radioactive waste from the non nuclear industry in the UK. Part1 - Anthropogenic radionuclide.

<sup>103</sup> There are no radioactive waste landfills in Kent at the time of plan preparation **update**.

<sup>104</sup> Source: Note from the EA (October 2012) attached to KCC (January 2013) Update Note to Dungeness Site Stakeholder Group on the Kent Minerals and Waste Plan.

<sup>105</sup> NIEA, SEPA and EA. (September 2011) The Radioactive Substances Act 1993. The Environmental Permitting (England and Wales) (Amendment) Regulations 2011. VLLW Guidance Version 1.0.

undergoing decommissioning that will continue until around 2097. Dungeness B (an Advanced Gas Cooled twin reactor) started operation in 1983 and **formally is scheduled to end power generation in 20218 and is currently defueling prior to the commencement of decommissioning activities**, but operations may continue beyond then. The decommissioning of Dungeness B is likely to take up to 2111<sup>106</sup>. **The decommissioning of Dungeness A is managed by the Nuclear Decommissioning Authority (NDA) and Magnox. Dungeness B is currently the responsibility of EDF Energy but will transfer to NDA/Magnox upon obtainment of fuel free verification and licence transfer.**

**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 **structure (buried and exposed ridged cusped foreland)** site in Europe comprising approximately 2000 hectares of vegetated shingle, approximately half the English shingle habitat resource. The extent and compositions of shingle **ridge 'desert'** 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. **To enable the competent authority under the Habitats Regulations to: i) Determine the need for appropriate assessment of applications for waste management and disposal at the Dungeness nuclear sites; and ii) undertake such assessment where it is deemed necessary, sufficient relevant information will be required to accompany each planning application, including baseline data and monitoring of, where relevant, vehicle movements, air quality and bird populations.**

**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, it would be considered as a 'Nationally Significant Infrastructure Project' (NSIP) and so its suitability would be considered by the Secretary of State.**

**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 2016 Nuclear Decommissioning Authority Strategy<sup>107</sup> (which was subject to prior public consultation) 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").** 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**Each Magnox site **may** is currently planned to have its own ILW store and be 'self-

<sup>106</sup> KCC (May 2011) TRW6 **Topic Paper on Nuclear Wastes**, quoting information from both Magnox Ltd and EDF Energy

<sup>107</sup> **The latest Nuclear Decommissioning Authority Strategy effective from April 2016 was published in March 2021**

sufficient' but the best options for consideration in the future may be for movements of waste between sites for **consolidation and** 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 **nationwide** 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 all Magnox sites (for treatment and/or storage). However, at present the NDA and Magnox Ltd do not anticipate any import of radioactive waste for disposal at Dungeness (though movement between Dungeness A and B may occur).**

**6.18.5 On-site disposal related to the decommissioning of nuclear sites can take a number of forms, but chiefly concerns leaving sub-surface radioactively contaminated (mainly concrete) structures in place indefinitely and filling unwanted below-ground voids with site-derived radioactively contaminated demolition arisings (mainly concrete and masonry), under a radioactive substances regulation (RSR) environmental permit granted by the Environment Agency in accordance with the requirements of the 'Guidance on the Requirements for Release from Radioactive Substances Regulation' (known as the GRR)<sup>108</sup>. A permit would only be issued if it can be demonstrated that any on site disposal management option, when considered in combination with the management options for all other radioactive wastes and radioactive contamination at the site, ensures overall exposures of people are 'As Low As Reasonably Achievable' (ALARA). Also, where any disposal option has been demonstrated to be optimal, the Operator must consider how the design, construction and implementation of that disposal ensures exposures are ALARA.**

**6.18.6 The GRR advises that operators must prepare and maintain a Waste Management Plan (WMP) and 'Site Wide Environmental Safety Case' (SWESC). The WMP is required to manage the programme of disposals of radioactive waste until work involving radioactive substances is completed and to demonstrate how waste management has been optimised. The SWESC is required to demonstrate that the health of members of the public and the integrity of the environment will be adequately protected, both during and after radioactive substances regulation. The WMP and SWESC are closely aligned and a WMP and SWESC may need to be in place before any application for on-site disposal at site as it is a specific permit requirement to produce these documents by the dates outlined in the RSR permit.**

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<sup>108</sup> Management of radioactive waste from decommissioning of nuclear sites: Guidance on Requirements for Release from Radioactive Substances Regulation, July 2018. Published by the UK environment agencies.



**6.18.6 Other guidance on the management of radioactive waste arising from decommissioning of nuclear sites<sup>109</sup> notes that, as well as planning permission, an Environmental Permit, issued by the Environment Agency, is needed before such development can take place. An application for an Environmental Permit needs to include a waste management plan (WMP) and a site wide environmental safety case (SWESC). A SWESC should demonstrate how the nuclear site as a whole will achieve the required standard of environmental safety. Where relevant, the SWESC includes the environmental safety case (ESC) for any proposed on-site disposal facility. Separate EA guidance<sup>110</sup> relating to the in situ disposal of radioactive waste in a dedicated disposal facility needs to be followed when preparing the ESC for such a facility. The SWESC also takes account of contributions to the combined impact on representative persons from adjacent nuclear sites, and from areas of contamination and previously permitted disposals outside the site. A WMP is required to provide a comprehensive description of how radioactive substances will be managed on or adjacent to the site and to demonstrate how waste management has been optimized.**

**6.18.7 The Government is currently preparing Planning Guidance for on-site disposal of suitable 'low level' and 'very low level' radioactive waste on nuclear and decommissioned sites.**

**6.18.58** 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. There are currently no plans to build a GDF at Dungeness and if one were ever proposed, it would be considered as a Nationally Significant Infrastructure Project (NSIP) and a decision would be made taking account of the National Policy Statement for Geological Disposal Infrastructure. Policy CSW 17 specifically precludes the management of waste from anywhere other than the nuclear power stations at this location and other policies of this Plan would be taken into account in any decision on a proposal to preclude the development of a GDF at Dungeness.

## Policy CSW 17

Nuclear Waste Treatment and Storage Management at the Dungeness Nuclear Estate Licensed Sites

<sup>109</sup> Management of radioactive waste from decommissioning of nuclear sites: Guidance on Requirements for Release from Radioactive Substances Regulation, Environment Agency, July 2018

<sup>110</sup> Near-surface Disposal Facilities on Land for Solid Radioactive Wastes: Guidance on Requirements for Authorisation' (NS-GRA) (EA et al., 2009)

### **Part A: General Requirements**

Facilities for the storage and/or management **(including storage, treatment or disposal (subject to Part B of this policy))** of radioactive waste will be acceptable within the **Dungeness Nuclear Licensed Sites** area at Dungeness where:

1. this is consistent with the national strategy<sup>111</sup> for managing radioactive waste and discharges; and
2. the outcome of environmental assessments justify it being managed on **Dungeness Nuclear Licensed Sites**.

### **Part B: Disposal of Waste at the Dungeness Nuclear Licensed Sites**

The only wastes arising from Dungeness Nuclear Licensed sites that will be acceptable **for disposal use** as fill material for the back-filling of voids within the **Dungeness Nuclear Licensed Sites** are inert (non-radioactive) **low-level and inert very low-level radioactive wastes, or other inert (non-radioactive) wastes**, generated by the demolition of existing buildings and structures.

**The types of disposal of such wastes that would be acceptable are:**

- **In situ disposal of inground structures and foundations (including contaminated below-ground structures, foundations and redundant drains);**
- **The back-filling of voids within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures; and**
- **Purpose built landfill or landraise activities within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures.**

Landfill or landraise activities that use radioactive wastes within the nuclear licensed site will not be granted **planning permission for the disposal of waste arisings as described above on the Dungeness Nuclear Licensed Sites will be granted only** if it can be demonstrated that:

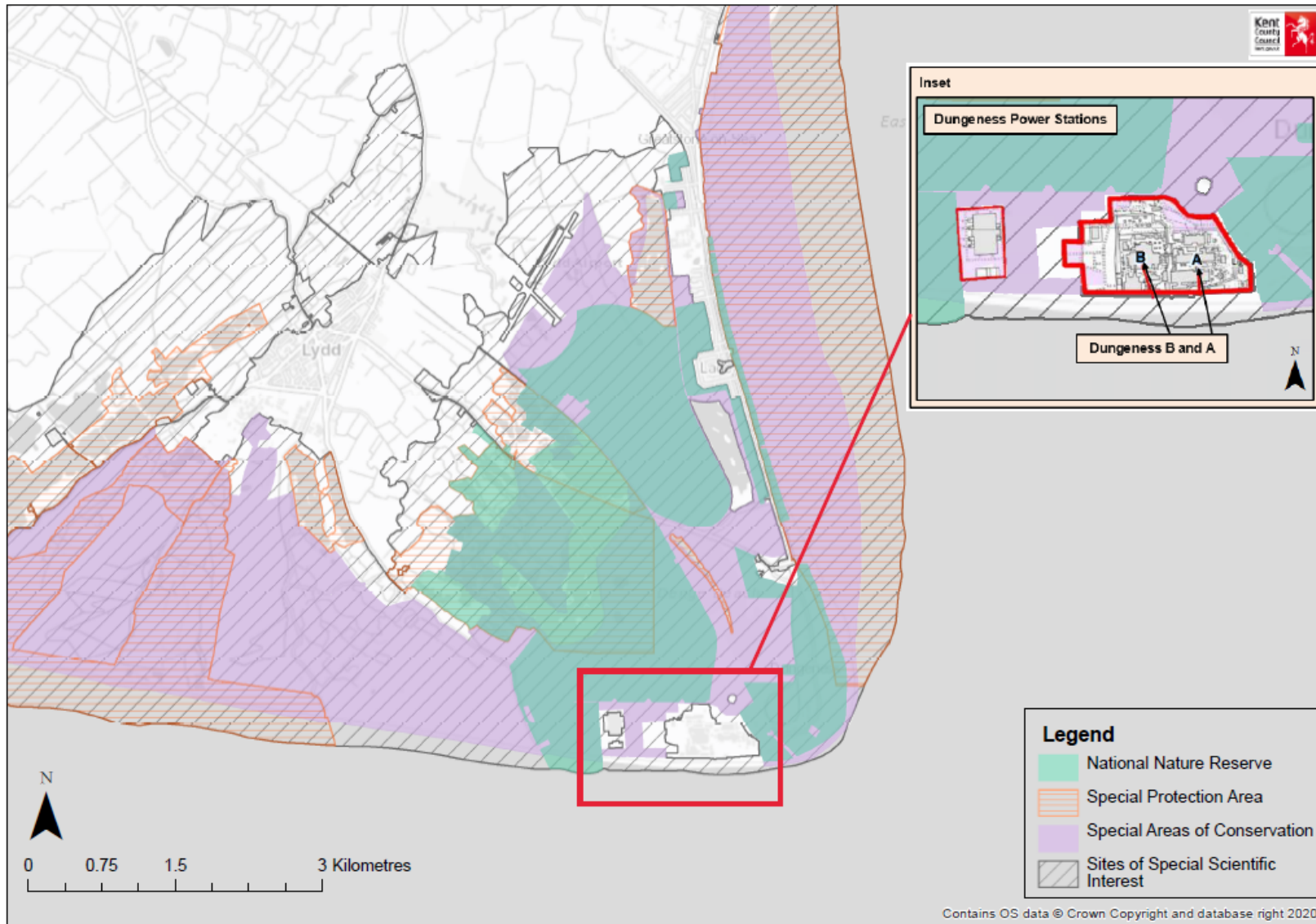
- I. **the development is the optimum waste management approach for the radioactive waste concerned;**
- II. **impacts on the sustainability, including environment, of the area can be mitigated to an acceptable level as demonstrated with reference to baseline data; and**
- III. **for the disposal of imported low-level and very low-level radioactive demolition waste from other nuclear sites:**
  - a. **there is an on-site land engineering need that can be met using**

<sup>111</sup> National strategy for radioactive wastes is the NDA Strategy at the time of **any application** this plan preparation.

- these imported wastes, e.g. the in-filling of voids; and
- b. there is insufficient suitable radioactive waste and/or non-radioactive material that would be generated from the demolition of buildings and structures on the Dungeness sites themselves available on the required timescales that would meet the engineering need; and
  - c. if importation of radioactive demolition wastes from other nuclear sites were not to be carried out then an approximately equivalent quantity of other materials would still be required to be imported to meet the identified engineering need; and
  - d. the type and number of vehicle movements associated with the disposal of imported low-level and very low-level radioactive demolition waste to meet the identified engineering need, would be equivalent to, or would have a lesser impact than, those which would be associated with any import of engineering material that would be used to meet the identified engineering need.

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Figure 20: Dungeness Power Stations & Romney Marsh Nature Designations



## 6.19 Policy CSW 18: Non-nuclear Radioactive Low Level Waste (LLW) Management Facilities

**6.19.1** There may also be a need for new facilities for the storage and/or treatment of non-nuclear sources of LLW (including VLLW) from institutions such as research establishments, universities and hospitals. At the time of plan preparation, there is no data on these waste arisings in Kent. They are likely to be in low volumes. However, to address the requirements of **Government** DCLG's, guidance on the EU WFD 2008/98/EC<sup>112</sup>, an enabling policy for sites that will manage this waste stream is required.

### Policy CSW 18

#### Non-nuclear Industry Radioactive Low Level Waste Management

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:

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.**

<sup>112</sup> **DCLG DLUHC** (December 2012) Guidance on the EU Waste Framework Directive.

## 7. Development Management Policies

**7.0.1** The **Development Management** (DM) policies in this chapter address a range of subjects relevant to minerals and waste developments in Kent. Together with the minerals and waste delivery strategy policies, and the ~~Minerals and Waste Sites Plans~~, the policies form a robust DM framework for the determination of minerals and waste applications. These policies should also be considered in the context of the relevant local plan for the district or borough where the proposal is situated.

**7.0.2** The DM policies in the Plan avoid duplication with other regulatory functions, such as the environmental permitting regime carried out by the **Environment Agency** (EA).

### 7.1 Policy DM 1: Sustainable Design

**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.**

**7.1.2** Sustainable design initiatives can be achieved by a variety of means such as the incorporation of renewable energy, energy management systems, grey water recycling systems, sustainable drainage systems, **solar panels, electric vehicle charging points**, energy efficient appliances and the use of recycled and recyclable building materials. Policy DM 1 supports some of the key priorities in the County Council's environmental strategy<sup>113</sup>.

**7.1.3** **Proposals for development above a certain size<sup>114</sup> will be expected to demonstrate, within a 'Circular Economy Statement', how the development will achieve a BREEAM 'Very Good' rating or equivalent standard.**

**7.1.4** **The importance placed on the biodiversity within soils, as well as its potential to store carbon, has significantly increased. Both waste and minerals development can result in a large amount of soil disturbance. Planning applications should therefore include details of how soil disturbance is to be minimised. Best practice examples are set out in the Defra publication 'Construction Code of Practice for the Sustainable Use of**

<sup>113</sup> KCC (July ~~March~~ 2014~~6~~) Growing the Garden of England: A Strategy for **Kent** Environment Strategy and Economy in Kent.

<sup>114</sup> **Development requiring a Circular Economy Statement will have a total floor space of greater than 1000 square metres and/or comprise greater than 10no. units of housing and/or where the site is 1 hectare or more.**

## Soils on Construction Sites'

### Policy DM 1

#### Sustainable Design

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;**
2. **minimise** and other emissions **of pollutants which may arise from construction and operation;**
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;~~
4. **minimise waste and** maximise the re-use or recycling of materials **during their construction and operation;**
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;**
6. protect and enhance the character and quality of the site's setting ~~and its biodiversity interests~~ or mitigate and if necessary compensate~~ing~~ for any predicted loss;
7. **maxmise opportunities to contribute to green and blue infrastructure, to include benefits to communities (including Public Rights of Way), and to help achieve contribute to biodiversity net gain;**
8. minimise the loss of Best and Most Versatile Agricultural Land **and protect soils more generally;**
9. **achieve a BREEAM 'Very Good' standard or equivalent where appropriate; and**
10. **where possible, utilise existing buildings and achieve an efficient re-use or land.**

## 7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment

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.**

7.2.2 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. Policy DM 2 recognises that some sites are designated due to their importance in terms of geodiversity.**

7.2.23 Locally important sites are also designated in recognition of their significance at the local level<sup>115</sup> **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 **Local Wildlife Sites (LWSs)**, priority habitat identified in **the Kent BAP**, Local Geological Sites, Locally Listed Heritage Assets, **Local Nature Reserves (LNRs)**, Country Parks, **Ancient Woodland** and aged or veteran trees, waterbodies and other green infrastructure features. **Alongside other nature designations, these sites will play an important role in the success of the Local Nature Recovery Strategy.**

7.2.34 Policy DM 2 relates to these sites of international, national, and local environmental and landscape importance. The policy aims to ensure that there are no unacceptable adverse impacts on these important assets and sets out the circumstances where impacts upon them would be acceptable. In the case of a demonstrated overriding need for the development, any impacts would be required to be mitigated or compensated for in order to provide a net gain or improvement to their condition. **Buffers have a role to play in mitigation.**

7.2.45 In addition to Policy DM 2, Policy DM 3 seeks to **protect Kent's important biodiversity assets**, ensure that **minerals and waste applications are supported by appropriate** **an adequate level of** ecological assessments **will be undertaken for Kent's biodiversity assets**, and ensure that **a biodiversity net gain is maximised. While a statutory target of at least 10% biodiversity net gain for all development has been introduced, the Kent Nature Partnership expects at least 20% to be achieved. The restoration of mineral sites frequently provides excellent opportunities for the development of habitat and the expectation is that they should be maximised such that, where practicable, greater than 20% biodiversity net gain will be achieved. Separate guidance on the application of the biodiversity net gain requirements to minerals and waste developments**

<sup>115</sup> As contained in the Kent State of the Environment Report 2015 and the Kent Environment Strategy 2016.



**as set out in Policy DM3 will be published.**

**7.2.56** In terms of selecting and screening the suitability of sites for identification in **any** the Minerals and Waste Sites Plans, the following criteria will be taken into account:

- The requirements set out in Policy CSM 2: Supply of Land-won Minerals, Policy CSW 6: Location of Built Waste Management Facilities and Policy CSW 7: Waste management for Non-hazardous Waste
- all policies set out in Chapter 7: Development Management Policies
- relevant policies in district local plans
- strategic environmental information, including landscape assessment and HRA as appropriate

The scope of the above information to be considered will be appropriate for a Strategic site selection process. More detailed information will be required for consideration at the planning applications stage.

## Policy DM 2

### Environmental and Landscape Sites of International, National and Local Importance

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, **such that these proposals accord with the avoid, mitigate, compensate hierarchy.**

#### 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**<sup>116</sup> ~~European Sites~~), will need to be evaluated in combination with other projects and plans **and be in accordance with established management objectives for the national sites network ('network objectives'**<sup>117</sup>). Before any such proposal will be granted planning permission or identified in the Minerals and Waste Sites Plan, it will need to be

<sup>116</sup> **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'**

<sup>117</sup> **Changes to the Conservation of Habitats and Species Regulations 2017 - <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017>**

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

Designated Areas of Outstanding Natural Beauty (AONB)<sup>118</sup> 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 **the** public interest. In relation to other 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 Sites Plan or any the Waste Sites Plan** will be considered having regard to the above tests. Those that the Minerals and Waste Planning Authority **considers** ~~to be~~ unlikely to meet the relevant test(s) will not be allocated.

<sup>118</sup> The purpose of an AONB is set out in Section 82(1) of the Countryside and Rights of Way Act 2000 states as follows: the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

Proposals for minerals and/or waste developments within or outside of designated Sites of Special Scientific Interest **or National Nature Reserves**, that are considered likely to have any unacceptable adverse impact on a Site of Special Scientific Interest **or National Nature Reserve**, will not be granted planning permission or identified **in updates** to the Minerals **Sites Plan** and **any** Waste Sites Plans except in exceptional circumstances where it can be demonstrated that **there is an overriding need for the development and any impacts can be mitigated or compensated for, and:**

- 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.

Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact on **irreplaceable habitat such as** Ancient Woodland **and ancient or veteran trees** will not be granted planning permission or identified in **updates to** the 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, **justified by wholly exceptional reasons, and a suitable compensation strategy is in place.**

### 3. Local Sites

Minerals and/or waste proposals within **or likely to have an unacceptable adverse impact on,** 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.

#### **h. Marine Conservation Zones**

## **Policy DM 3**

### **Ecological Impact Assessment**

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 identified in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045.

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); and,
4. the identification and securing of compensatory measures where adverse impacts cannot be avoided or mitigated for;
5. the identification and securing of opportunities to make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Notwithstanding the statutory requirement for all development to achieve at least 10% biodiversity net gain, all proposals shall demonstrate how maximum practicable on site biodiversity net gain shall result from the development.

Restoration of mineral extraction sites for end uses that do not maximise

biodiversity gain on site, but still achieve the mandatory minimum 10%, may be acceptable if it is demonstrated that the benefits of the restoration would help achieve other objectives of the Development Plan that in the view of the planning authority outweigh the achievement of maximum biodiversity net gain

All development shall achieve a net gain in biodiversity value in accordance with the requirements of the NPPF. All major development shall deliver at least a 10% net gain in biodiversity value with an expectation that the maximum practicable net gain is achieved. All planning applications must be supported by a Biodiversity Net Gain Plan and relevant supporting reports that demonstrate net gain will be achieved, implemented, managed and maintained.

Restoration of mineral extraction sites for end uses that limit options to maximise biodiversity gain, may still be acceptable, provided the restoration achieves the minimum requirements and it can be demonstrated that the benefits of the restoration proposed would help achieve other objectives within the Development Plan that can be balanced against the need to maximise biodiversity net gain.

### 7.3 Policy DM 4: Green Belt

7.3.1 The western area of Kent is situated within the Green Belt around London (see Figure 6 in Chapter 2.2). The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

7.3.2 Proposals for minerals and waste development within the Green Belt will be considered in light of their potential impacts, national policy and the National Planning Policy Framework.

7.3.3 There is a presumption against inappropriate development within the Green Belt. Inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, the planning authority will ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.3.4 The National Planning Policy Framework provides guidance on the purposes of the Green Belt and what constitutes inappropriate development. It states that minerals extraction, engineering operations and the re-use of buildings provided that the buildings are of permanent and substantial construction are not inappropriate development in the Green Belt provided that they preserve the openness of the Green Belt and proposals do not conflict with the purpose of including land in the Green Belt. Processing plant, although commonly associated

with mineral extraction, is unlikely to preserve openness, owing to its size, height and industrial appearance and would therefore be inappropriate development. Elements of many renewable energy projects will also comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

**7.3.5** Within the Green Belt, the planning authority will plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

## Policy DM 4

### Green Belt

Proposals for minerals and waste development within the Green Belt will be considered in light of their potential impacts, and shall comply with national policy and the NPPF.

## 7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment

**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<sup>119</sup>. 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, so that they can be enjoyed for their contribution to the quality of life by today's and future generations<sup>120</sup>.

**7.4.2** 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. The Historic England Advice Note 13 on Mineral Extraction and Archaeology also provides advice about

<sup>119</sup> As defined by **MHCLG (2024) DLUHC (2023)** National Planning Policy Framework, para. 52.

<sup>120</sup> **MHCLG (2024) DLUHC (2023)** National Planning Policy Framework, **Chapter 16** para. 17.

## archaeology as part of mineral development.

**7.4.3 Consideration should be given to the NPPG and NPPF on the Historic Environment in that applications should describe the significance of any heritage assets affected by development, including any contribution made by their setting and should include analysis of the significance of the asset and its setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of any development on its significance.**

### Policy DM 5

#### Heritage Assets

Proposals for minerals and waste developments will be required to ensure that Kent's heritage assets and their settings, including ~~locally listed~~ **non-designated** 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<sup>121</sup>, 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 **should 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~~ **harm the significance of** 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, **as set out in national policy for the historic environment.**

### Policy DM 6

#### Historic Environment Assessment

Proposals for minerals and waste development that are likely to affect important heritage assets **and non-designated heritage assets** will only be granted planning permission following:

1. preliminary historic environment assessment, including field archaeological investigation **and assessment of contribution towards setting** where appropriate, to determine the nature and significance of the heritage assets
2. appropriate provision has been secured for preservation in situ, and/or

<sup>121</sup> Two sites in Kent: (1.) South Foreland and (2.) Dover – Folkestone.

archaeological excavation and recording and/or other historic environment recording as appropriate, including post-excavation analysis and reporting, archive deposition and access, and interpretation of the results for the local community, in accordance with the significance of the finds

3. agreement of mitigation of the impacts on the significance of the heritage assets, including their fabric, their setting, their amenity value and arrangements for reinstatement

## 7.5 Policy DM 7: Safeguarding Mineral Resources

**7.5.1** As set out in section 5.5, it is important that certain mineral resources in Kent are safeguarded for potential use by future generations. However, from time to time, proposals to develop areas overlying safeguarded minerals resources for non-minerals purposes will come forward where for genuine planning reasons it would not be practicable to extract the otherwise economic underlying reserves before surface development is carried out.

**7.5.2** In such circumstances, when determining proposals, a judgement will be required which weighs up the need for such development against the need to avoid sterilisation of the underlying mineral taking account of the objectives and policies of the development plans as a whole. ~~will need to be considered when determining proposals.~~

**7.5.3** Policy DM 7 sets out the circumstances when non-minerals development maybe acceptable at a location within a Minerals Safeguarding Area. This policy recognises that the aim of safeguarding is to avoid unnecessary sterilisation of resources and encourage prior extraction of the mineral where practicable and viable before non-mineral development occurs.

**7.5.4** The process of Local Plan formulation, including consultation, independent examination and subsequent adoption provides the opportunity to take account of, and address, the need for the safeguarding of mineral resources. In doing so, it can make a clear judgement that where land is allocated in a Local Plan for surface development, such as housing, the presence of a mineral resource, and the need for its safeguarding, has been factored into the consideration of whether the allocation is appropriate. For sites allocated for non-mineral development it will therefore usually be the case that an assessment of the relevant considerations (criteria 1 to 6 in Policy DM7) has already taken place. In some cases, the assessment will conclude that an allocated site should be exempt from mineral safeguarding. The approach to be taken to mineral assessment during the plan-making stage ~~is~~ is will be set out in the Safeguarding SPD<sup>122</sup>.

<sup>122</sup> The Supplementary Planning Document **or associated guidance** will be maintained by the County Council and updated as required.



**7.5.5** However, applications for non-mineral development located in MSAs, which are promoted as a 'windfall site' (sites not allocated in a development plan) or which are being promoted on allocated sites that have not been the subject of a 'Minerals Assessment', will usually need to be accompanied by such an assessment. This assessment will be prepared by the promoter and will include information concerning the availability of the mineral, its scarcity, the timescale for the development, the practicability and the viability of the prior extraction of the mineral. Guidance on undertaking Minerals Assessments is included in the **British Geological Society's** (BGS) Good Practice Advice on Safeguarding

**7.5.6** In certain cases, it is possible that the need for a particular type of development in a particular location is so important that it overrides the need to avoid sterilisation of the safeguarded mineral resource. Such cases will be exceptional, and it will be necessary to demonstrate, amongst other things, why the identified need cannot practically be met elsewhere.

**7.5.7** Criterion 7 of Policy DM7 recognises that the allocation of land in adopted Local Plans for non-mineral development, such as housing, should have considered the presence of an economic mineral resource and the need for its safeguarding at this time, and, where that is shown to be the case to the satisfaction of the Mineral Planning Authority, there is no need to revisit mineral safeguarding considerations at the planning application stage. The Mineral Planning Authority and the district/borough planning authority will consider mineral safeguarding during the preparation of Local Plans including during preparation of Strategic Housing Land Availability Assessments.

**7.5.8** Where proposals are determined by a district/borough planning authority, the Mineral Planning Authority will work with the relevant authority and/or the promoter to assess the viability and practicability of prior extraction of the minerals resource. As necessary the Minerals Planning Authority will provide information that helps determine the economic viability of the resource.

**7.5.9** In the case of the Sandstone-Sandgate Formation and the Limestone Hythe Formation (Kentish Ragstone) the low probability of utility of the Sandgate Beds and the significant available reserves (in 2019) of the Kentish Ragstone, it is anticipated that any future allocations in local plans for non-mineral development that are coincident with these safeguarded minerals will be unlikely to be found to be in conflict with the presumption to safeguard these minerals. This will need to be evidenced by a Minerals Assessment prepared to a proportionate level of detail. Further guidance **is available in the Safeguarding** will be provided in a revised SPD<sup>123</sup>.

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<sup>123</sup> **The Supplementary Planning Document or associated guidance will be maintained by the County Council and updated as required.**

## Policy DM 7

### Safeguarding Mineral Resources

Planning permission will only be granted for non-mineral development that is incompatible with minerals safeguarding<sup>124</sup> where it is demonstrated that either:

1. the mineral is not of economic value or does not exist; or
2. that extraction of the mineral would not be viable or practicable; or
3. the mineral can be extracted satisfactorily, having regard to Policy DM9, prior to the non-minerals development taking place without adversely affecting the viability or deliverability of the non-minerals development; or
4. the incompatible development is of a temporary nature that can be completed, and the site returned to a condition that does not prevent mineral extraction within the timescale that the mineral is likely to be needed; or
5. material considerations indicate that the need for the development overrides the presumption for mineral safeguarding such that sterilisation of the mineral can be permitted following the exploration of opportunities for prior extraction; or
6. it constitutes development that is exempt from mineral safeguarding policy, namely householder applications, infill development of a minor nature in existing built-up areas, advertisement applications, reserved matters applications, minor extensions and changes of use of buildings, minor works, non-material amendments to current planning permissions; or
7. it constitutes development on a site allocated in the adopted development plan where consideration of the above factors (1-6) concluded that mineral resources will not be needlessly sterilised.

Further guidance on the application of this policy is included in a Supplementary Planning Document.

## 7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities

**7.6.1** It is essential to the delivery of this Plan's minerals and waste strategy that existing facilities<sup>125</sup> used for the management of minerals (including wharves and rail depots) and waste are safeguarded for the future, in order to enable them to continue to be used to produce and transport the minerals needed by society and manage its waste. Policy DM 8 sets out the circumstances when safeguarded minerals and waste development may be replaced by non-waste and minerals uses.

<sup>124</sup> In this context 'mineral safeguarding' should be taken to mean safeguarding certain minerals identified within a Mineral Safeguarding Area shown in the policies maps in Chapter 9 and allocations in the Minerals Sites Plan.

<sup>125</sup> 'Existing facilities' are taken as those have permanent planning permission for minerals and waste uses.

This includes ensuring that any replacement facility is at least equivalent to that which it is replacing and it specifies how this should be assessed.

**7.6.2** In the case of mineral wharves the factors to be considered include the depths of water at the berth, accessibility of the wharf at various states of the tide, length of the berth, the size and suitability of adjacent land for processing plant, weighbridges and stockpiles, and existing, planned or proposed development that may constrain operations at the replacement site at the required capacity.

**7.6.3** There also are circumstances when development proposals in the vicinity of safeguarded facilities will come forward. The need for such development will be weighed against the need to retain the facility and the objectives and policies of the development plan as a whole will need to be considered when determining proposals. Policy DM 8 sets out the circumstances when development may be acceptable in a location proximate to such facilities. The policy recognises that the aim of safeguarding is to avoid **both the unnecessary direct loss of facilities due to development and from those which** may impair the effectiveness and acceptability of the infrastructure, **given the probable irreplaceability of such facilities.**

**7.6.4** Certain types of development which require a high quality amenity environment (e.g. residential) may not always be compatible with minerals production or waste management activities which are industrial in nature. Policy DM 8 therefore expects the presence of waste and minerals infrastructure to be taken into account in decisions on proposals for non-waste and minerals development (known as 'agents of change') made in the vicinity of such infrastructure.

**7.6.5** Criterion 2 of Policy DM8 recognises that the allocation of land in adopted Local Plans for development, such as housing, should have considered the presence of waste management and minerals supply infrastructure and the need for its safeguarding at that time, and, where this has been shown to be the case to the satisfaction of the Mineral Planning Authority, there is no need to revisit the safeguarding considerations at planning application stage.

**7.6.6** **It should be recognised that early engagement with the mineral planning authority regarding development that may potentially pose a safeguarding risk to safeguarded facilities is advantageous in ensuring that development can occur without compromising the presumption to safeguard.** Further guidance on the implementation of this policy is included in a Supplementary Planning Document **and any of its future revisions.**

## **Policy DM 8**

### **Safeguarding Minerals Management, Transportation Production & Waste Management Facilities**

Planning permission will only be granted for development that is incompatible with safeguarded minerals management, transportation or waste management facilities, where it is demonstrated that either:

1. it constitutes development of the following nature: advertisement applications; reserved matters applications; minor extensions and changes of use and buildings; minor works; and non-material amendments to current planning permissions; or
2. it constitutes development on the site that has been allocated in the adopted development plan where consideration of the other criteria (1, 3-7) can be demonstrated to have taken place in formulation of the plan and allocation of the site which concluded that the safeguarding of minerals management, transportation, production and waste management facilities has been fully considered and it was concluded that certain types non-mineral and waste development in those locations would be acceptable; or
3. replacement capacity, of the similar type, is available at a suitable alternative site, which is at least equivalent or better than to that offered by the facility that it is replacing; or
4. it is for a temporary period and will not compromise its potential in the future for minerals transportation; or
5. the facility is not viable or capable of being made viable; or
6. material considerations indicate that the need for development overrides the presumption for safeguarding; or
7. It has been demonstrated that the capacity of the facility to be lost is not required.

Replacement capacity must be at least equivalent in terms of tonnage, accessibility, location in relation to the market, suitability, availability of land for processing and stockpiling of waste (and materials/residues resulting from waste management processes) and minerals, and:

- in the case of wharves, the size of the berth for dredgers, barges or ships
- in the case of waste facilities, replacement capacity must be at least at an equivalent level of the waste hierarchy and capacity may be less if the development is at a higher level of the hierarchy

There must also be no existing, planning or proposed developments that could constrain the operation of the replacement site at the required capacity.

Planning application for development within 250m of safeguarded facilities need to demonstrate that impacts, e.g. noise, dust, light and air emissions, that may legitimately arise from the activities taking place at the safeguarded sites would not be experienced to an unacceptable level by occupants of the proposed development and that vehicle access to and from the facility would not be

constrained by the development proposed.

Further guidance on the application of this policy will be included in a Supplementary Planning document.

## 7.7 Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development

7.7.1 When development is proposed within an **Mineral Safeguarding Area (MSA)**, promoters will be encouraged to extract the mineral in advance of the main development. Policy DM 9 aims to manage situations where built development located on a safeguarded mineral resource is to be permitted, so as to avoid the needless sterilisation of economic mineral resources (in accordance with Policy DM 7).

### Policy DM 9

#### Prior Extraction of Minerals in Advance of Surface Development

Planning permission for, or incorporating, mineral extraction in advance of development will be granted where the resources would otherwise be permanently sterilised provided that:

the mineral extraction operations are only for a temporary period **linked to the timing of the associated surface development**; and, the proposal will not cause unacceptable adverse impacts to the environment or communities

Where planning permission is granted for the prior extraction of minerals, conditions will be imposed **and if appropriate, legal agreements will be entered into** to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

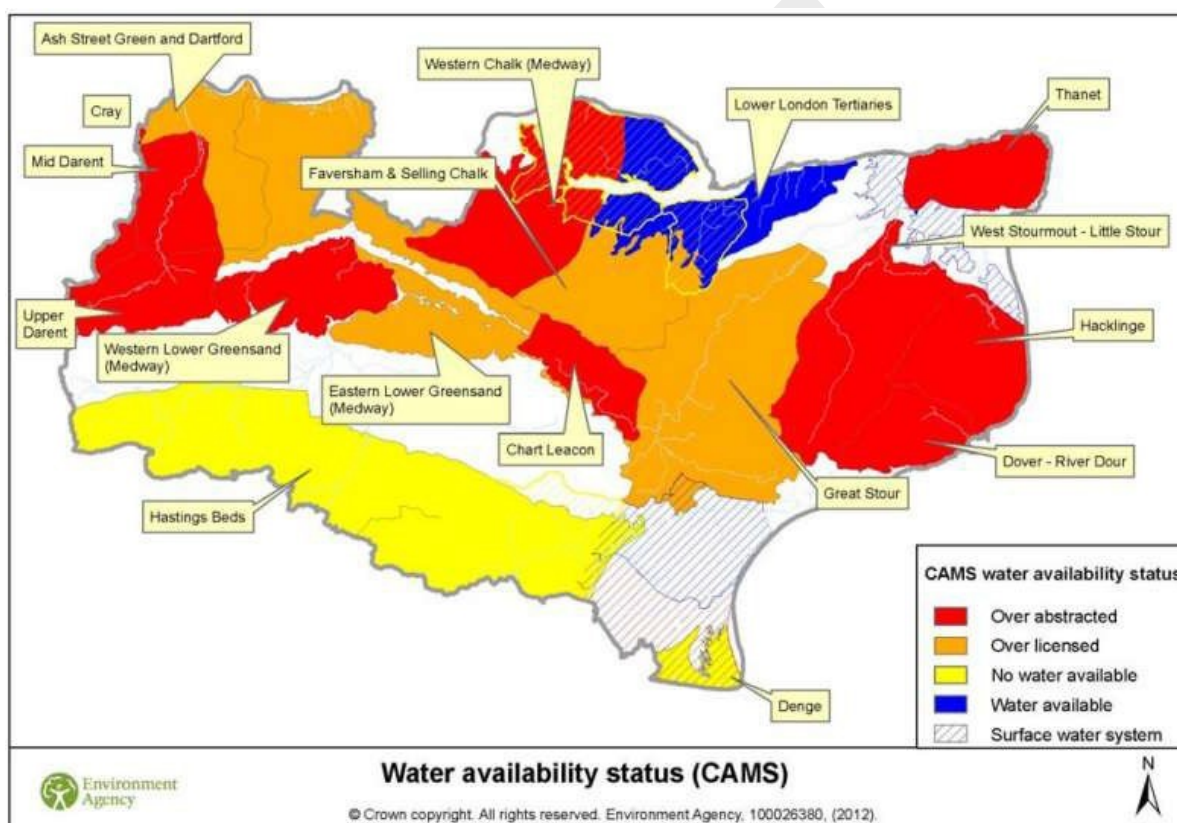
## 7.8 Policy DM 10: Water Environment

7.8.1 Minerals and waste development can have significant impacts on flooding and water quantity and water quality. In Kent there are many catchments where there is little or no water available for abstraction during dry periods. Pressures are particularly notable in Kent as it is one of the driest parts of England and Wales, coupled with high population density and household water use (see Figure 21). Areas of mineral can often provide opportunities for water storage at times of flood and therefore

mitigate against the effects of flooding. There are five sources of flooding that are considered in the SFRA<sup>126</sup>:

- flooding from rivers
- flooding from the sea
- flooding from rainfall
- flooding from groundwater
- flooding from sewers

**Figure 21 Water Availability Status (Source: Environment Agency, State of Water in Kent, 2012)**



7.8.1 Flood zones are used to determine the probability of land experiencing flooding from a river or the sea. The aim of national flood policy is to steer development towards areas with the lowest probability of flooding. The **Environment Agency (EA)** has identified four flood zones:

- **Flood Zone 1:** Land within this zone has been assessed as having a low probability of experiencing flooding from the rivers and sea (less than a 1 in 1000 annual probability of river or sea flooding (<0.1%). Any land-use is appropriate in this zone. Flood Zone 1 is normally shown as unshaded on flood maps

<sup>126</sup> Barton Willmore (June 2013) Mineral and Waste Plan 2013-2030 Strategic Flood Risk Assessment (on Behalf of KCC).

- **Flood Zone 2:** Land within this flood zone has been assessed as having a medium probability of experiencing flooding from rivers and the sea (i.e. having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1%-0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5%-0.1%) in any year). Sand and gravel workings, wharves, mineral workings and processing, waste treatment and landfill sites are appropriate developments for land within this floodzone.
- **Flood Zone 3:** Land within this zone has been assessed as having a high probability of experiencing flooding from rivers and the sea (between a 1 in 100 or greater annual probability of river flooding (>1%), or between a 1 in 200 or greater annual probability of sea flooding (>0.5%) in any year). Development within this flood zone should seek opportunities to reduce the overall level of flood risk through layout and form and appropriate use of sustainable drainage systems, relocating existing development to land in zones with lower risks of flooding and creating space for flooding to occur by restoring functional floodplain and flood flow pathways and by identifying and safeguarding open space for flood storage. Sand and gravel workings, wharves, mineral workings and the processing and treatment of waste (except landfill and hazardous waste facilities) are considered suitable for land-use in this zone.
- **Flood Zone 3b (The Functional Floodplain):** Land within this zone has been assessed as land where water has to flow or be stored in times of flood. Development within this zone should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development and the appropriate application of sustainable drainage systems, or to relocate existing development to land with a lower probability of flooding. Sand and gravel workings and wharves are considered appropriate land-uses within this zone.

**7.8.2** Both flood water and groundwater may become contaminated if it comes into contact with certain types of wastes. It is therefore necessary for waste sites to be managed to ensure that the risk of water contamination from waste is minimised. Planning applications for sites located in areas prone to flooding must be accompanied by a suitable Flood Risk Assessment.

**7.8.3** Groundwater Source Protection Zones (SPZ) for Kent are set out in Figure 15. Groundwater accounts for over 70% of public water supply in Kent. This reliance on groundwater resources makes it important that mineral and waste developments do not adversely affect groundwater supplies in any way.

- **SPZ 1** is the inner zone which is within the 50-day travel time from any point below the water table to the source. This zone around the groundwater supply abstraction point has a minimum radius of 50 metres.
- **SPZ 2** is the outer protection zone and refers to the 400-day travel time from a point below the water table.
- **SPZ 3** is the Source Protection Catchment Zone and refers to the area around a source within which all groundwater recharge is presumed to be discharged

at the source.

- **SPZ 4** is a surface water catchment which drains into the aquifer feeding groundwater supply

**7.8.4** To ensure compliance with the Water FD<sup>127</sup> 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.

**7.8.5** **The County Council, as Lead Local Flood Authority and statutory consultee, has prepared a Drainage and Planning Policy Statement. Which This statement sets out the drainage strategies and surface water management provisions which that are required in association with applications for major development.**

**7.8.67** Policy DM 10 embraces issues of flood, groundwater, SPZs and the protection of waterbodies.

## Policy DM 10

### Water Environment

Planning permission will be granted for minerals or waste development where it does not:

- 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;
- have an unacceptable impact on groundwater Source Protection Zones (as shown in Figure 15) **or threaten the development of future groundwater abstraction and associated source protection zones in overlying principal principles or secondary aquifers; and**
- exacerbate flood risk in areas prone to flooding (as shown in Figure 15) and elsewhere, both now and in the future. **Measures to reduce flood risk where possible are encouraged.**

All minerals and waste proposals must include measures to ensure the achievement

<sup>127</sup> EU Water Framework Directive 2000/60/EC **and equivalent legislation following exit from the European Union.**



of both no deterioration and improved ecological status of all waterbodies within the site and/or hydrologically or **hydrogeologically** connected to the site. **Hydrogeological 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.

## 7.9 Policy DM 11: Health and Amenity

**7.9.1** Minerals and waste development can have unacceptable adverse impacts on the environment and local communities. The use of machinery and lighting can result in noise, light and air pollution and also affect the amenity of nearby communities and businesses and other land uses such as sport, recreation or tourism. It is important that the minerals and waste industry in Kent does not **result in unacceptable** adversely impacts upon the health and amenity of surrounding environment and communities, and **where** appropriate suitable mitigation measures are used to reduce the risk of unacceptable adverse impacts occurring.

**7.9.2** 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). It may also include the preparation of a Health Impact Assessment<sup>128</sup>(HIA). The need for a HIA to accompany a planning application will take into account the likelihood of emissions occurring due to the operation of the site, the proximity to sensitive land uses and the scale of risk to health.

### Policy DM 11

#### Health and Amenity

Minerals and waste developments will be permitted **if where** it can be demonstrated that **they the development is** are unlikely to generate unacceptable adverse impacts from noise, dust, **litter, vermin**, vibration **(including vibration from blasting)**, odour, emissions **(including emissions from vehicles movements associated with the development)**, bioaerosols, **illumination external lighting**, visual intrusion, traffic or **exposure to associated health risks to** and associated damage to the **qualities quality** of life, **the health and wellbeing of local** 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**

<sup>128</sup> **Guidance on Health Impact Assessments has been issued by Public Health England** [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/929230/HIA\\_in\\_Planning\\_Guide\\_Sept2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929230/HIA_in_Planning_Guide_Sept2020.pdf)

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) **It may also include the preparation of a Health Impact Assessment<sup>129</sup>.**

Proposals for minerals and waste development will also be required to ensure that there is no unacceptable adverse impact on **the use of other other permitted land uses on surrounding land (including waterbodies).** for other purposes **and associated permitted land uses.**

## 7.10 Policy DM 12: Cumulative Impact

**7.10.1** Impacts from one development in any particular area may give rise to impacts that, when controlled by mitigation are acceptable and do not give rise to any unacceptable adverse impacts. However, two or more developments of a similar nature within close proximity to each other may act together to cause impacts that are not acceptable, even with mitigation incorporated into the design for each development.

**7.10.2** Proposals likely to have a significant effect on internationally important interest features **of or** internationally important wildlife sites, will need to be assessed through consideration of the possible effects of any other plans and projects, as well as the minerals and/or waste development proposed.

**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.

## Policy DM 12

### Cumulative Impact

Planning permission will be granted for minerals and waste development where it does not result in an unacceptable adverse, cumulative impact on the environment or communities. This is in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring concurrently and/or successively.

<sup>129</sup> **Guidance on Health Impact Assessments has been issued by Public Health England [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/929230/HIA\\_in\\_Planning\\_Guide\\_Sept2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929230/HIA_in_Planning_Guide_Sept2020.pdf)**

## 7.11 Policy DM 13: Transportation of Minerals and Waste

### 7.11.1 **It is recognised that some 12% of harmful particulates in the atmosphere are as a result of road transportation (Clean Air Strategy, 2019).**

One of the roles of the Kent MWLP is to encourage the use of sustainable transportation methods including rail and water. However, in view of the limited opportunities that are available within the county to increase the use of sustainable transportation methods, it is acknowledged that most minerals and waste movements across Kent will continue to be made by road.

### 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).**

7.11.23 Any minerals or waste developments that are likely to result in an increase of more than 200 Heavy Duty Vehicles (HDVs)/day<sup>130</sup> (400 movements) 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 **either alone or in combination with other existing and committed projects**, will not lead to an increase in nitrogen **or acid** deposition within all European Sites that lie within 200m that constitutes more than 1% of the critical load for the most sensitive habitat **designated features** within the site, or
- If the increase in deposition will be greater than 1% of the critical load it ~~will nonetheless be sufficiently small~~ **can be demonstrated** that no adverse effect on the interest features and integrity of the **Habitat** European Site will result

7.11.24 The aim of the Policy DM 13 is to minimise road miles **and harmful emissions** in relation to the 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.**

<sup>130</sup> Department for Transport (May 2007) The design manual for Roads and Bridges, Volume 11, Section 3, Part 1; regarding air quality Environmental Impact Assessment from roads indicates that if the increase in traffic will amount to less than 200 HDVs per day the development can be scoped out of further assessment. A Heavy Goods Vehicle is a vehicle with over 3.5 tonnes maximum permissible gross weight (mgw).

## Policy DM 13

### Transportation of Minerals and Waste

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;
- 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 **and environmentally sustainable vehicle technologies, 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 **or in a location where impacts on an AQMA will result.** (Figure 15).

### 7.12 Policy DM 14: Public Rights of Way

7.12 1 **As Green Infrastructure, including** Public Rights of Way (PROW) play an important role in enabling access to the countryside **and can benefit the County socially, environmentally and economically and where possible development should improve the PROW network**<sup>131</sup>. Minerals and waste sites can often be located close to a PROW or a PROW may cross an area of mineral bearing land. It is important that PROWs remain accessible to users throughout the lifetime of the minerals and waste operations and that users' safety is not compromised by any activity on site. New sites or extended sites should not have an adverse impact on the network of PROWs. In some circumstances it will be necessary for a PROW to be diverted during operations. Temporary diversions will only be acceptable if the restoration scheme provides routes to the same standard of surface level as the original PROW. If this is not possible, it may be preferable to divert the route permanently.

<sup>131</sup> **In line with the County Council's Right of Way Improvement Plan 2018-2028.**

## Policy DM 14

### Public Rights of Way

Planning permission will only be granted for minerals and waste development that adversely affect a Public Right of Way, if:

satisfactory prior provisions for its diversion **or stopping up** are made which are both convenient and safe for users of the Public Rights of Way

provision is created for an acceptable alternative route **both** during operations **and following restoration of the site.**

opportunities are taken wherever possible to secure appropriate, improved access into **and within** the countryside.

### 7.13 Policy DM 15: Safeguarding of Transportation Infrastructure

**7.13.1** Non-hazardous landfill and water-filled mineral operations attract birds which may give rise to the possibility of increased hazard to air traffic due to bird strike. EfW plants can cause air turbulence in the vicinity of the site which together with the physical structures necessary for these operations can cause obstruction to air safety, in particular to light aircraft. Local planning authorities are required to consult local aerodromes before granting planning permission for development that might endanger the safety of aircraft. Such developments include buildings and structures that exceed certain heights and development that is likely to attract birds within the relevant radius of aerodromes as identified on safeguarding maps provided by the Civil Aviation Authority or Ministry of Defence.

**7.13.2** The Port of London Authority has a network of navigational equipment that needs to be maintained to ensure the continued safety of vessels navigating on the River Thames, in addition to the existing, varied operations that currently take place. It is important that this network of equipment is not compromised by other developments.

**7.13.3** If, following consultation with relevant organisations, the nature of the mineral extraction or waste management development is considered to give rise to new or increased risks to aerodromes and their associated uses, or increased hazards to rail, river, sea, waterways or road transport then planning permission will not be granted.

## Policy DM 15

### Safeguarding of Transport Infrastructure

Minerals and waste proposals will be granted planning permission where development would not give rise to unacceptable impacts on aviation, rail, river, sea, other waterways or road transport or where these impacts are mitigated.

## 7.14 Policy DM 16: Information Required in Support of an Application

**7.14.1** The minerals and waste planning authority is entitled to request appropriate information from applicants when the required information is a material consideration in the determination of the planning application. If the additional information is not supplied, the application may be refused planning permission on the grounds of insufficient information.

**7.14.2** The planning authority carefully considers all aspects of a planning application to establish whether planning permission should be granted. It involves using the available information to consider the merits of proposals against any potential impacts; a judgement is made regarding the need for the development weighed against any residual impacts after mitigation is taken into consideration. A system of planning controls can be established through the imposition of conditions or planning obligations to further ensure that the development proposals do not have an unacceptable adverse impact on local communities or the environment.

**7.14.3** The details of the information required within a planning application can be determined through pre-application discussions and meetings with the Minerals and Waste Planning Authority, which applicants are strongly encouraged to undertake. Applications that are not supported by suitable, sufficient material information will invariably take longer to determine and are at risk of being refused.

**7.14.4** Certain types of minerals and waste developments may require an Environmental Statement (ES) to accompany the planning application<sup>132</sup>. The information contained within the ES will be taken into account in determining the application. If applicants consider that their proposals are likely to require an ES, they should seek guidance at an early stage on the need for and scope of the ES. All submitted applications will be screened and applicants advised if an ES is required, if one has not already been submitted.

**7.14.5** European **Habitat** Sites (including SPAs, Ramsar sites and SACs and **SSSIs that are sensitive to air quality**) are protected by European legislation. **Habitat Regulations Assessments** (HRAs) are required to be carried out where

<sup>132</sup> Required under the *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended)*.

proposals may have a significant impact upon the EuropeanHabitat Site. To assess whether a proposal will have likely significant effects upon a designated site, the criteria in the following paragraphs 7.14.6 - 7.14.8 are used to determine when a HRA will be required for a development project.

**7.14.6** Any proposal for an EfW facility should undertake HRA screening with regard to all EuropeanHabitat Sites within 10 km. It will be necessary for the applicant to demonstrate that either:

- increases in nitrogen or acid deposition from the proposed development along and in combination with other projects within all EuropeanHabitat Sites that lie within 10 km constitute less than 1% of the critical load for the most sensitive habitat within the site or
- if the increase in nitrogen deposition will be greater than 1% of the critical load, it will nonetheless be sufficiently small can be demonstrated that no adverse effect on the designated interest features and integrity of the EuropeanHabitat Site will result.

**7.14.7** Any minerals or waste development that is likely to result in an increase of HDVs on any road that lies within 200 m of a EuropeanHabitat Site should also be subject to HRA to HRA screening in order to evaluate air quality impacts within the context of the critical load, or critical level, and the 1% criterion cited above, in any air quality assessment.

**Table 2 Indicative screening distances for considering whether a Habitat Regulations Assessment is required for a development.**

<b>Pathway</b>	<b>Screening Distance from a <u>EuropeanHabitat</u> Site<sup>133</sup></b>
Air Quality - Energy from Waste	10 km
Air Quality - Landfill Gas Flares	1 km
Air Quality - Biopathogens	1 km
Air Quality - Dust	500 m
Air Quality - Vehicle ExhaustEmissions	200 m
Water Quality and Flow	No standard distance (use source/pathway/receptor approach)

<sup>133</sup> International Designated Sites, Special Areas of Conservation, Special Protection Areas and Ramsar sites.

Disturbance (noise/visual)	1 km from a <u>EuropeanHabitat</u> Site supporting disturbance sensitive species/populations
Gull/Corvid (rooks and crows)predation	5 km from a <u>EuropeanHabitat</u> site supporting sensitive ground nesting breeding species
Coastal Squeeze	No standard distance - evaluate on a case-by-case basis

**7.14.8** Table 42 identifies the screening distances from EuropeanHabitat Sites associated with particular impact pathways. Development projects that will lead to the pathways and fall within these zones will require HRA. The table does not preclude HRA being required in other circumstances.

## Policy DM 16

### Information Required In Support of an Application

Planning applications for minerals or waste management development must be supported by sufficient, relevant drawings, plans and information, including the information specified in the County Council's guidance notes for minerals and waste applications<sup>134</sup>.

## 7.15 Policy DM 17: Planning Obligations

**7.15.1** Where the use of planning conditions is not possible, in some circumstances, development proposals could be considered to be acceptable if planning obligations are used. These can either take the form of legal agreements entered into by planning authorities or a unilateral undertaking made by the developer and any person with an interest in the development and the relevant land. The types of matters that may need to be covered in planning obligations are listed in Policy DM 17, which is neither exhaustive nor are the listed matters relevant to every development.

## Policy DM 17

### Planning Obligations

Planning obligations will be sought where appropriate, to achieve suitable control over, and to mitigate and/or compensate for, the effects of minerals and waste

<sup>134</sup> Applicants should refer to the following website for the most recent guidance on local information requirements and validation of applications: <http://www.kent.gov.uk/planningapplications>. Guidance will be reviewed and updated periodically.



development where such objectives cannot be achieved by planning conditions. Matters to be covered by such planning obligations may include those listed below as appropriate to the proposed development:

1. revocation and consolidation of planning permissions
2. highways and access improvements
3. traffic management measures including the regulation of lorry traffic
4. provision and management of off-site or advance tree planting and screening
5. extraction in advance of future development
6. environmental enhancement and the delivery of Local Biodiversity Action Plan Targets **in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045 and the Local Nature Recovery Strategies, as well as securing the implementation and long-term management of biodiversity net gain**
7. protection and enhancement of internationally, nationally and locally important sites
8. landscape enhancement
9. protection, **conservation and enhancement** of internationally, nationally and locally notable and protected species, **and habitats**
10. long term management and monitoring of mitigation or compensation sites and their protection from further development
11. provision and long term maintenance of an alternative water supply should existing supplies be affected
12. archaeological investigation, analysis, reporting, publication and archive deposition
13. establishment of a liaison committee
14. long-term site management provision to establish and/or maintain beneficial after-use
15. Improvement to the public rights of way network **in accordance with Actions identified within the KCC Public Rights of Way Improvement Plan 2018-2028**
16. financial guarantees to ensure restoration and long term maintenance is undertaken

17. measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of minerals and waste development
18. codes of construction practice for large<sup>135</sup> waste developments that incorporate the requirement for the majority of the construction workforce to be recruited locally. Opportunities for modern apprenticeships to be made available for a proportion of the construction workforce
19. the majority of the operational staff at large waste developments to be sourced from the local area and opportunities for modern apprenticeships and other nationally recognised training schemes to be available for a proportion of the workforce.

**20. measures to reduce flood risk where practicable**

**21. measures to protect and enhance other heritage assets and avoidance of light pollution**

**22. measures to encourage use of non-road modes of transport where practicable**

**23. measures to protect and improve water quality and levels**

## 7.16 Policy DM 18: Land Stability

**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, especially quarries and landfill, must include a stability report and measures to ensure land stability.**

**7.16.2 Minerals and waste development can give rise to land instability if proposals are not properly planned and implemented. The issue Land instability 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 assesses the physical capability of the land,

<sup>135</sup> A large waste development is one that has a capacity of over 100,000 tpa.

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.

**7.16.3** The aim of Policy DM 18 is to ensure that land stability is properly addressed during the operational phase(s) of minerals and waste development. Policy DM 19 addresses the issue in so far as it relates to restoration, aftercare and after-use.

## Policy DM 18

### Land Stability

Planning permission will be granted for minerals or waste development where it is demonstrated that it will not result in land instability.

## 7.17 Policy DM 19: Restoration, Aftercare and After-use

**7.17.1** The nature of restoration activity depends on the choice of after-use, which is influenced by a variety of factors including the aspirations of the landowner(s) and the local community, the present characteristics of the site and its environs, any strategies for the area (e.g. biodiversity priorities), the nature, scale and duration of the proposed development and the availability and quality of soil resources. Where the proposal is to restore the site to agricultural use at existing ground levels, ensuring the availability of clean inert fill material is important to the deliverability of the scheme as is the availability of suitable topsoil (Policy CSW 10: Development at Closed Landfill Sites seeks to address this). Quarries have been restored through importation of non-hazardous and/or hazardous waste and the acceptability of this in principle would be considered against Policy CSW 9: Non Inert Landfill in Kent. It may be appropriate to retain some industrial archaeological features, geological exposures or landscapes within a quarry.

**7.17.2** **Where new development is proposed**, 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, **biodiversity** or the setting of historic assets to the benefit of the local or wider community. **Restoration plans should have regard to priorities for landscape enhancements identified in the Landscape Characterisation Assessments and for green space in the Kent Growth and Infrastructure Strategy.** **Restoration of mineral sites to a water body may be appropriate and provide opportunity for biodiversity and habitat enhancement or recreational uses.** 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. **Notwithstanding the statutory**

requirement for all development to achieve at least 10% biodiversity net gain, there is an expectation that all proposals for restoration, aftercare and after-use shall demonstrate how the maximum on site practicable biodiversity net gain shall result from can be achieved by the development. In developing restoration plans, regard shall be had to Kent County Council's Plan Bee Pollinator Action Plan July 2021. This seeks to assist in the recovery of pollinator populations which will support biodiversity and the agricultural needs of the county. Where appropriate, provision shall be made for additional tree cover to support climate change and biodiversity objectives in accordance with the Government's England Trees Action Plan 2021-2024 (May 2021) and the County Council's emerging Plan Tree - Kent County Council's Tree Establishment Strategy 2022-2032<sup>136</sup>.

7.17.3 Restoration of mineral extraction sites for end uses that do not limit options to maximise biodiversity gain, but still achieve the mandatory minimum, may still be acceptable, provided the restoration achieves the minimum requirements and if it is demonstrated that the benefits of the restoration proposed would help achieve other objectives of within the Development Plan that outweigh can be balanced against the need to maximise achievement of maximum biodiversity net gain.

**7.13.34** To achieve high-quality restoration to an agricultural use or certain leisure uses (e.g. to parkland), a supply of suitable soils is normally required. In such cases all soil resources should be retained and managed on site for use in restoration. The way that soils are handled is also a key element for successful restoration to these uses. Details of the management and storage of soils, including timing and means of soil movements and types of machinery to be used will be required.

**7.17.45** In cases where insufficient soils exist on site the applicant will need to make provision for the supply of soils or soil making materials within an agreed timescale to ensure the timely restoration of the site. Planning consent will only be granted for the importation and processing of such materials (where soil making materials require prior processing) if proven necessary to ensure timely restoration. Stockpiles will need to be controlled such that soil quality is not adversely affected and there are no unintended adverse impacts resulting from, for example, visual appearance and drainage. No subsequent export of material will be allowed.

**7.17.56** For the initial years following restoration (usually a 5-year period but this may be extended e.g. when restoration is to a particular wildlife habitat) site aftercare measures are required to ensure that the reinstatement of soils and the planting or seeding carried out to meet restoration requirements is being managed so that the site will return to its intended after-use in a timely manner. These measures involve improving the structure, stability and nutrient value of soils, ensuring adequate drainage is available and securing the establishment and management of the grass sward, crop or planting areas, together with any other maintenance as may be required. The aftercare scheme normally requires two

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<sup>136</sup> in draft as of August 2022

levels of details to be provided, these are:

- the outline strategy for the whole of the aftercare period
- a detailed strategy for the forthcoming year

**7.17.7 Restoration involving infilling may impact groundwater, both in terms of its quality, levels and flow paths. Restoration and aftercare plans should therefore carefully consider the local groundwater regime to avoid unacceptable impacts on its quantity, quality and on flood risk.**

**7.17.68** 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<sup>137</sup> Policy DM 19 identifies the issues that need to be addressed in relation to the restoration, aftercare and after-use of minerals extraction and temporary waste management development.

## **Policy DM 19**

### **Restoration, Aftercare and After-use**

Planning permission for minerals extraction and temporary waste management development will be granted where satisfactory provision has been made for **the highest possible 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 provides for restoration and aftercare at the earliest opportunity, Restoration proposals must **deliver sustainable afteruses that benefit the Kent community, economically, socially or environmentally. All development should achieve at least 10% biodiversity net gain and demonstrate how maximum practicable on site biodiversity net gain shall result from the development.** ~~include measures to provide biodiversity gains.~~

**Restoration of mineral extraction sites for end uses that do not maximise biodiversity gain, but still achieve the mandatory minimum, may be acceptable if it is demonstrated that the benefits of the restoration would**

<sup>137</sup> The Environment Act (1995) introduced a requirement for an initial review and updating of ~~of~~ all old mineral planning permissions (known as the 'Review of Mineral Permissions' or 'ROMP' process). There is no fixed period when periodic reviews should take place so long as the first review is no earlier than 15 years after planning permission is granted or, in the case of an old permission, 15 years of the date of the initial review. Any further reviews should be at least 15 years after the date of the last review.

**help achieve other objectives of the Development Plan that in the view of the planning authority outweigh the achievement of maximum biodiversity net gain.**

**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;
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 **and where relevant exceeding, the biodiversity net gain targets, including those outlined in the Kent Nature Partnership Biodiversity Strategy 2020-45, Biodiversity Opportunity Areas, Areas of Outstanding Natural Beauty Management Plans and the Local Nature Recovery Strategy;** ~~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 **and avoid unacceptable impacts on groundwater;**
22. details of the seeding of grass or other crops and planting of trees, shrubs and hedges;
23. a programme ~~of~~ **for the long-term management and** aftercare **of the restored sites** 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 in exceptional circumstances where their use can be justified to secure restoration objectives.**

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.

## 7.18 Policy DM 20: Ancillary Development

**7.18.1** Policy DM 20 seeks to provide certainty that proposals for ancillary development within or close to minerals and waste development will be permitted, even when there may be an adverse environmental impact, so long as it is possible to demonstrate that there are environmental benefits in providing the close link with the existing site that outweighs the likely environmental impacts.

### Policy DM 20

### Ancillary Development

Proposals for ancillary development<sup>138</sup> 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 **or operate successfully;**
2. it has been demonstrated that there are environmental benefits in providing a close link **between the ancillary development and with the existing permitted uses at the** site that outweigh **the any** environmental **and community** impacts **from the proposed development.**

Where permission is granted, the operation and retention of the **associated ancillary** development will be limited to the life of the **linked-main** mineral or waste facility **and shall be removed to enable the agreed site restoration.**

## 7.19 Policy DM 21: Incidental Mineral Extraction

**7.19.1** Policy DM 21 seeks to provide certainty that proposals for incidental mineral extraction will be permitted provided that operations do not cause unacceptable adverse impacts to the environment or communities. **Such proposals will typically be a matter for District and Borough Council's to determine.**

### Policy DM 21

#### Incidental Mineral Extraction

Planning permission for mineral extraction that forms a subordinate and ancillary element of other development will be granted provided that operations are only for a temporary period. Where planning permission is granted, conditions will be imposed to ensure that the site can be restored to an alternative after-use in accordance with Policy DM 19 should the main development be delayed or not implemented.

## 7.20 Policy DM 22: Enforcement

**7.20.1** The Plan seeks to promote sustainable development within Kent. Positive and balanced policies have been designed to help support and encourage this principle.

<sup>138</sup> "Ancillary Development" is defined in the Town and Country Planning Act S90. In relation to minerals and waste developments "ancillary development" only includes development that is directly related to the minerals or waste development proposed.



Hand-in-hand with this objective is the need to ensure a general upholding of planning law. Within this context, informal and negotiated solutions to planning control problems are sought, acting with discretion and in a proportionate way. However, there will be occasions when determined planning breaches cause significant environmental and amenity issues and may threaten the integrity of the planning system. To fully meet such challenges requires the actions of a local control and management regime and the support of a recognised policy base.

## **Policy DM 22**

### **Enforcement**

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.~~

## 8. Managing and Monitoring the Delivery of the Strategy

**8.0.1** Monitoring is an important part of evidence-based policy making. The NPPF states that local planning authorities should ensure that the local plan is based on adequate, up-to-date and relevant evidence<sup>139</sup>. The Kent MWLP therefore **includes** a monitoring schedule to ensure it remains based on up-to-date evidence and to measure the effectiveness of its vision and objectives.

**8.0.2** The monitoring and implementation framework set out in this section shows how the Strategic Objectives of the Kent MWLP will be achieved by monitoring data indicators relevant to each of the Plan's policies. The framework includes targets against which the performance of the policies can be monitored, plus associated 'trigger points' to indicate when corrective action may be required. The monitoring of each indicator will be carried out as part of the production of the Kent Annual Monitoring Report. Policies may be subject to review if annual monitoring indicates that significant, adverse trends are likely to continue.

**8.0.3** **Following the enactment of the Localism Act 2011** it is **now** the responsibility of each local authority to decide what to include in its monitoring reports, while satisfying the information requirements of relevant UK and **retained** EU legislation. KCC still attaches importance to the former core national output indicators, used as the basis for monitoring in previous years, and will continue to report on these indicators. These are:

- production of primary land-won aggregates
- production of secondary and recycled aggregates
- capacity of waste management facilities by type
- amount of municipal waste arising and managed, by management type and the percentage each management type represents of the total waste managed.

**8.0.4** In addition, KCC also monitors local output indicators as follows:

- new mineral reserves granted permission
- construction aggregate landbanks
- other minerals landbanks
- safeguarding of wharves and rail depots
- sales of construction aggregates at wharves and rail depots
- waste growth rate
- exports and imports of waste
- capacity for managing waste in Kent

**8.0.5** Data for many of the mineral related indicators is supplied by the South East England Aggregate Working Party (SEEAWP). KCC intends to include these local output indicators in the AMR and/or the Local Aggregate Assessment (LAA) for as long as the data remains available. In accordance with the agreements with industry and their trade

<sup>139</sup> **DCLG DLUHC (2012 September 2023)** National Planning Policy Framework, para. 158

associations, this information is only available in a collated form, so individual site information cannot be easily identified. This can cause problems for planning for minerals, especially where there is a limited number of suppliers of particular types of mineral such as brickearth or crushed rock. The SEEAWP reports also provide a limited amount of information on secondary and recycled aggregates. The potential problem with this source of material is that some operators are reluctant to provide survey returns and so the values obtained are considered likely to be an under-representation of the actual amount of secondary and recycled aggregates produced in Kent in any one year.

**8.0.6** The National Planning Policy for Waste<sup>140</sup> also refers to specific parameters being monitored to inform the determination of planning applications. In particular:

- take-up in allocated sites and areas;
- existing stock and changes in the stock of waste management facilities, and their capacity (including changes to capacity); and
- the amounts of waste recycled, recovered or going for disposal.

**8.0.7** The supporting Planning Practice Guidance<sup>141</sup> also refers to the need to monitor annual arisings to allow for review of the forecasts that underpin the strategy.

**8.0.8** Data on Local Authority Collected Waste is readily available and reported to central Government on an annual basis. Data on C&I waste arisings is less readily available. Similarly, until now there has not been any regular reporting of hazardous waste arisings in Kent and the amount of hazardous waste managed in the county. This information was collated as part of the evidence base for the Plan<sup>142</sup>. It is proposed to include the following additional new local output indicators **are also used** to monitor the effectiveness of the Kent MWLP policies regarding **C&I and hazardous waste management streams in future AMRs**:

- C&I waste generated in Kent that is landfilled within Kent and outside Kent
- hazardous waste arising in Kent that is managed within Kent and outside Kent

**8.0.9** The following monitoring schedule **includes** considers how each of the Plan's Strategic Objectives will be implemented through the Plan's policies and how their achievement will be monitored.

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<sup>140</sup> **DCLG DLUHC** (October 2014) National Planning Policy for Waste, para.9

<sup>141</sup> **DCLG DLUHC** (updated October 2014) National Planning Policy Framework Planning Practice Guidance on Waste, para. 054.

<sup>142</sup> **KCC (May 2011) TRW5: Hazardous Waste Management**

### Monitoring Schedule: Sustainable Development Policies

Policy	Indicator(s)	Who?	How?		When?	Target	Trigger	Link to Strategic Objective
CSM 1 & CSW 1: Sustainable Development	1. Mineral and waste applications granted contrary to national policy and guidance.	KCC	DM decisions		On-going (annual monitoring)	No application granted planning permission contrary to national policy and guidance	One application permitted contrary to national policy and guidance	SO1; SO2
	2. Minerals and waste applications determined within 13 / 16 weeks. <sup>143</sup>	KCC	DM decisions		On-going (annual monitoring)	100% within the target/ agreed timescale	One application determined beyond the agreed timescale	SO1; SO2
DM 1: Sustainable Design	1. Minerals and waste applications granted that accord with the Kent Design Guide and/or KCC's environmental strategy.	KCC District authorities	District authority local plan adoption		On-going (annual monitoring)	100% of major applications granted planning permission	One application permitted contrary to the cited guidance	SO1; SO2; SO3; SO5; SO14 <del>0</del> <u>1</u> ; SO12 <del>1</del> <u>1</u>
	2. Adoption of the Kent Design Guide by district authorities	KCC District authorities	District authority local plan adoption		On-going (annual monitoring)	100% adoption as supplementary planning guidance	One authority without the adopted supplementary guidance	

<sup>143</sup> For applications without an extension of time agreed with the applicant. 16 weeks for applications accompanied by an Environmental Statement

### Monitoring Schedule: Delivery Strategy for Minerals

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSM 2: Supply of Land-won Minerals in Kent	Reserve data for sharp sand and gravel	KCC Minerals operators	Aggregates Monitoring Survey	Annual data collection from the previous calendar year	Maintain <b>supply equal to at least 10.08mt and at least a 7 year landbank (5.46mt) as set out in the LAA</b> while resources allow	Permitted reserves equivalent to 10% above supply target	SO5;
	Reserve data for soft sand	KCC Minerals operators	Aggregates Monitoring Survey	Annual data collection from the previous calendar year	Maintain a rolling landbank of at least 7 years supply <b>as set out in the LAA</b> equivalent to <b>11.05mt</b>	Permitted reserves equivalent to 10% above landbank target	SO5;
	Reserve data for crushed rock (confidential) <sup>144</sup>	KCC Minerals operators	Aggregates Monitoring Survey	Annual data collection from the previous calendar year	Maintain a rolling landbank of at least 10 years supply <b>as set out in the LAA</b> equivalent to at least <b>20.5mt</b>	Permitted reserves equivalent to 10% above landbank target	SO5;

<sup>144</sup> The sales and reserves of land-won crushed rock are not published as there are only two sites currently producing crushed rock in Kent; the total sales data from three or more sites are required in order to protect commercial confidentiality

	Reserve data for brickearth and clay for brick and tile manufacture	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Stock of permitted reserves of at least 25 years for brickearth  Maintenance of sufficient reserves of clay based on past sales and market demand	Permitted reserves equivalent to less than three years above the minimum stock of permitted reserves target	SO5;
<b>Policy</b>	<b>Indicator(s)</b>	<b>Who?</b>	<b>How?</b>	<b>When?</b>	<b>Target</b>	<b>Trigger</b>	<b>Link to Strategic Objective</b>
	Reserve data for silica sand	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Stock of permitted reserves for individual sites of at least 10 years and 15 years for sites where significant new capital is required	Permitted reserves equivalent to less than three years above the minimum stock of permitted reserves target	SO5;
	Reserve data for chalk for agricultural and engineering purposes	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Maintenance of sufficient reserves to meet supply requirements for the plan period	Permitted reserves equivalent to less than three years of reserves at current (annual) rates	SO5;
	Reserve data for clay engineering purposes	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Maintenance of sufficient reserves to meet supply requirements for the plan period	Permitted reserves equivalent to less than three years of reserves at current (annual) rates	SO5;

<p>CSM 3: Strategic Site for Minerals</p>	<p>Planning applications granted for alternative development within the Strategic Site for Minerals at Medway Cement Works and the Minerals Consultation Area.</p>	<p>KCC Tonbridge &amp; Malling Borough Council</p>	<p>DM decisions</p>	<p>On-going (annual monitoring)</p>	<p>100% refusal for proposals with an objection from the County Council</p>	<p>One application permitted with an objection from the County Council</p>	<p>SO5;</p>
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Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSM 4: Non-identified Land-won Mineral Sites	Planning applications granted for mineral extraction at alternative sites outside allocated sites	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO5;
CSM 8: Secondary and Recycled Aggregates	Identification of secondary and recycled aggregate capacity in the Minerals Sites Plan.	KCC Secondary and recycled aggregate operators	Mineral Sites Plan	Adoption of the Mineral Sites Plan On-going (annual monitoring)	To maintain at least 2.7mtpa <b>for the productive capacity value in the latest LAA</b> of processing capacity throughout the plan period	Processing capacity falls by the equivalent to 10% below the target capacity	SO2; SO6; <del>SO10</del>
	Planning applications granted for secondary and recycled aggregate production.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	



Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSM 9: Building Stone in Kent	Planning applications granted for building stone extraction.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO5; SO8;
CSM 10: Oil, Gas and Unconventional Hydrocarbons	Planning applications granted associated with the exploration, appraisal and development of oil, gas and unconventional hydrocarbons.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO1; SO2; SO3; SO9
CSM 11: Prospecting for Carboniferous Limestone	Planning applications granted for underground limestone prospecting.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO5;
CSM 12: Sustainable Transport of Minerals	Planning applications granted for the sustainable transport of minerals (e.g.water or rail).	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO1; SO2; SO3; SO5; SO7; SO12 <del>1</del> ; SO14 <del>3</del> ;

**Monitoring Schedule: Delivery Strategy for Waste**

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 2: Waste Hierarchy	Existing waste capacity by facility type and Waste Hierarchy category.	KCCEA	EA waste management facility data  DM information	On-going (annual monitoring, when data is made public)	Increasing the proportions of waste management capacity further up the waste hierarchy	Relative and total fall in the proportion of waste capacity provided further up the waste hierarchy	SO2; SO3; SO14 <del>0</del> SO12 <del>1</del> SO13 <del>2</del>
	Planning applications for waste management to include information on how the proposal will help drive waste to ascend the Waste Hierarchy wherever possible and practicable	KCC  Waste operators	DM decisions and information	On-going (annual monitoring)	100% of proposals granted planning permission providing the required information where relevant	One application permitted without the required information	

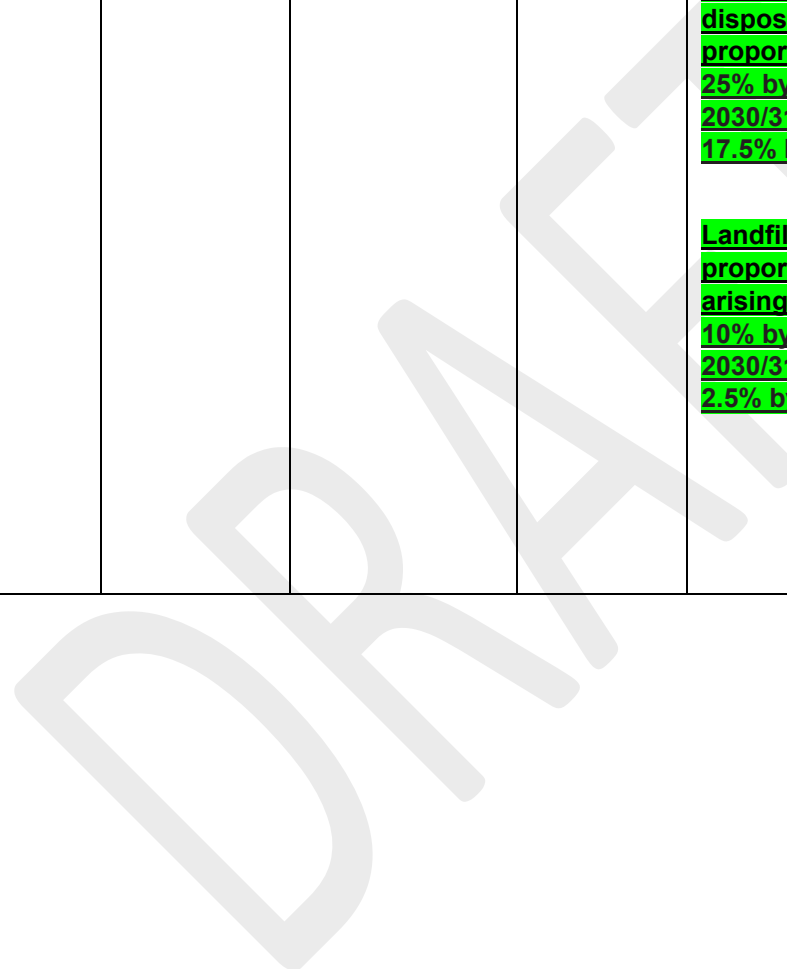
Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 3: Waste Reduction	All development applications <sup>145</sup> submitted with details of the compliance to policy CSW 3 as applicable	KCC  District authorities	DM decisions	On-going (annual monitoring)	100% of applications granted planning permission providing the required information where relevant	One application permitted without the required information	SO2; SO3; SO6; SO10; SO14; SO13
<b>CSW 3: Waste Reduction</b>	<b>Annual waste arisings</b>	<b>KCC</b>	<b>EA waste management data</b>	<b>On-going (annual monitoring)</b>	<b>Declining trend year on year</b>	<b>Increasing trend</b>	<b>SO2; SO3; SO6; SO10; SO12</b>

<sup>145</sup> Except householder applications.

<p>CSW 4: Strategy for Waste Management Capacity</p>	<p>Annual capacity of waste management facilities.</p>	<p>KCC  EA</p>	<p>Planning permission data  Data on flows to and from permitted waste management facilities of waste arising from Kent</p>	<p>On-going (annual monitoring)</p>	<p>LACW:  Recycling/ composting rates: at least 50% by 2020/21, 55% by 2025/26, and 60% by 2030/31, <b>65% by 2035/36, and 70% by 2040/41;</b>  Landfilling no more than 2% by 2020/21, 2% in 2025/26 and 2% in 2030/31, <b>2% in 2035/36, and 2% in 2040/41</b>  C&amp;I Waste:  Recycling/ composting rates at least <b>50% by</b></p>	<p>Capacity fallen to 10% above the target capacity beyond the years stated</p>	<p>SO1; SO6; <del>SO40;</del> SO140; SO132</p>
<p><b>Policy</b></p>	<p><b>Indicator(s)</b></p>	<p><b>Who?</b></p>	<p><b>How?</b></p>	<p><b>When?</b></p>	<p><b>Target</b></p>	<p><b>Trigger</b></p>	<p><b>Link to Strategic Objective</b></p>

					<p>2020/21, 55% by 2025/26 and 60% by 2030/31, 65% by 2035/36, and 70% by 2040/41;</p> <p>Landfilling no more than 15% by 2020/21, 12.5% in 2025/26 and 10% in 2030/31, 8.5% in 2035/36, and 5% in 2040/41</p> <p>C&amp;D Waste (Non-inert):</p> <p>Recycling rates at least 12% by 2020/21, 13.65% by 2025/26 and 14.70% by 2030/31, 75% by 2035/36 and 80% by 2040/41.</p> <p>Composting rates at least 1% by 2020/21, 1% in 2025/26 and 1% in 2030/31</p> <p>Landfilling no more than 2% by 2020/21, 1.5% in 2025/26 and 0.5% in 2030/31, 5% in 2035/36 and 2.5 in 2040/41.</p> <p><b>C&amp;D waste (inert):</b></p> <p><b>inert waste recycling minima (as proportion of inert arisings): 65% by</b></p>	
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					<p><b>2025/26, 70% by 2030/31, 75% by 2035/36, 80% by 2040/41</b></p> <p><b>Permanent deposit of inert waste other than for disposal of landfill (as proportion of inert risings):</b> <b>25% by 2025/26, 25% by 2030/31, 20% by 2035/36, 17.5% by 2040/41</b></p> <p><b>Landfill maxima (as proportion of inert arisings)</b> <b>10% by 2025/26, 5% by 2030/31, 5% by 2035/36, 2.5% by 2040/41</b></p>		
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Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
	Net self-sufficiency plus proportion of London's waste.	KCC EA	Data on flows to and from permitted waste management facilities in Kent	On-going (annual monitoring)	Tonnages of waste arisings from Kent equivalent to the tonnages of waste managed within Kent  Capacity for residual waste from London	More than -10% difference in the annual levels of imports and exports  Spare consented capacity falls below forecast need for Kent by 10%	
CSW 5: Strategic Site for Waste	Planning decisions resulting in development (other than mineral) working with restoration through the landfilling of hazardous flue dust from Energy from Waste plants in Kent <sup>146</sup> , on or near the Strategic Site for Waste that could adversely affect development of required capacity to serve Allington EfW.	Swale Borough Council	DM decisions	On-going (annual monitoring)	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO132, SO143

<sup>146</sup> Note that in the event that government policy changes such that hazardous flue dust from Energy from Waste plants can no longer be landfilled, restoration by other means may be possible.

	An appropriate planning application granted on the Strategic Site for Waste	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	
<b>CSW 6: Location of Built Waste Management Facilities</b>	Planning applications granted for built waste management facilities.	KCC	DM decisions and conditions	On-going (annual monitoring)	100% of applications meeting criteria a to j and 1 to 6 (as appropriate) granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO11; SO12; SO13
<b>Policy</b>	<b>Indicator(s)</b>	<b>Who?</b>	<b>How?</b>	<b>When?</b>	<b>Target</b>	<b>Trigger</b>	<b>Link to Strategic Objective</b>
CSW 7: Waste Management for Non-Hazardous Waste	Planning applications granted for non-hazardous waste developments	KCC	DM decisions and conditions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO14 <del>0</del> ; SO13 <del>2</del> ; SO14 <del>3</del>
CSW 8: Recovery Facilities for Non-hazardous Waste <sup>147</sup>	Percentage of waste managed in Kent diverted from landfill.	KCC WMU KCCEA	EA waste management facility data  National survey data	On-going (annual monitoring-when national data is made public)	Landfilling of no more than 52% of household waste by 2020/21, LACW by 2030/31	Within 10% of the target maximum for the household waste landfill diversion target at or beyond the dates stated in Policy CSW4	SO2; SO3; SO14 <del>0</del> ; SO12 <del>1</del> ; SO13 <del>2</del> ; SO14 <del>3</del>

<sup>147</sup> N.B. Monitoring indicators to this policy are proposed to be updated to provide clarification and ensure their effectiveness.



	<p>Remaining capacity of non-hazardous landfill.</p> <p>Planning applications granted for EfW Facilities and their capacity.</p>	<p>KCC WMU</p> <p>KCCEA</p>	<p>EA waste management facility data</p> <p>DM information and decisions</p>	<p>On-going (annual monitoring)</p>	<p>Maintain sufficient voidspace for residual waste to the end of the plan period</p> <p>Planning permission granted for a maximum of 437,500 tonnes of</p>	<p>Sufficient capacity for net self sufficiency (import and export levels) for non-inert management capacity plus 10%</p> <p>Insufficient capacity for non hazardous landfill to manage predicted level of non hazardous waste</p>	
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Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
					<p>non hazardous waste recovery facility</p> <p>100% of applications meeting all policy criteria granted planning permission</p>	<p>requiring final disposal plus 10% at end of the plan period</p> <p>One application permitted that does not meet all policy criteria</p>	
CSW 9: Non-Inert Waste Landfill in Kent	Planning decisions resulting in non-inert waste landfilling	KCC  District authorities	KCC &  District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO3; SO14 <del>0</del> ; SO14 <del>3</del> ; SO15 <del>4</del>
CSW 10: Development at Closed Landfill Sites	Planning applications granted on closed Biodegradable Landfill Sites for the developments listed in Policy CSW 10	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO4 <del>0</del> ; SO14 <del>0</del> ; SO15 <del>4</del>

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 11: Permanent Deposit of Inert Waste	Annual volume of CDE waste arisings.	KCC	National survey data  DM decisions and information	On-going (annual monitoring -when national data available)	Timely restoration of landfills and mineral working where their restoration requires fill material	Delay in restoration timetable of landfills and mineral workings due to lack of available suitable fill material  Delay in development of mineral extraction sites where phasing requires progressive restoration.	SO3; <del>SO10;</del> SO140; SO143; SO154
	Annual CDE waste recycling capacity.	KCC	National survey data  DM decisions and information	On-going (annual monitoring -when national data available)	Suitable sites allocated in the Waste Sites Plan to maintain the minimum capacities maintained to enable recycling rates stated in CSW 48 throughout the Plan period	More than 10% deficit in the actual capacity provided at or beyond the dates stated in CSW 48	
	Planning applications granted for permanent deposit of inert waste.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 12: Identifying Sites for Hazardous Waste	Capacity of hazardous waste management facilities.	KCCEA	DM information  EA data on hazardous waste movements	On-going (annual monitoring)	Annual net self-sufficiency in hazardous waste	Capacity fallen to 90% of capacity for net self sufficiency	<del>SO10</del> ; SO3; <del>SO143</del> ;
	Planning decisions resulting in permitted built hazardous waste management facilities	KCC  District authorities	KCC &  District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all relevant policy criteria in CSW 6, <b>and for landfill sites in accordance with Policy CSW9,</b> granted planning permission	One application permitted that does not meet all policy criteria	
CSW 13: Remediation of Brownfield Land	Temporary waste related planning applications granted on brownfield land that facilitate its redevelopment	KCC  District authorities	DM decisions  Sites identified in an adopted district local plan	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO4; <del>SO143</del> ; <del>SO154</del>
CSW 14: Disposal of Dredgings	Planning applications granted for the disposal of dredgings.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO3; <del>SO143</del>

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 15: Wastewater Development	Wastewater treatment works, sewage sludge treatment and disposal facilities granted planning permission.	KCC	Sites identified in the Waste Sites Plan	Adoption of the Waste Sites Plan	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO1; SO3; SO12 <del>1</del> <u>1</u> ; SO14 <del>3</del> <u>3</u> ;
CSW 17: Nuclear Waste Treatment and Storage at Dungeness	Planning applications granted for storage and/or management of radioactive waste in the licensed area at Dungeness.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO12 <del>1</del> <u>1</u> ; SO14 <del>3</del> <u>3</u> ;
CSW 18: Non-nuclear Industry Radioactive Low Level (LLW) Waste Management	Planning applications granted for facilities managing non-nuclear LLW and VLLW waste.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO3; SO12 <del>1</del> <u>1</u> ; SO14 <del>3</del> <u>3</u> ;
	Monitoring of waste material source.	KCC	Planning application information	On-going (annual monitoring)	100% of applications granted planning permission providing the required information	One application permitted without the required information	

**Monitoring Schedule: Minerals and Waste Safeguarding Strategy**

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
CSM 5: Land-won Mineral Safeguarding	Decisions resulting in non mineral development permitted within Kent MSAs.	KCC District authorities	District/Borough Council DM decisions	On-going (annual monitoring)	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO3; SO5
	Decisions resulting in non-mineral development permitted within the separate MCA adjacent to the Strategic Site for Minerals at Medway Works, Holborough.	KCC District authorities	District/Borough Council DM decisions	On-going (annual monitoring)	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	
	Decisions resulting in non-mineral development permitted on sites for mineral working within the plan period identified in <u>Appendix C the AMR and/or LAA</u> , and in the Minerals Sites Plan.	KCC District authorities	District/Borough Council DM decisions Mineral Sites Plan	On-going (annual monitoring) Adoption of the Mineral Sites Plan	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	
	Review of Minerals Safeguarding Areas (MSAs)	KCC	KCC	On-going (annual monitoring)	The need to revise the boundaries of the MSAs has been reviewed at least once each year	MSAs not reviewed in any one year	

<b>Policy</b>	<b>Indicator(s)</b>	<b>Who?</b>	<b>How?</b>	<b>When?</b>	<b>Target</b>	<b>Trigger</b>	<b>Relevant Strategic Objective</b>
CSM 6: Safeguarded Wharves and Rail Depots	Decisions resulting in non-mineral development permitted within 250m of safeguarded minerals transportation facilities listed in Policy CSM 6 <sup>148</sup> and allocated sites in the Mineral Sites Plan (other than the developments listed in Policy DM8 criteria 1)	KCC  District authorities	District authority DM decisions	On-going (annual monitoring)  Adoption of the Minerals Sites Plan	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO1; SO2; SO7
CSM 7: Safeguarding Other Mineral Plant Infrastructure	Decisions resulting in other development permitted on, or within 250m of, sites safeguarding for other mineral plant infrastructure	KCC  District authorities	KCC & District authority DM decisions	On-going (annual monitoring)	100% refusal for proposals with an objection from the County Council	One application permitted with an objection from the County Council	SO1; SO2; SO6; SO7
CSW 16: Safeguarding of Existing Waste Facilities	Decisions resulting in non-waste management uses permitted on, or within 250m of, sites with permanent planning permission for waste management uses and sites allocated in the Waste Sites Plan	KCC  District authorities	District DM decisions	On-going (annual monitoring)  Adoption of the Waste Sites Plan	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO1; SO4; SO12

<sup>148</sup> Boundaries of the safeguarding facilities are shown in Chapter 9.1 Adopted Policies Maps - Safeguarded Wharves and Rail Importation Depot.

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
DM 7: Safeguarding Mineral Resources	Decisions resulting in incompatible non-mineral development permitted in mineral safeguarded areas(as defined in Policy CSM5).	District authorities  KCC	District authority DM decisions	On-going (annual monitoring )	100% of applications meeting all policy criteria granted planning permission	One application permitted that doesnot meet all policy criteria with an objection from the County Council	SO3; SO5
	Adoption of a Supplementary Planning Document (SPD) <b>or associated guidance</b> setting out further information about the approach to Minerals Safeguarding	KCC	KCC	2015 - 2017	SPD adopted by of end of 2016	Failure to adopt SPDby of end 2016	SO3; SO5
	Allocations in adopted Local Plans for development incompatible with the presumption to safeguard minerals within mineral safeguarded areas (as definedby CSM 5).	District Authorities and KCC	District authority planning policy decisions	No Change	100% of local plan allocations meeting all policy criteria (except criterion 7)	An allocation in a localPlan that does not meet all policy criteria(except criterion 7) with an objection fromthe County Council	SO3



Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
DM 8: Safeguarding Minerals Management, Transportation & Waste Management Facilities	Decisions resulting in incompatible non-minerals or waste development permitted within, or in the vicinity of, existing safeguarded minerals management, transportation or waste management facilities.	District authorities  KCC	District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria with an objection from the County Council	SO1; SO2; SO4; SO7; SO12 <u>1</u>
	Allocations in adopted Local Plans considered incompatible with the presumption to safeguard minerals and waste facilities from direct loss and/or within 250m of a safeguarded facility where there will be the high probability of incompatibility that may lead to the lawful operation of the safeguarded facility to cease or be compromised such that will affect its lawful operational viability	District Authorities and KCC	District Authority planning policy decisions	On-going (annual monitoring)	100% of local plan allocations meeting all policy criteria (except criterion 2)	An allocation in a local Plan that does not meet all policy criteria (except criterion 2) with an objection from the County Council	SO1; SO2; SO4; SO7; SO12 <u>1</u>
DM 9: Prior Extraction of Minerals in Advance of Surface Development	Planning applications granted / decisions resulting in, or incorporating, mineral extraction in advance of built development where the resources would otherwise be permanently sterilised.	KCC  District authorities	KCC and/or District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria (with an objection from the County Council in the case of District decisions)	SO3; SO5

**Approach to the Monitoring of Development Management Policies**

**8.0.10** The Plan's Development Management policies will be monitored using the relevant planning applications data as an indicator. The performance of each policy will be monitored on an annual basis and recorded in the AMR in accordance with the following strategy:

- **Target:** 100% of applications meeting all applicable policy criteria granted planning permission. To include the submission of the required information where relevant.
- **Trigger:** One application permitted that does not meet all relevant policy criteria and requirements, unless clearly justified.

**8.0.11** Policy DM 2 applies to both proposals for minerals and waste development and the identification of sites in **anythe** Kent Minerals and Waste Sites Plans:

- **Target:** 100% of applications/ proposed site allocations meeting all applicable policy criteria granted planning permission / allocated in **anythe** Minerals or Waste Sites Plan. To include the submission of the required policy information where relevant.
- **Trigger:** One application permitted / adopted site allocation that does not meet all policy criteria, unless clearly justified.

Policy	Who?	How?	Link to Strategic Objective
DM 2: Environmental and Landscape Sites of International, National and Local Importance	KCC	DM decisions Adoption of Mineral and Waste Sites Plans	SO2; SO3; SO9; SO15 <u>4</u>
DM 3: Ecological Impact Assessment	KCC	DM decisions	SO2; SO3; SO9; SO15 <u>4</u>
DM 4: Green Belt	KCC	DM decisions	SO1; SO2; SO3; SO9; SO15 <u>4</u>
DM 5: Heritage Assets	KCC	DM decisions	SO3;

DM 6: Historic Environment Assessment	KCC	DM decisions	SO3;
DM 10: Water Environment	KCC	DM decisions	SO2; SO3;
DM 11: Health and Amenity	KCC	DM decisions	SO1; SO2; SO3; SO4; SO9; SO154
DM 12: Cumulative Impact	KCC	DM decisions	SO1; SO2; SO3; SO121; SO143
DM 13: Transportation of Minerals and Waste	KCC	DM decisions	SO1; SO2; SO3; SO6; SO7; SO10;SO121; SO143
DM 14: Public Rights of Way	KCC Minerals/ waste operators	DM decisions	SO3; SO9; SO154
DM 15: Safeguarding of Transport Infrastructure	KCC	DM decisions	SO1; SO2; SO3; SO7;
DM 16: Information Required In Support of an Application	KCC Minerals/ waste operators	DM decisions	SO2; SO3; SO4; SO9; SO140; SO132;SO154
DM 18: Land Stability	KCC Minerals/ waste operators	DM decisions	SO3;
DM 19: Restoration, Aftercare and After-use	KCC Minerals/ waste operators	DM decisions	SO2; SO3; SO4; SO9; SO154
DM 20: Ancillary Development	KCC	DM decisions	SO1; SO2; SO3; SO6; SO9 SO10;SO140; SO121; SO154

DM 21: Incidental Mineral Extraction	KCC District authorities	KCC and district authority DMdecisions	SO3; SO4; SO5; SO9
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8.0.12 The performance of Development Management policies DM 17 and DM 22 will be monitored as follows:

Policy	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
DM 17: Planning Obligations	KCC	DM decisions	On-going (annual Monitoring)	100% of Planning Obligations agreed and implemented on a case by case basis	One unimplemented legal agreement within 3 years of consent being implemented	SO2; SO3; SO4
DM 22: Enforcement	KCC	DM decisions	On-going (annual monitoring)	100% of cases reported to the Regulation Committee on a quarterly basis	Any alleged breaches being resolved within 6 months of detection	SO2; SO3; SO4

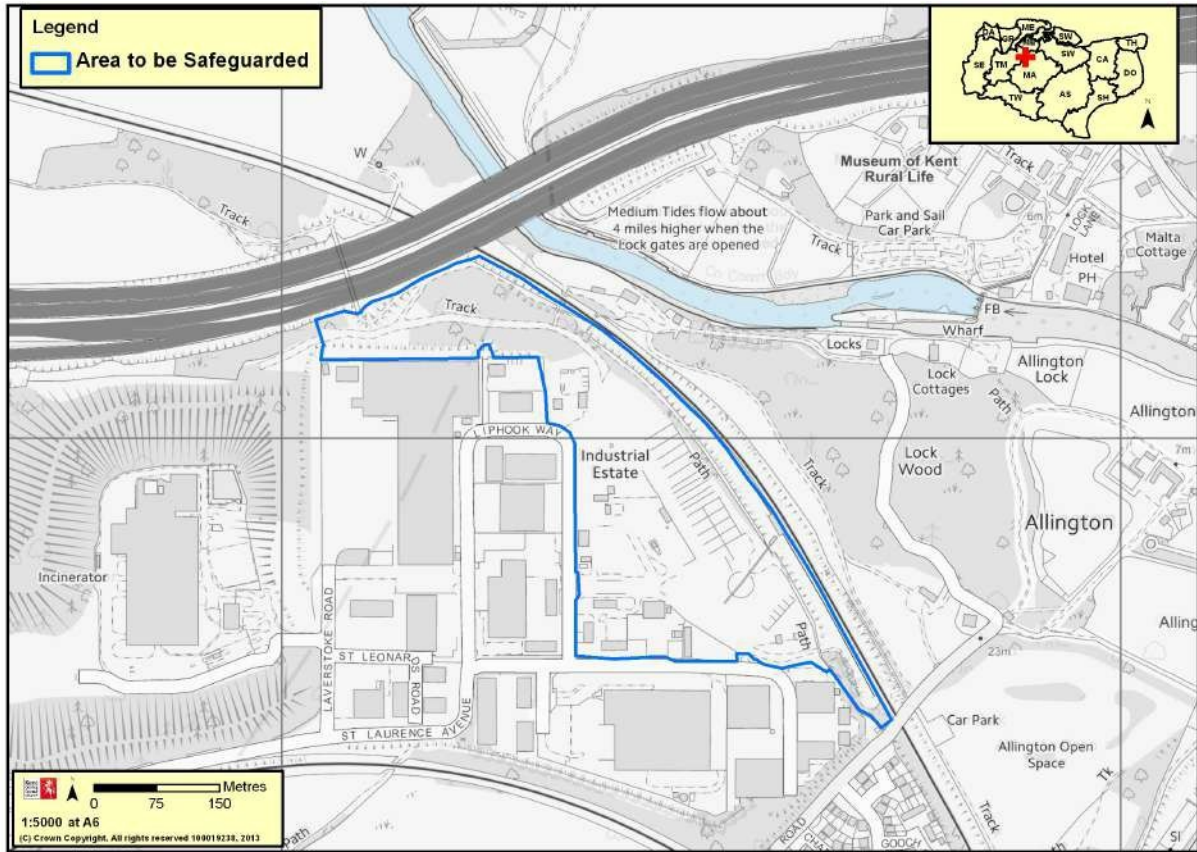
## 9. Adopted Policies Maps

### 9.1 Safeguarded Wharves and Rail Transportation Depots

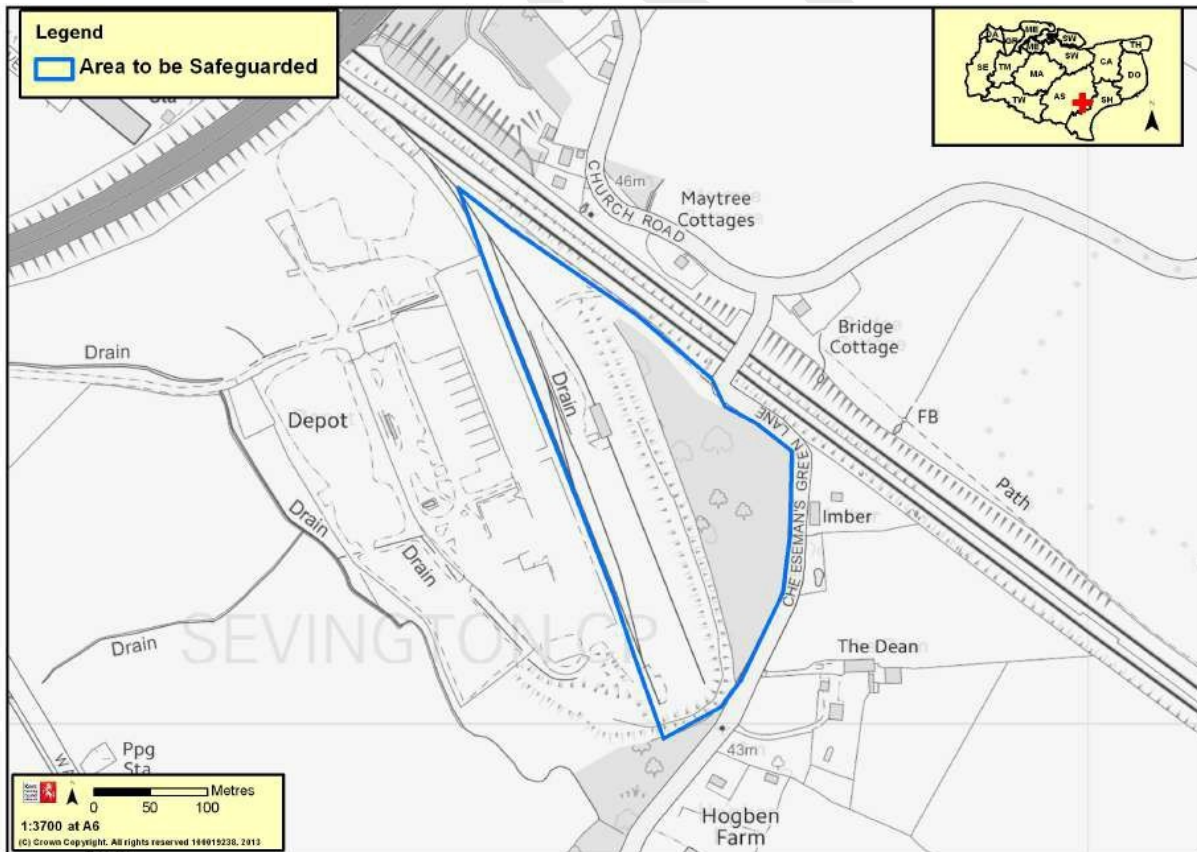
#### Safeguarded Wharves and Rail Transportation Adopted Policies Maps<sup>149</sup>

Site Name	Operator	Site Code
Allington Rail Depot	Hanson	A
Sevington Rail Depot	Brett	B
Hothfield Works Rail Depot	Tarmac	C
East Peckham Rail Depot	Clubb	D
Ridham Dock	Brett & Tarmac	E
Johnsons Wharf	<del>Lafarge</del> <b>Tarmac</b>	F
Robin's Wharf, Northfleet	Aggregate Industries & Brett	G
Clubbs Marine Terminal	Clubb	H
East Quay, Whitstable	Brett	J
Red Lion Wharf	Stema Shipping Ltd	K
Ramsgate Port	Brett	L
Dunkirk Jetty, Dover Western Docks	Brett	M
Wharf 42, Northfleet (including Northfleet Cement Wharf)	<del>Lafarge</del> <b>Tarmac</b>	N
Sheerness	Aggregate Industries	O
Northfleet Wharf	Cemex	P
Old Sun Wharf	Fleetmix Ltd	Q

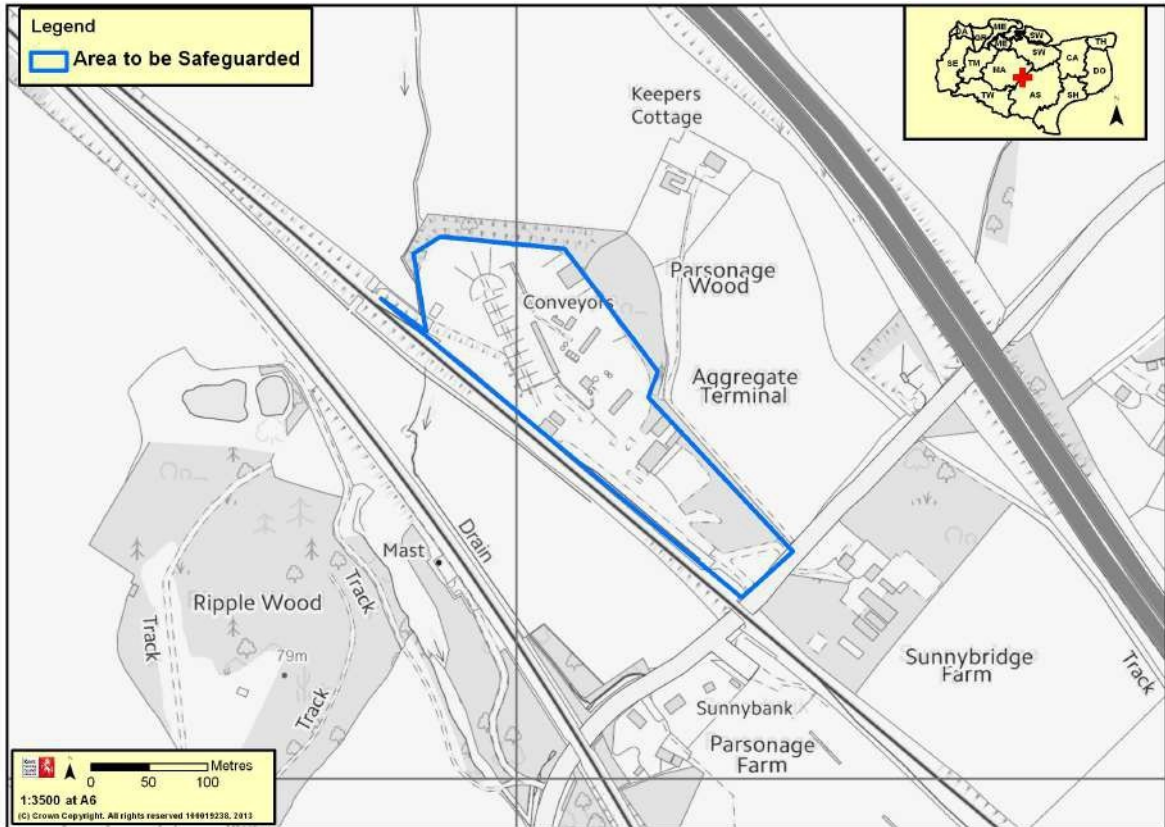
### Site A: Allington Rail Depot



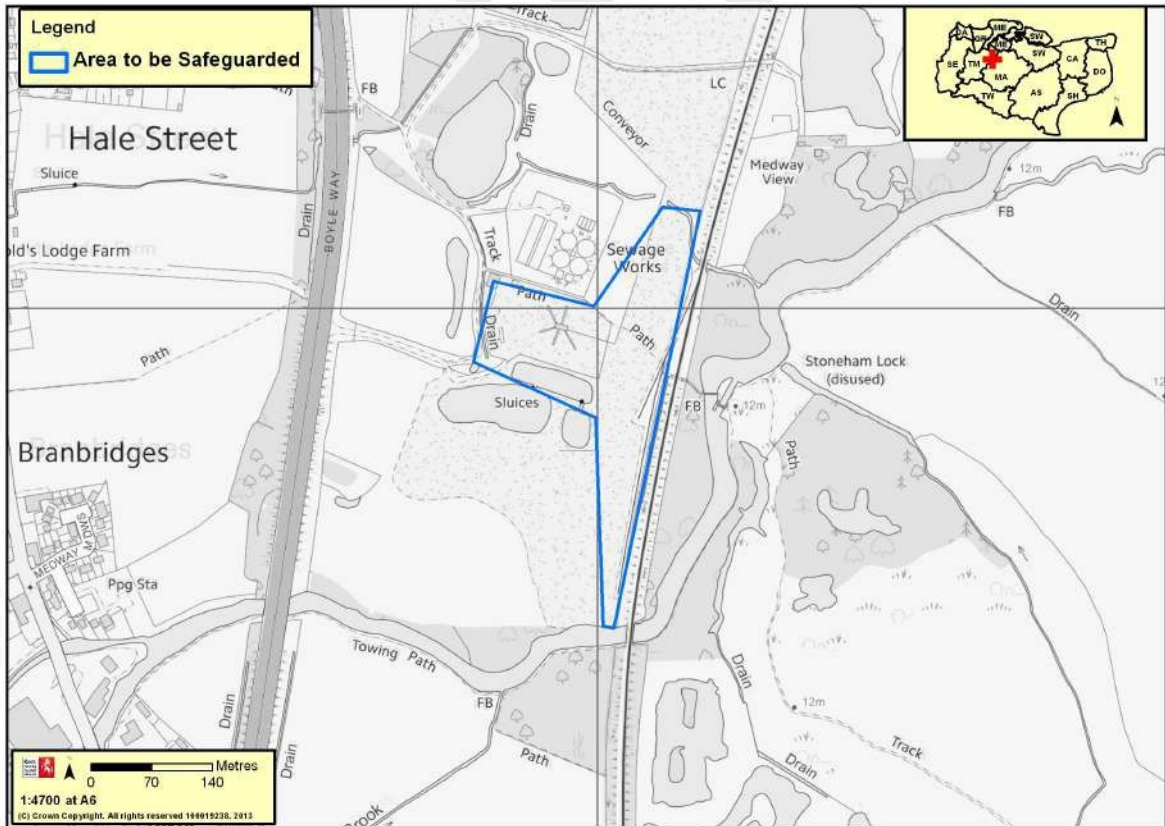
### Site B: Sevington Rail Depot



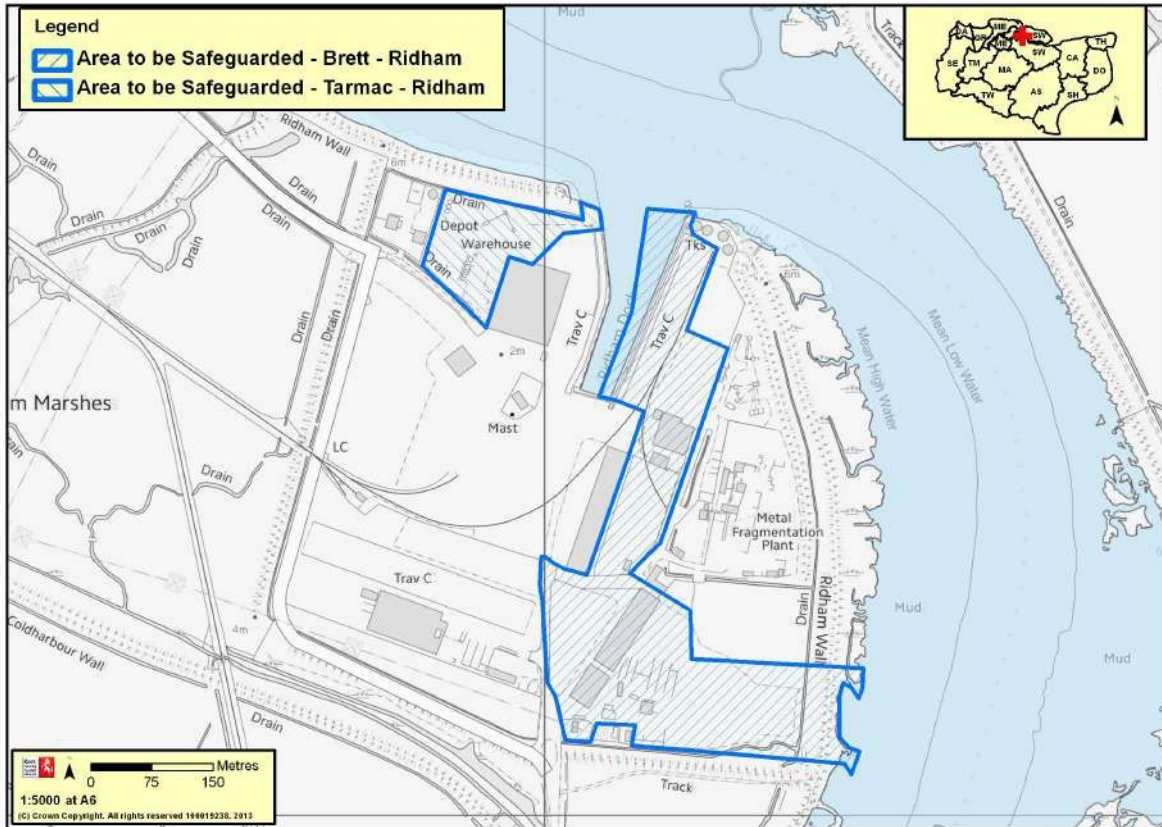
Site C: Hothfield Works



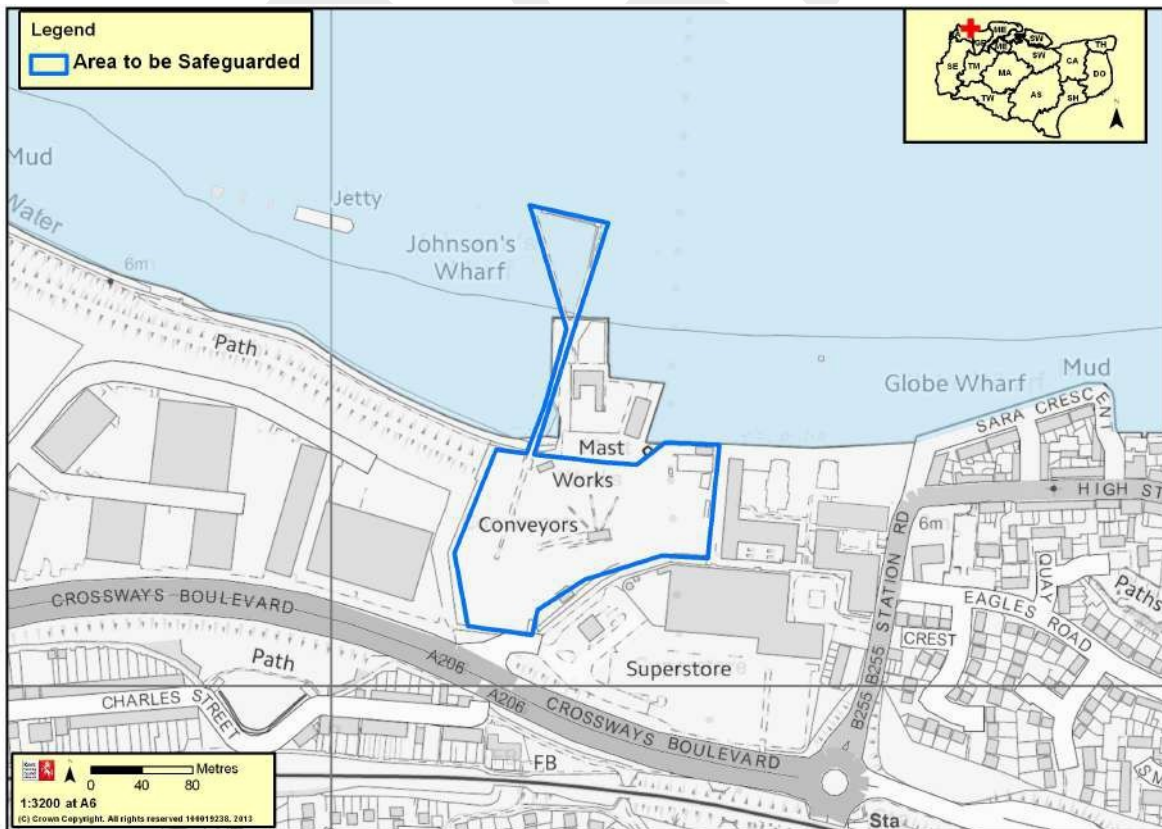
Site D: East Peckham



### Site E: Ridham Dock

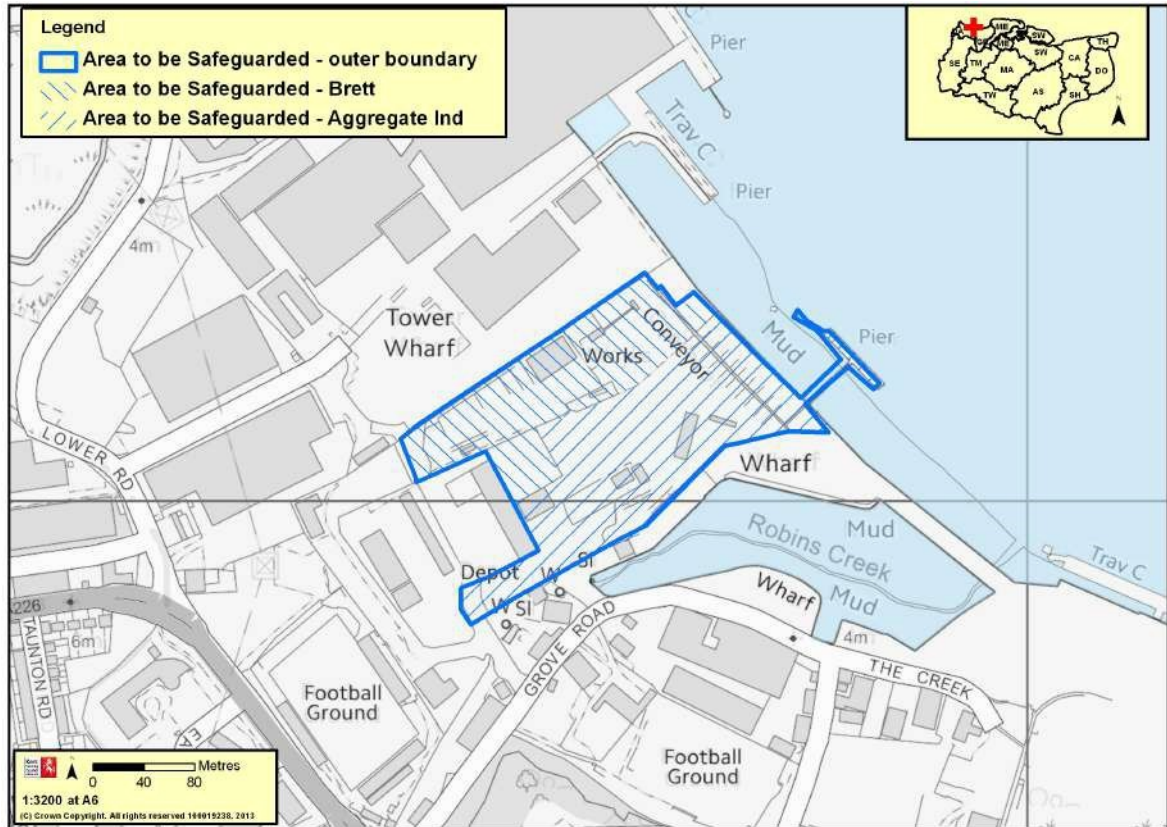


### Site F: Johnsons Wharf

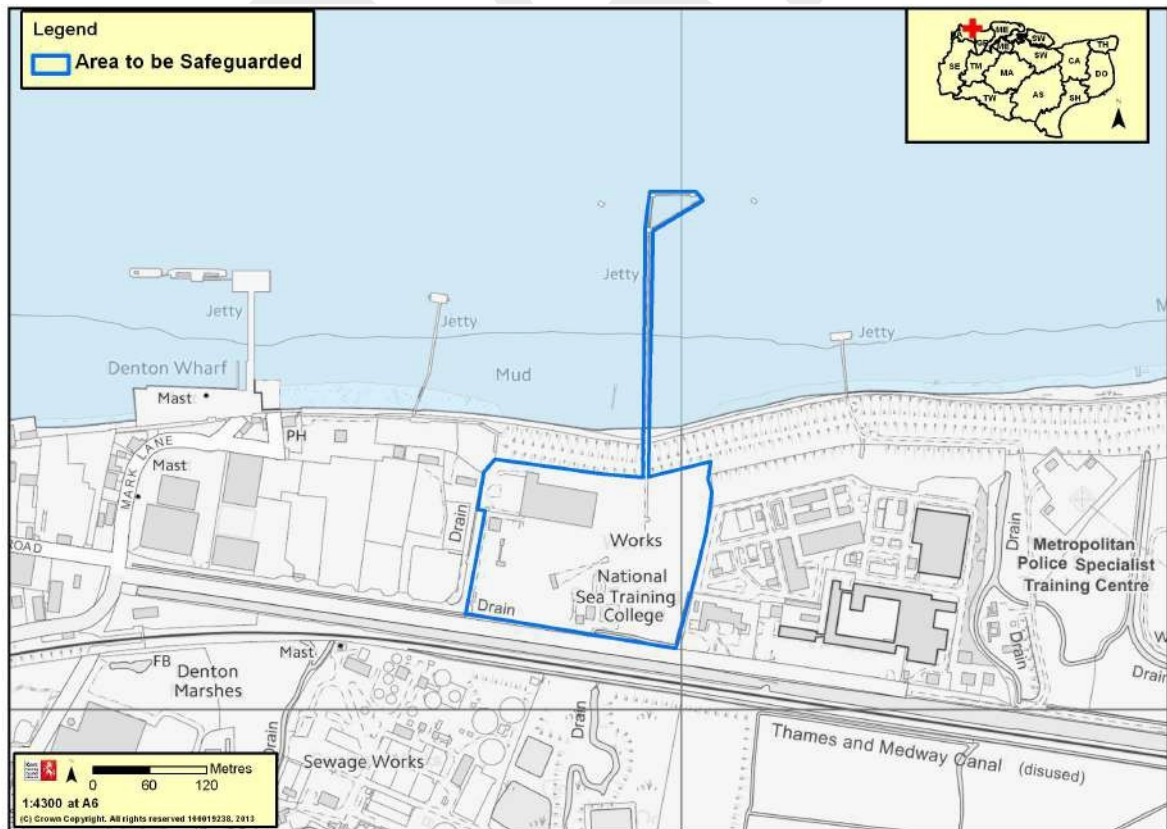




Site G: Robins Wharf, Northfleet



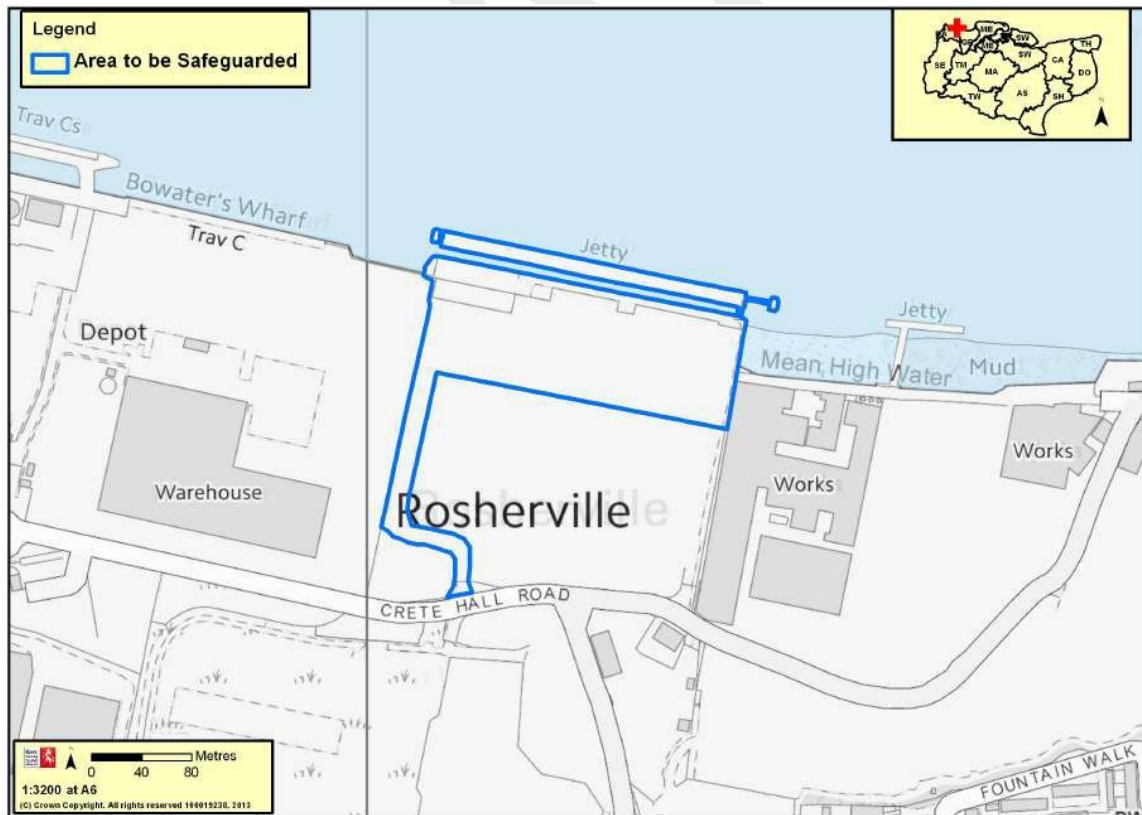
Site H: Clubbs Marine Terminal



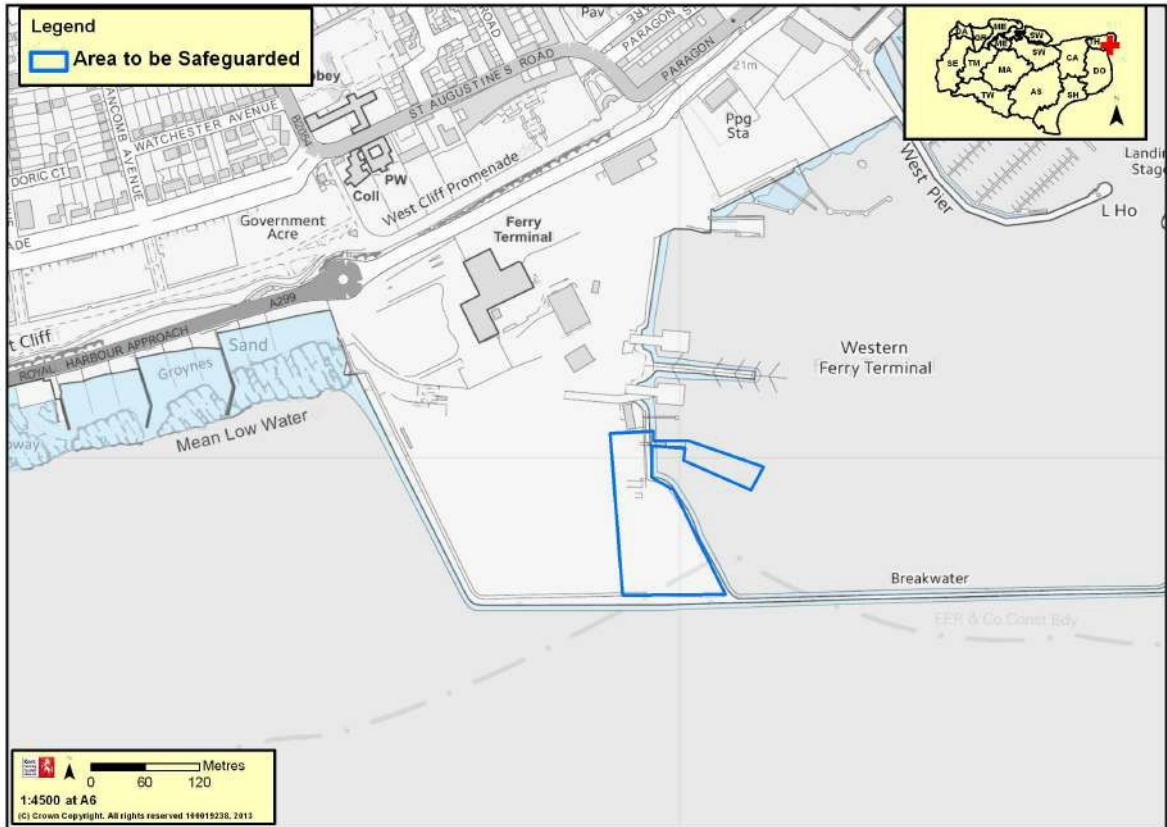
Site J: East Quay, Whitstable



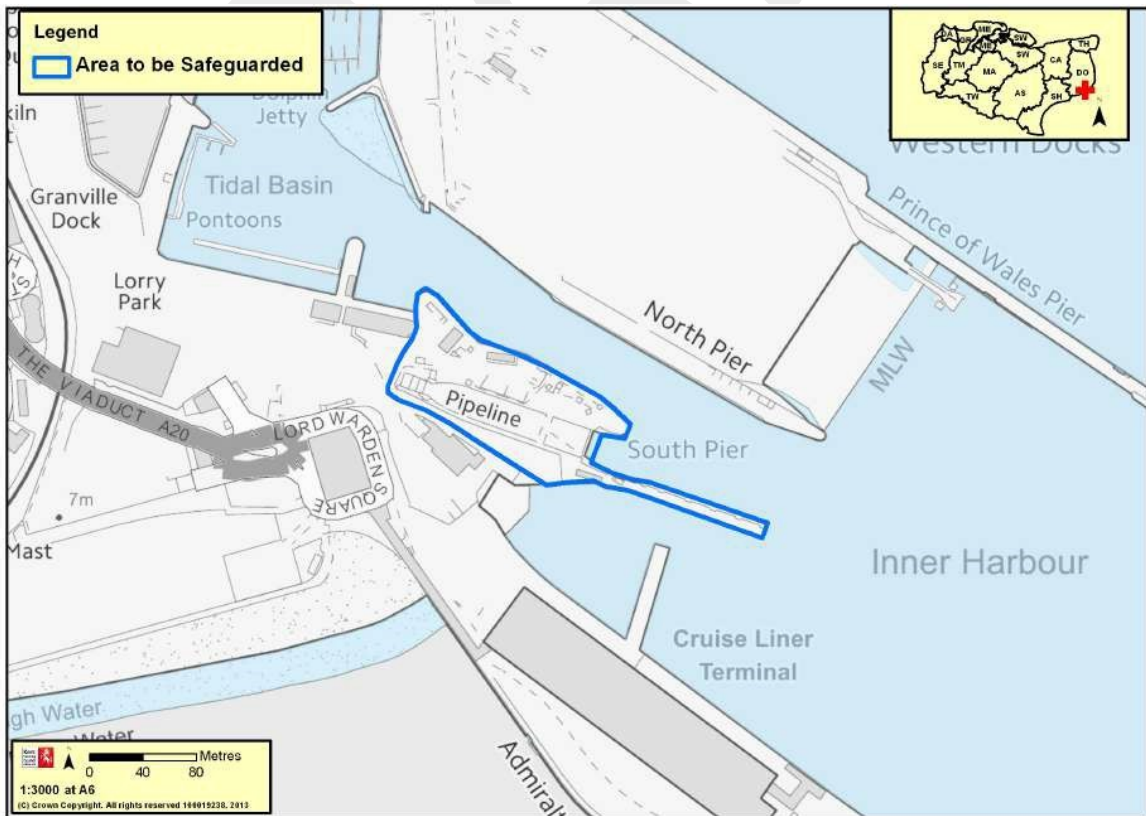
Site K: Red Lion Wharf



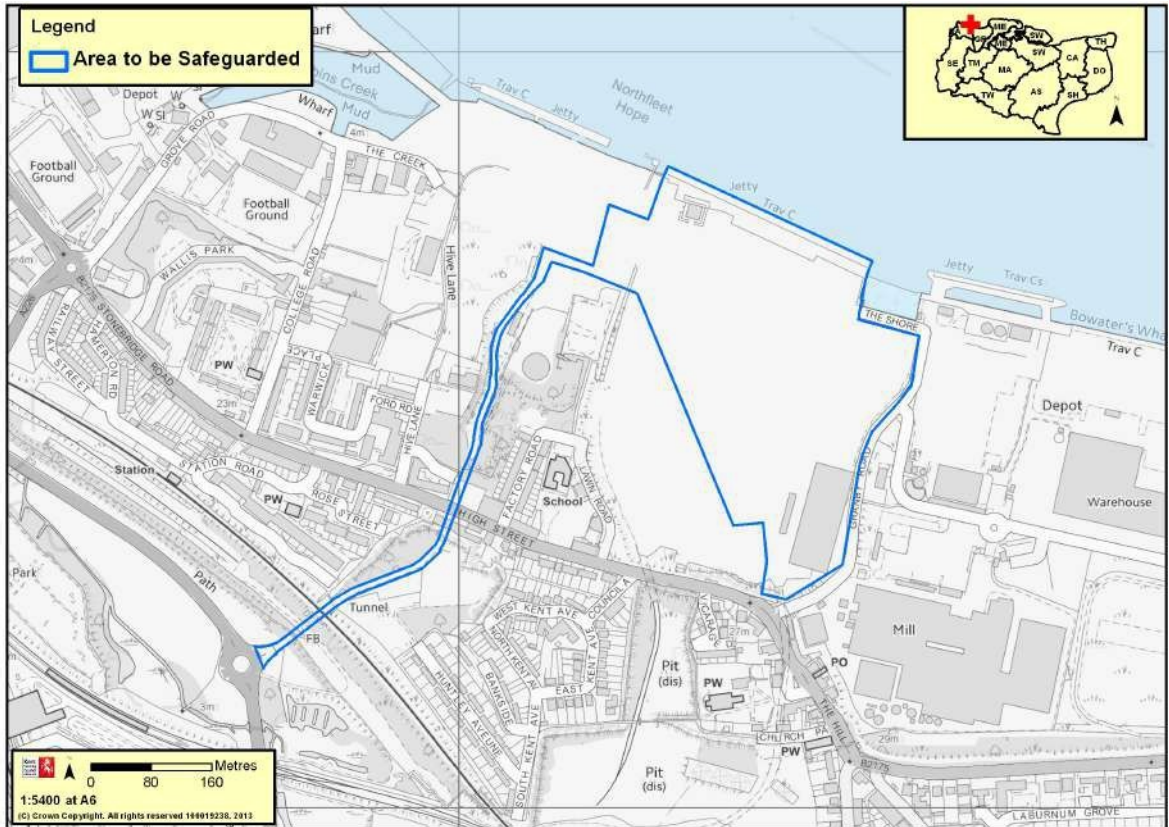
### Site L: Ramsgate Port



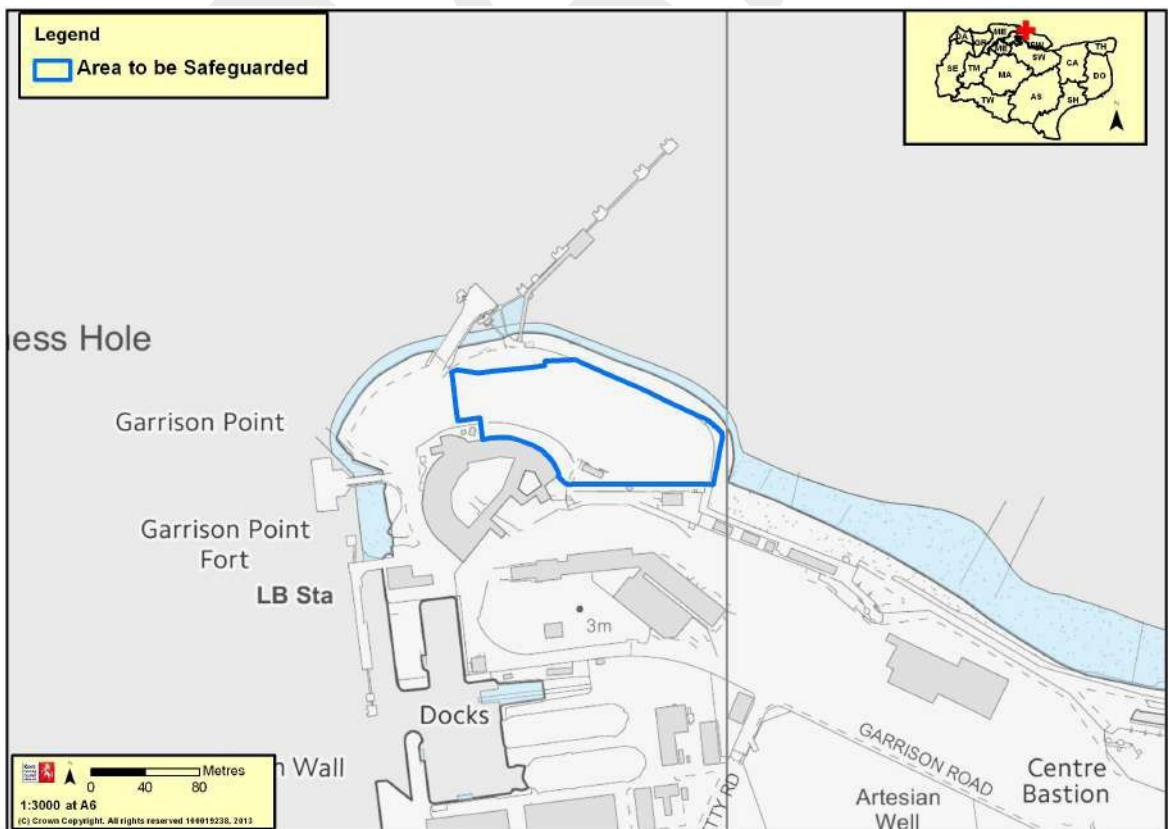
### Site M: Dunkirk Jetty, Dover Western Docks



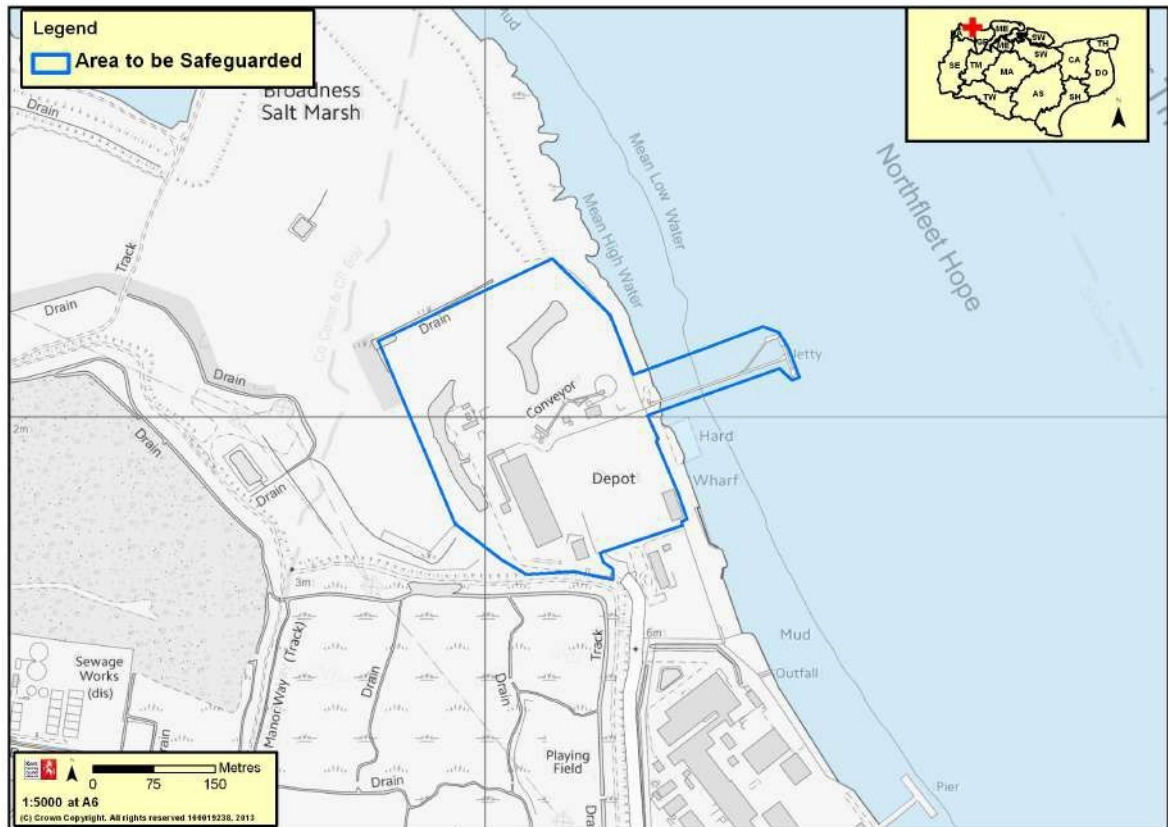
### Site N: Wharf 42, Northfleet



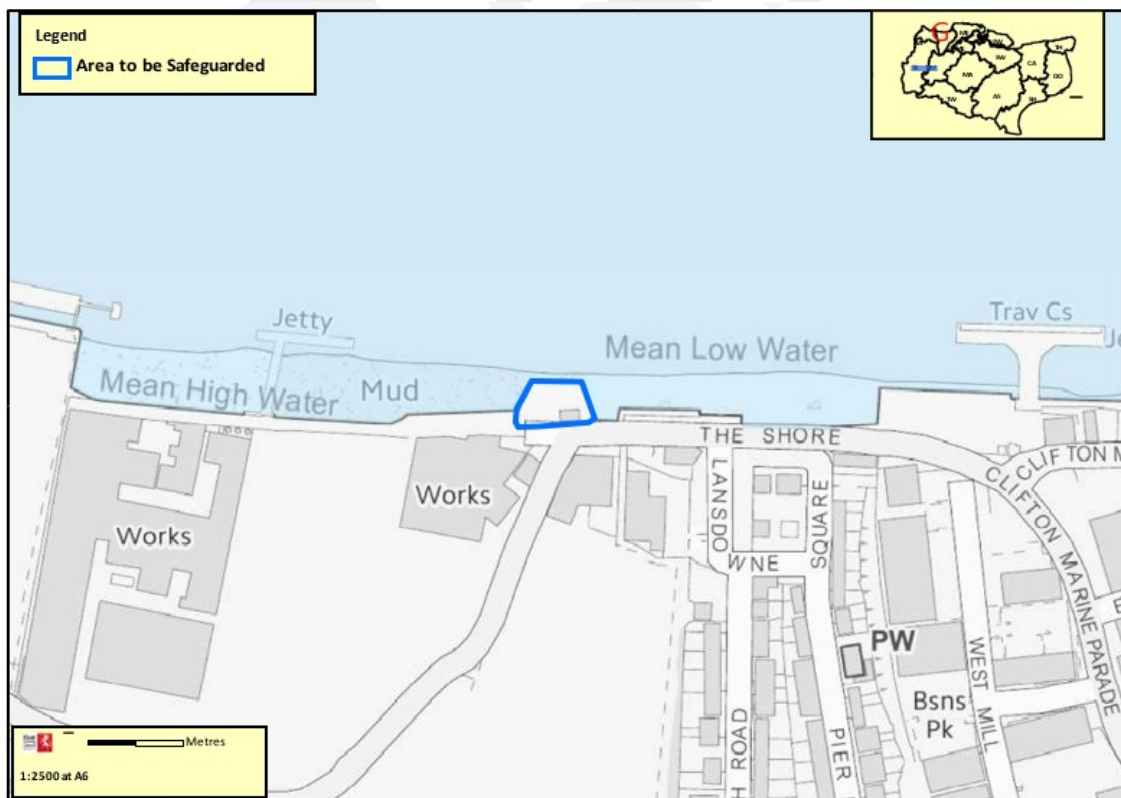
### Site O: Sheerness



### Site P: Northfleet Wharf



### Site Q: Old Sun Wharf

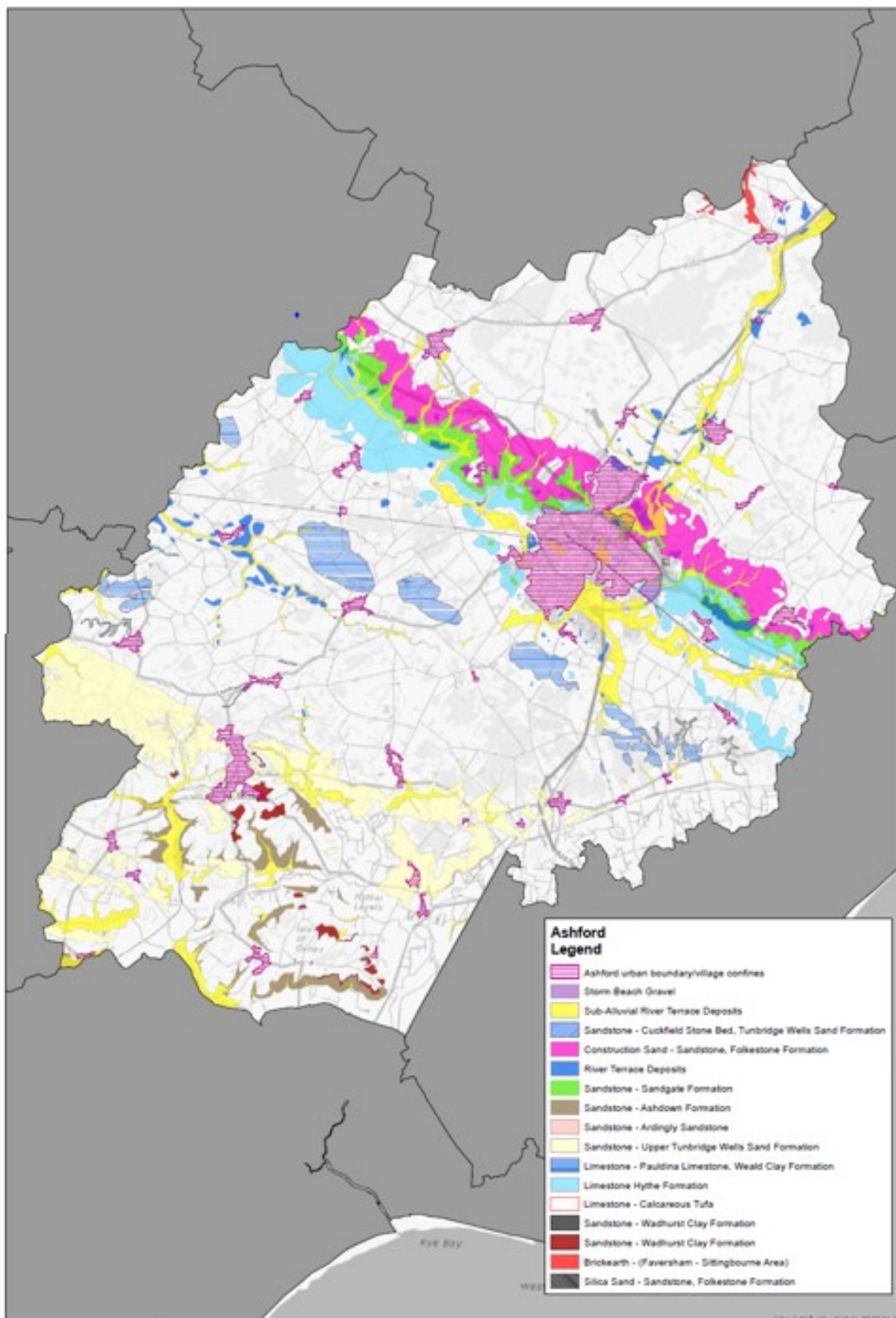


## 9.2 Mineral Safeguarding Areas

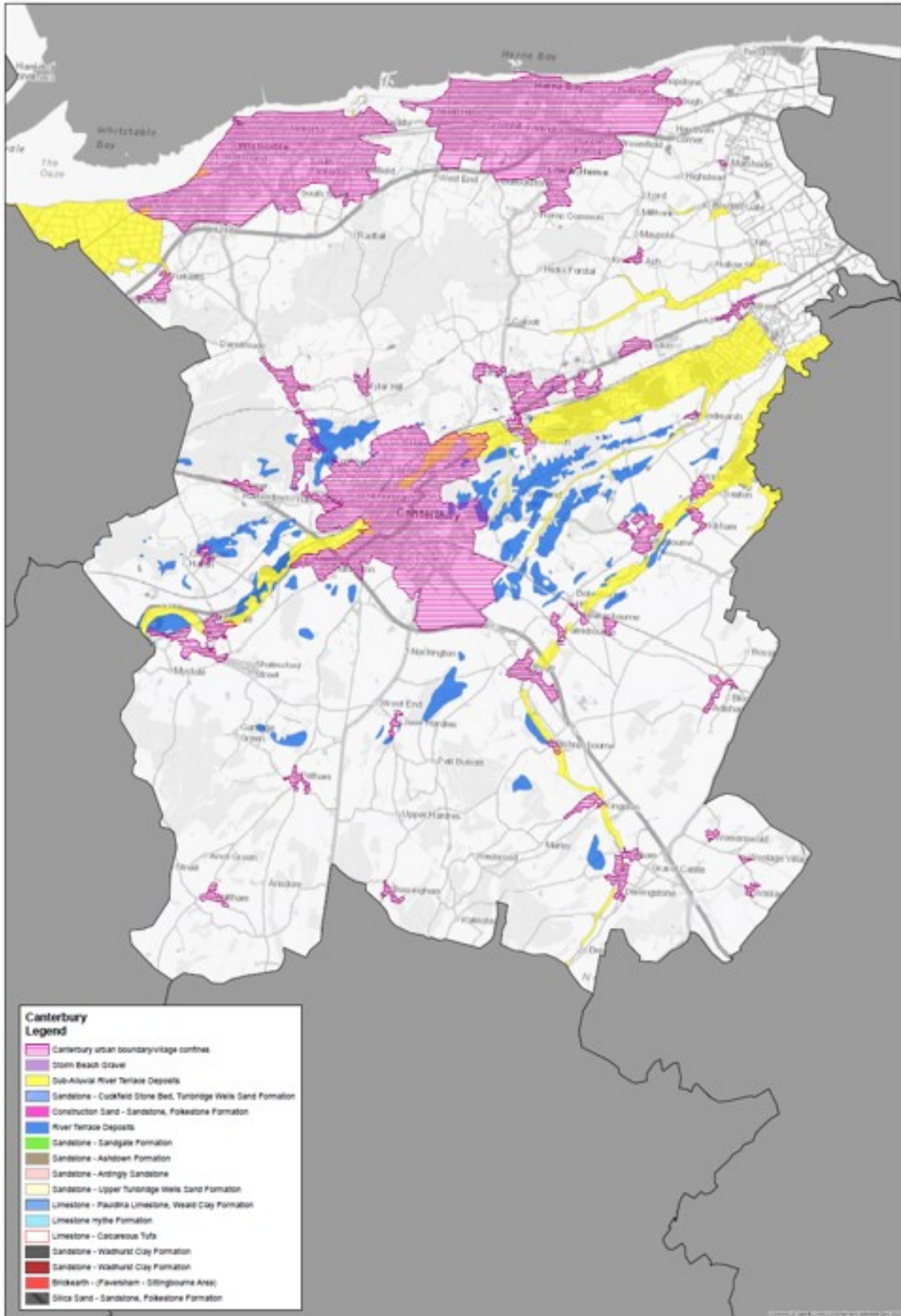
**9.2.1** The following Policies Maps display the Mineral Safeguarding Areas (MSAs) in Kent. The maps cover the following authority's areas in Kent:

- Ashford Borough Council
- Canterbury City Council
- Dartford Borough Council
- Dover District Council
- Gravesham Borough Council
- Maidstone Borough Council
- Sevenoaks District Council
- Shepway District Council **(now Folkstone and Hythe District Council)**
- Swale Borough Council
- Thanet District Council
- Tonbridge & Malling Borough Council
- Tunbridge Wells Borough Council

### Ashford Mineral Safeguarding Areas

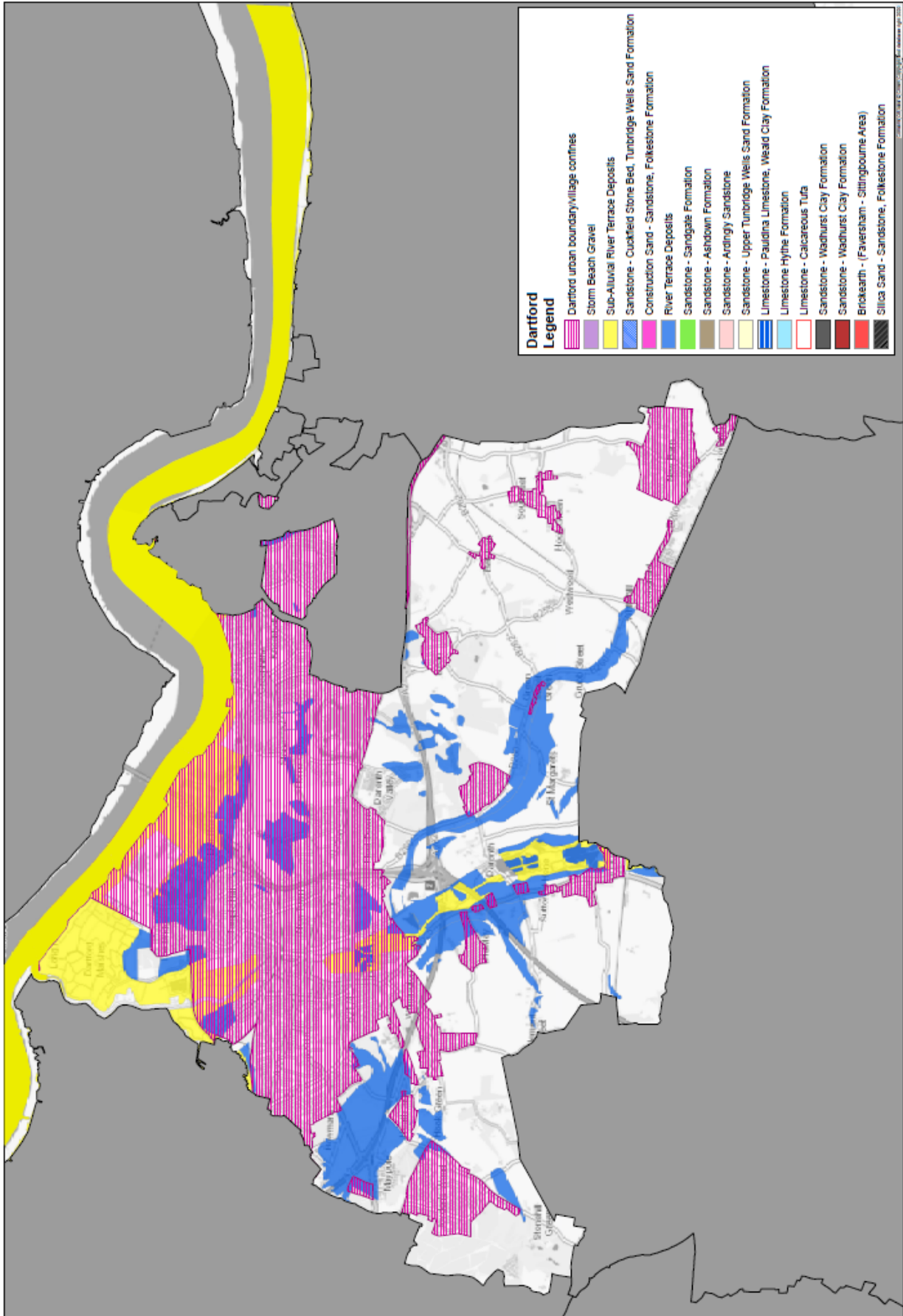


### Canterbury Mineral Safeguarding Areas

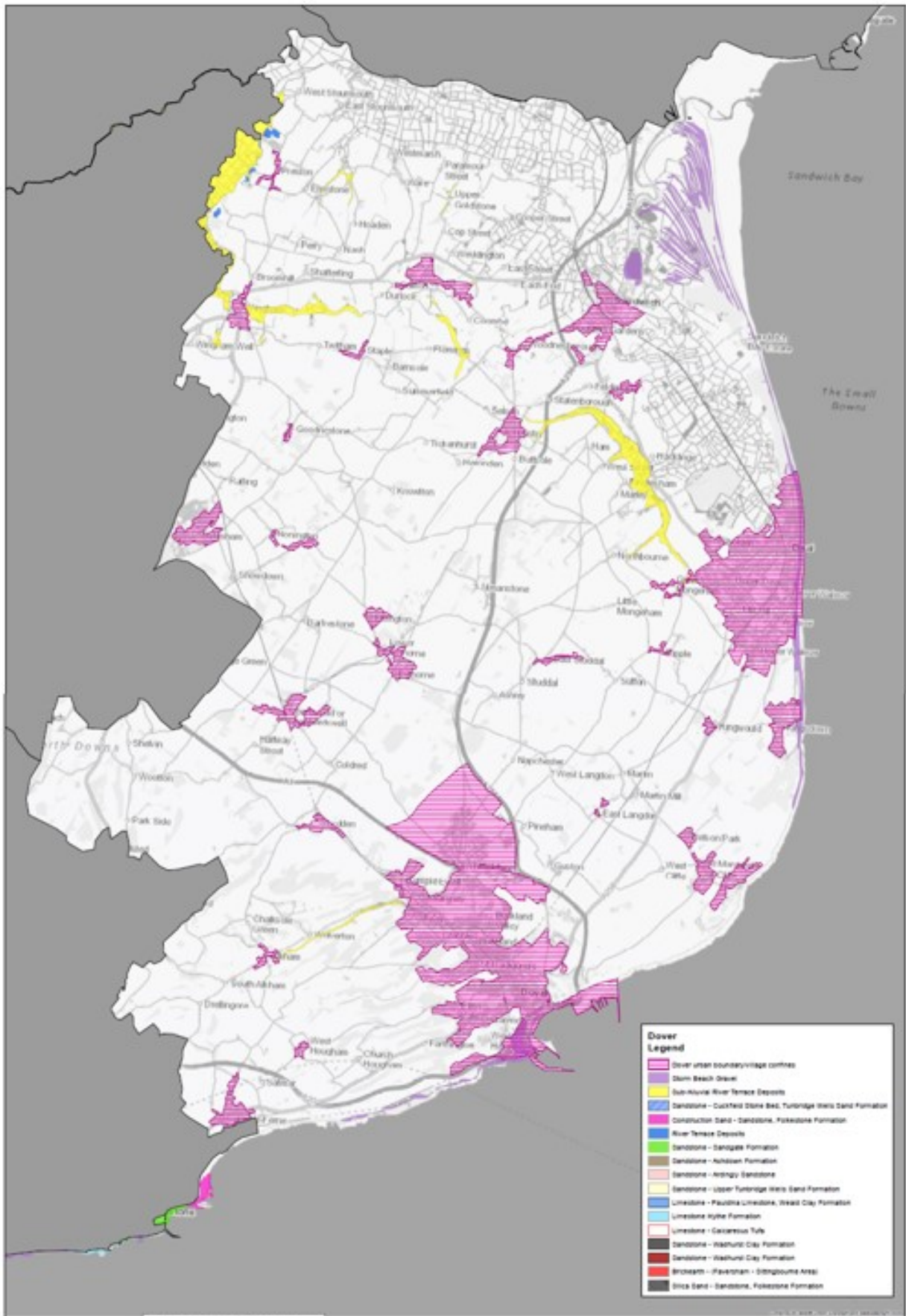




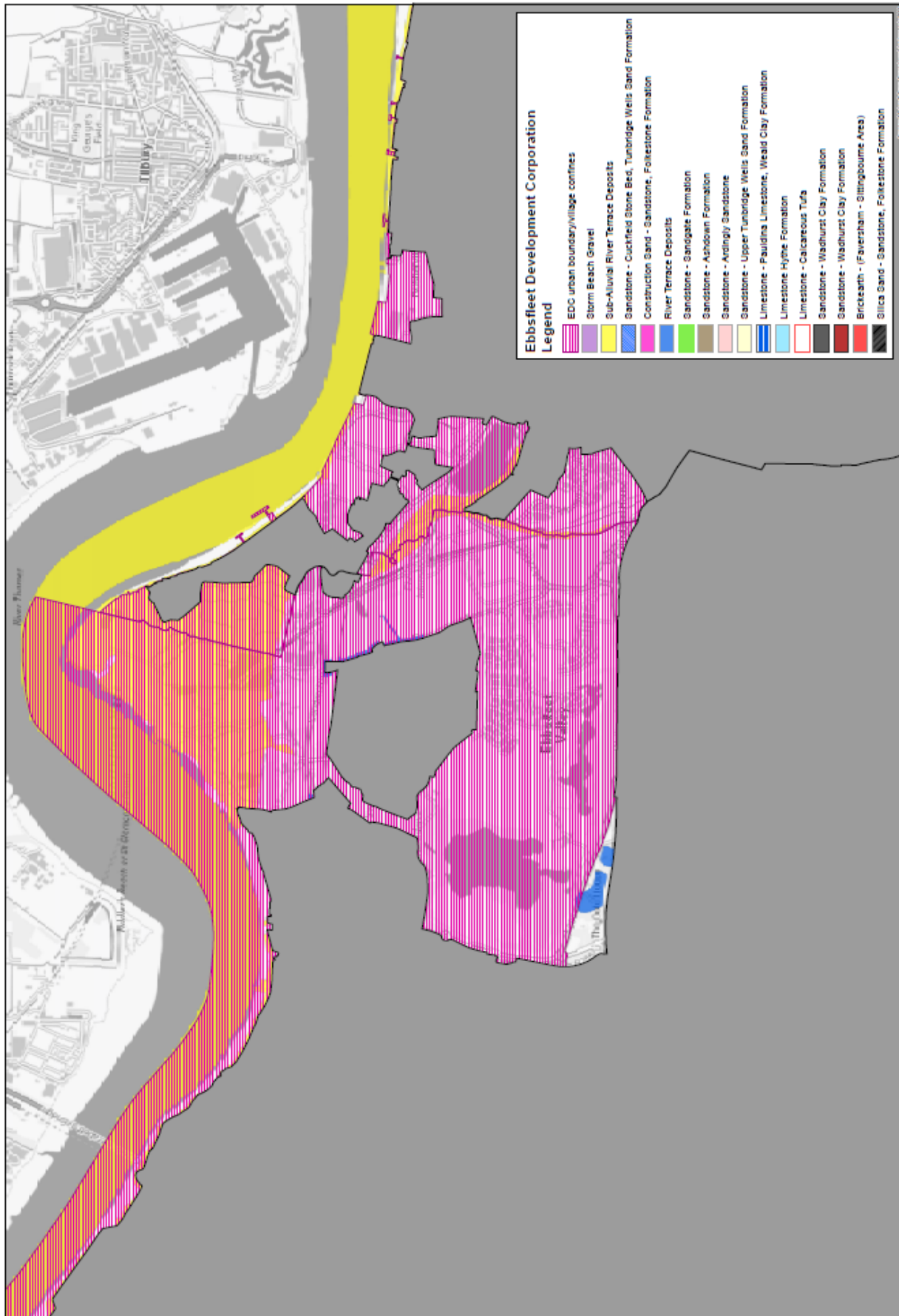
### Dartford Mineral Safeguarding Areas



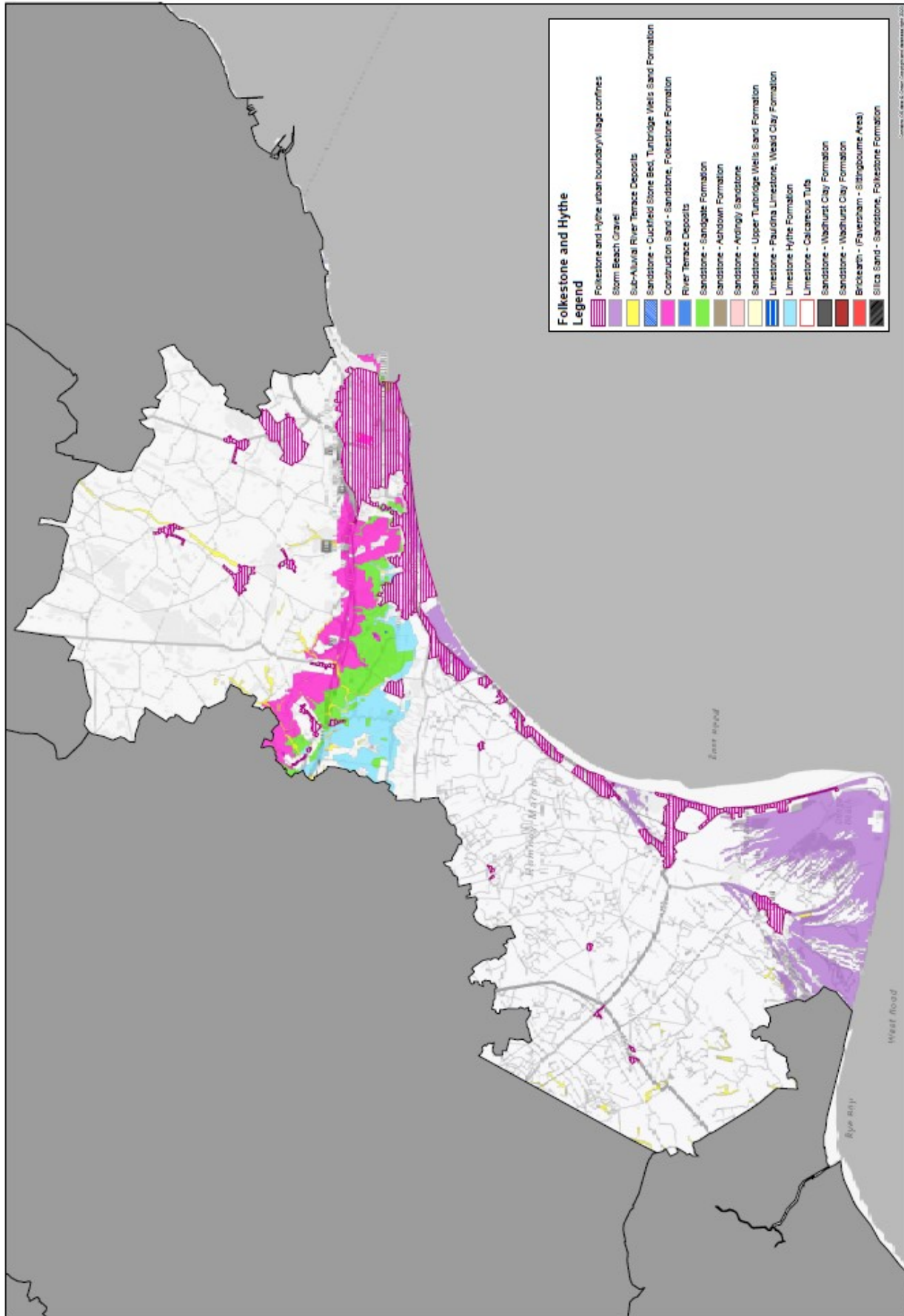
### Dover Mineral Safeguarding Areas



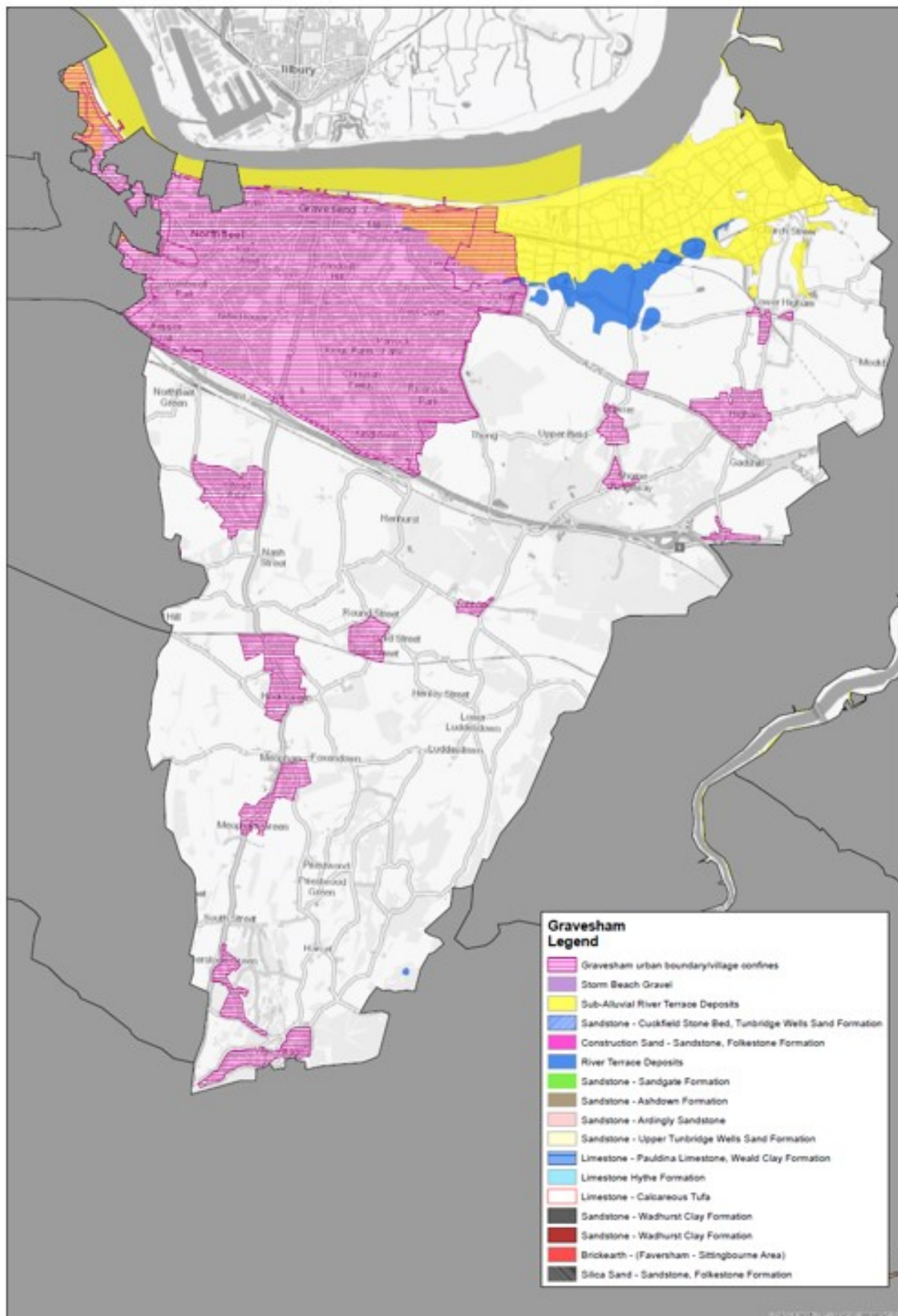
### Ebbsfleet Development Corporation Mineral Safeguarding Areas



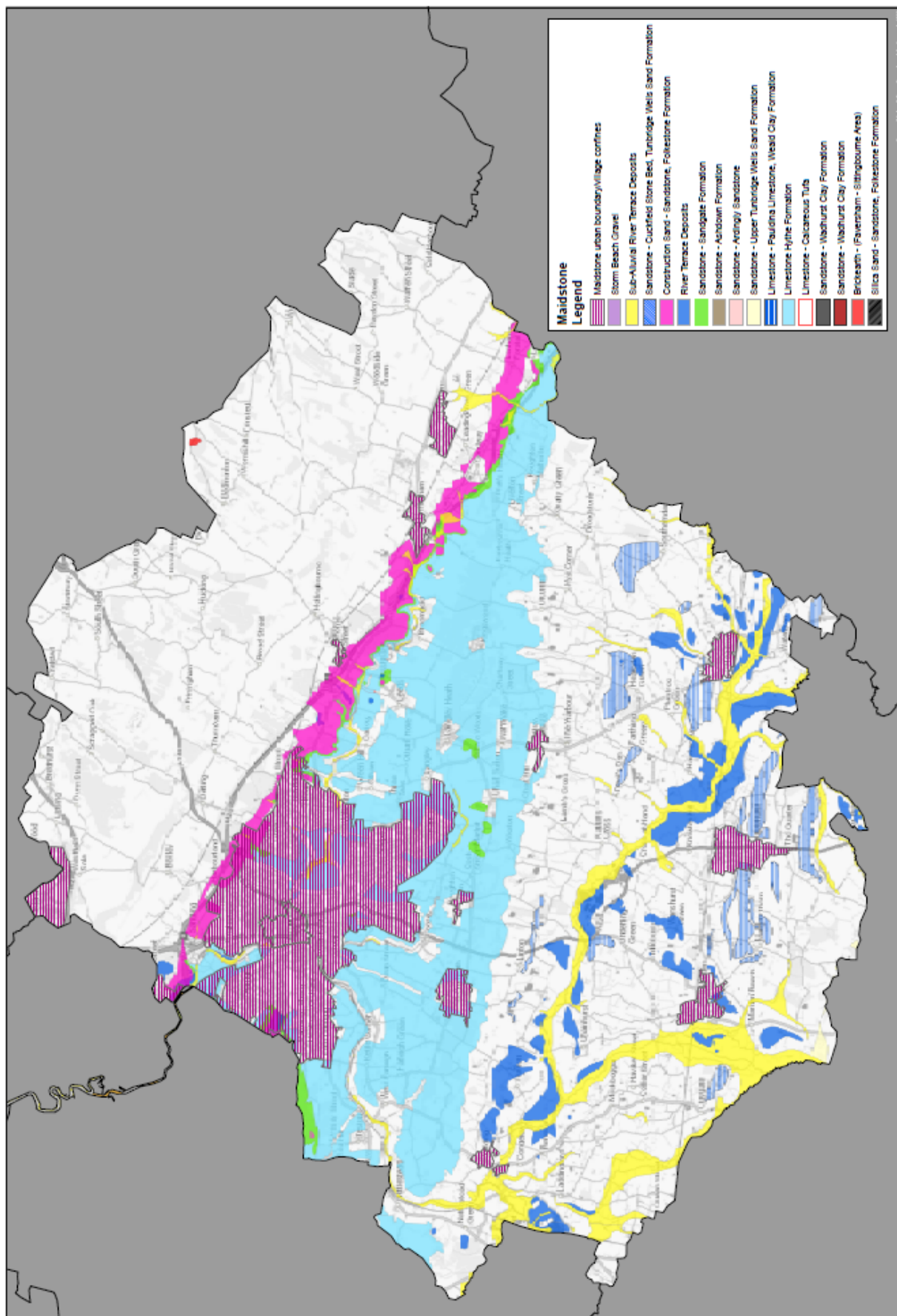
### Folkestone and Hythe Mineral Safeguarding Areas



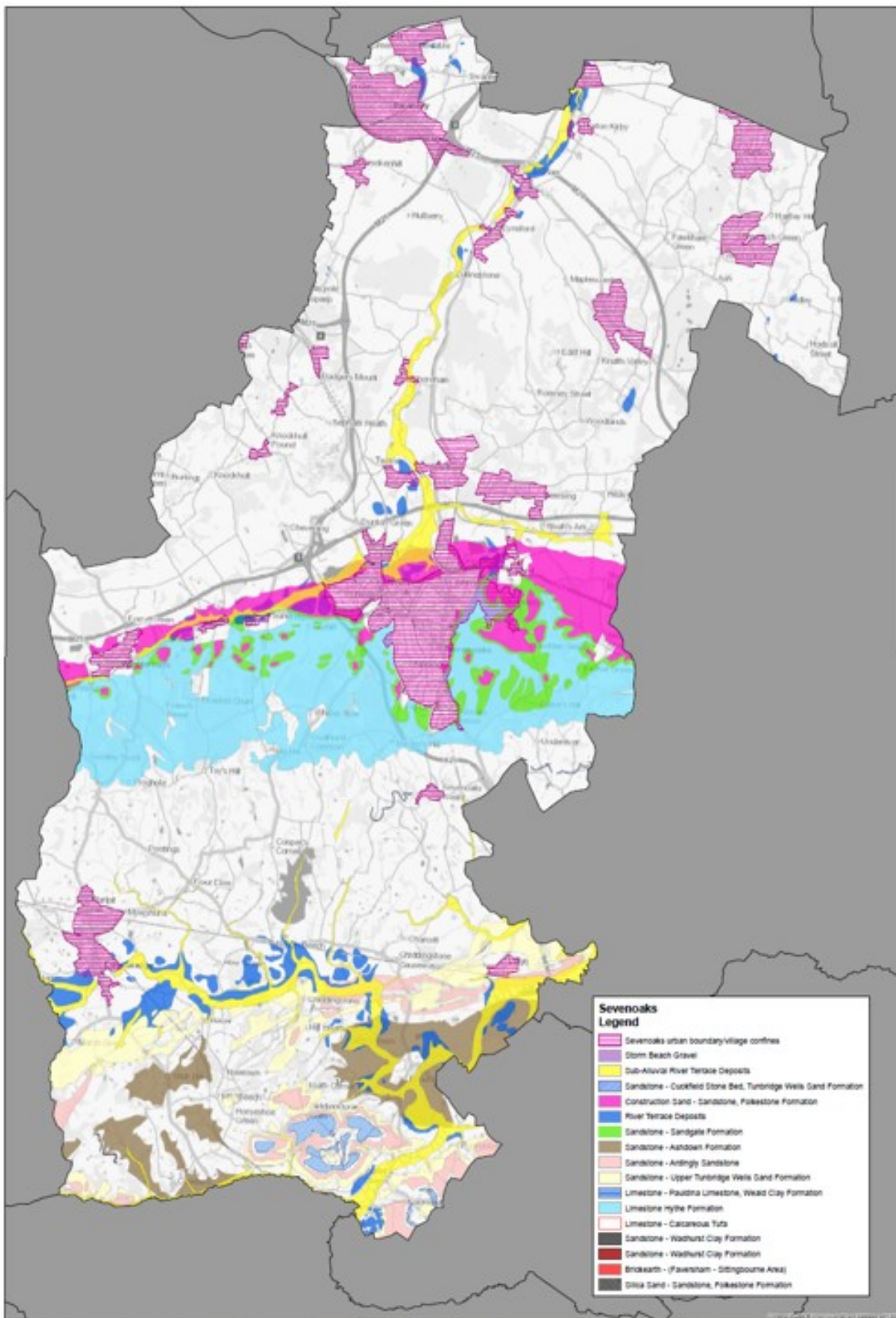
### Gravesham Mineral Safeguarding Areas



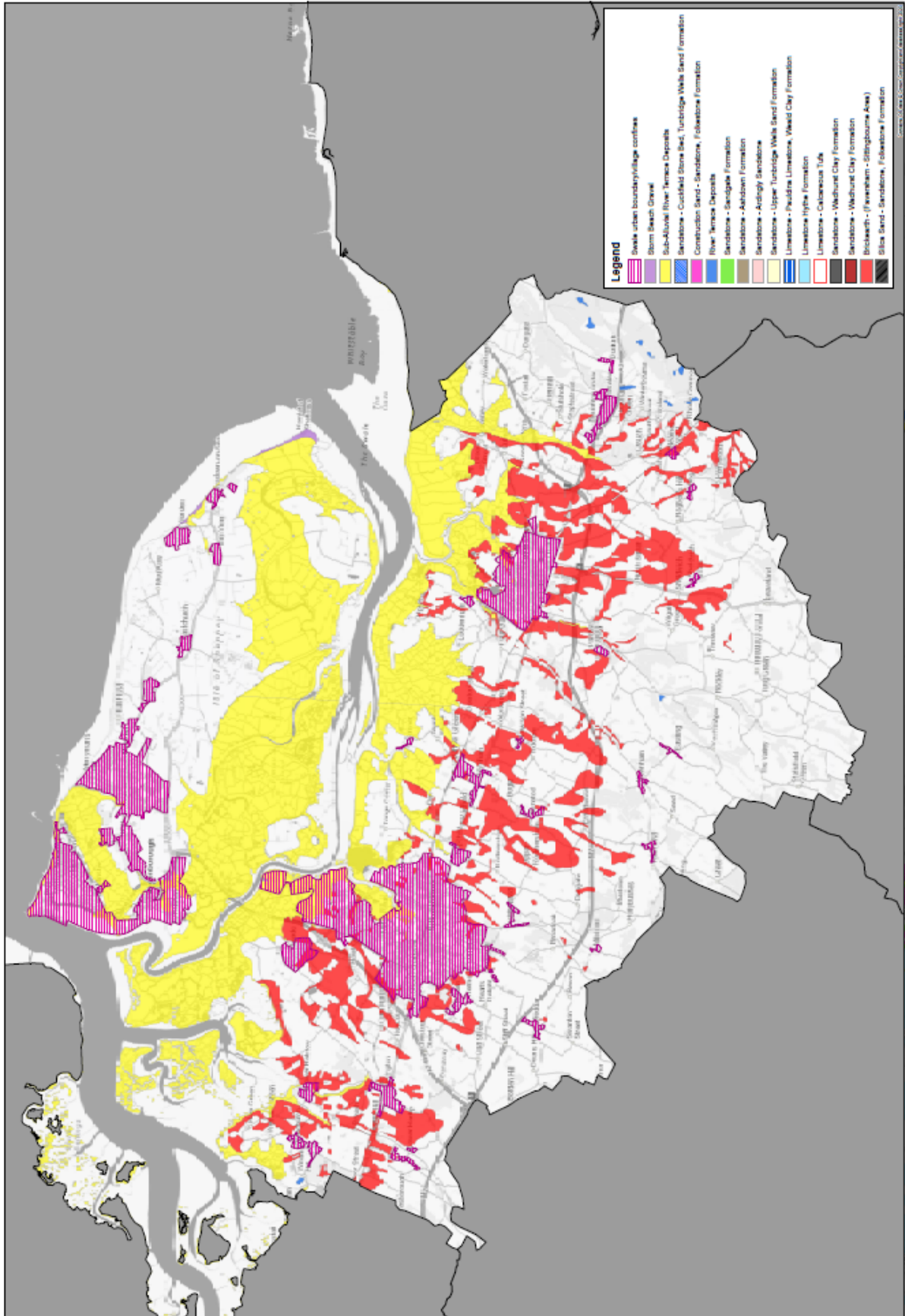
### Maidstone Mineral Safeguarding Areas



### Sevenoaks Mineral Safeguarding Areas

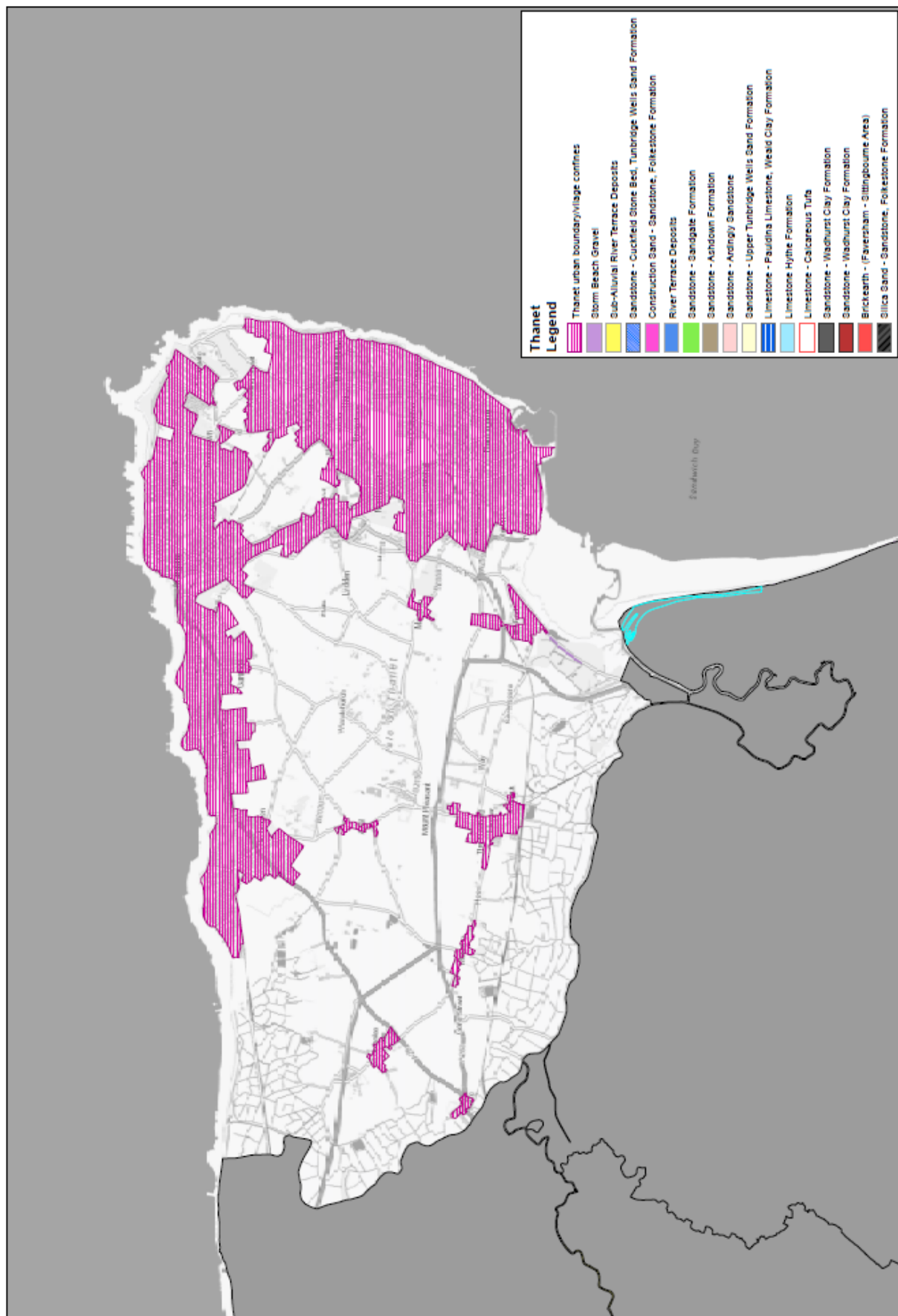


### Swale Mineral Safeguarding Areas

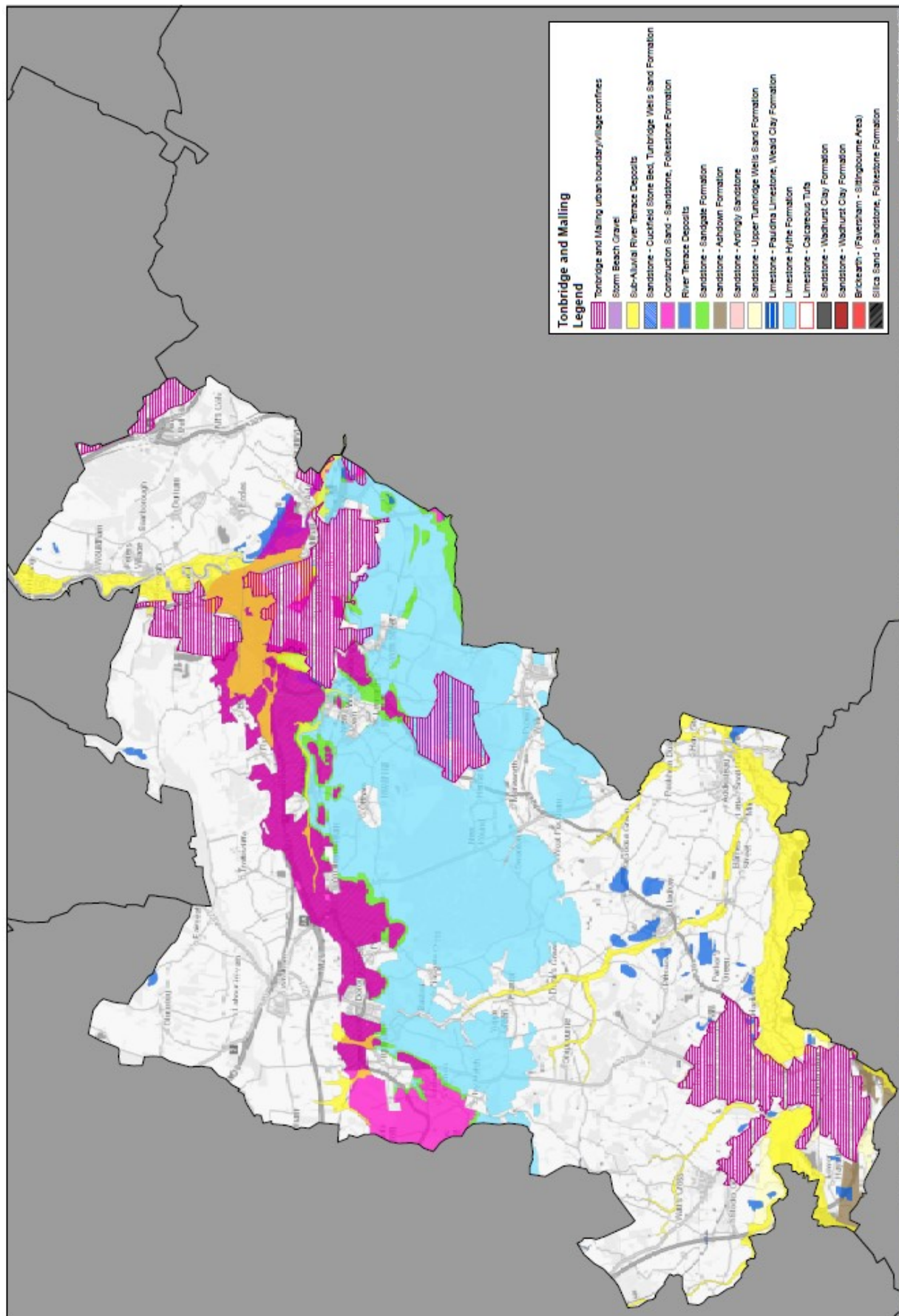




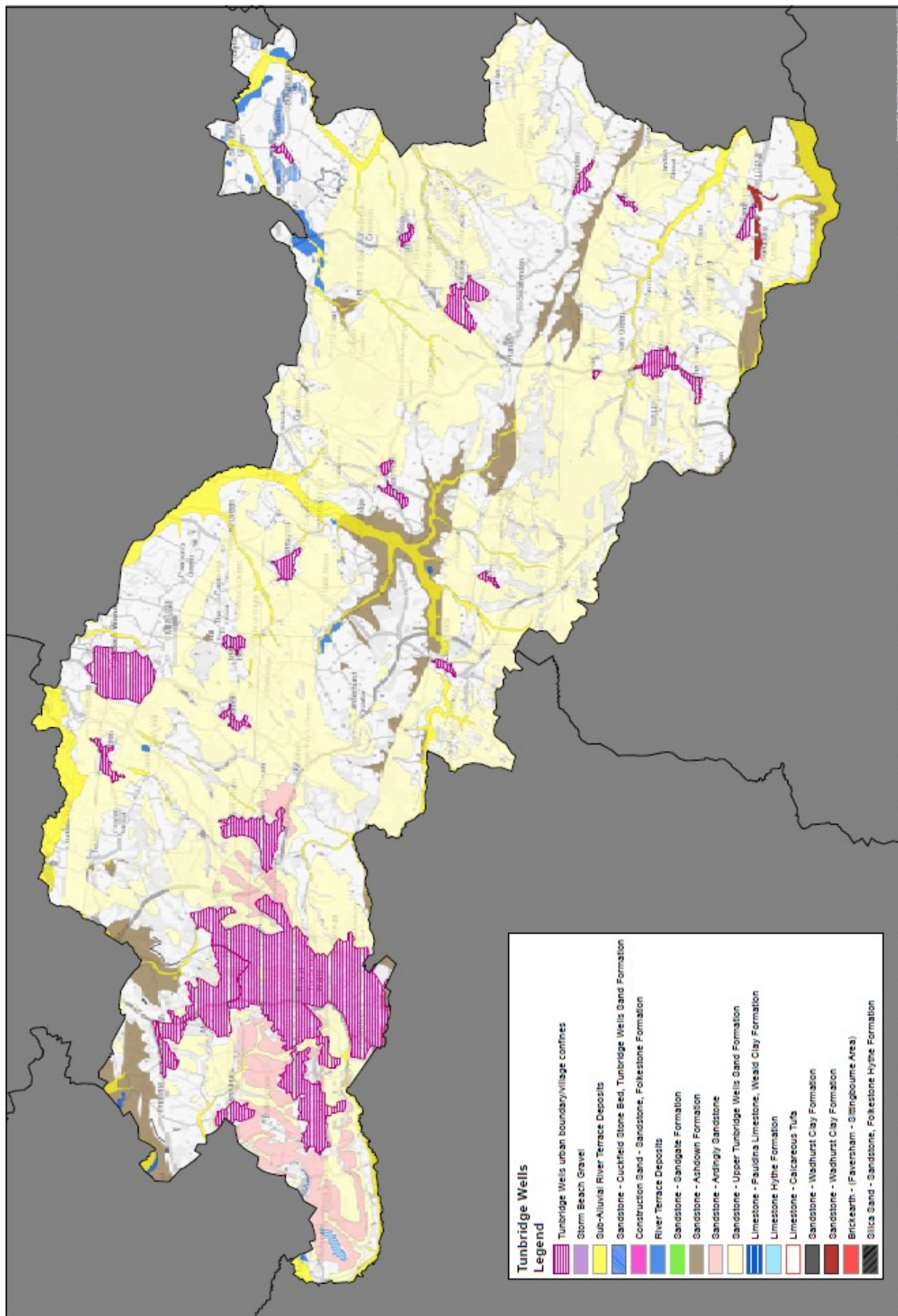
### Thanet Mineral Safeguarding Areas



### Tonbridge & Malling Mineral Safeguarding Areas



### Tunbridge Wells Mineral Safeguarding Areas



## Appendix A: Glossary

<b>A</b>	
Aftercare	Measures to bring land up to the required standard following restoration which enables it to be used for the intended after-use. The aftercare period normally extends for 5 years following compliance with restoration conditions but may be extended where agreed between the applicant and the minerals planning authority.
After-use	The use to which a quarry or landfill site is put following its restoration, such as forestry, agriculture, recreation or biodiversity.
<b><u>Agent of change</u></b>	<b><u>A developer proposing new development within an area that is of such a nature that it might be impacted by existing development or impact on that development (e.g. housing proposed within an industrial area). The 'agent of change principle' sets out a position that a person or business (i.e. the 'agent of change') introducing a new land use is responsible for managing the impact of that change.</u></b>
Aggregate	Inert particulate matter that is suitable for use (on its own or with the addition of cement or bituminous material) in construction as concrete, mortar, finishes, road stone, asphalt, or drainage course, or for use as constructional fill or railway ballast.
Aggregate Monitoring Survey	An annual survey undertaken by the MPAs in England to gather data on aggregate sales and reserves on behalf of the regional aggregate working parties. Each regional aggregate working party prepares an annual report which includes the results of the aggregate monitoring survey and which is submitted to the Government. The data from the aggregate monitoring survey is also used by the MPAs in their AMRs and their LAAs.
Aggregates and soils recycling	Rubble, hardcore and soil from construction and demolition projects can often be re-used on-site. Alternatively, it can be taken to purpose-built facilities for crushing, screening and re-sale. There are also temporary facilities at some quarries and landfill sites where material can be recovered for re-sale or use on-site.
Agricultural waste	This mostly covers animal slurry/by products and organic waste, but also scrap metals, plastics, batteries, oils, tyres, etc. The regulations for this waste stream have been altered meaning farmers can no longer manage all of their own waste within the farm. The agricultural waste regulations affect whether or not waste can be burnt, buried, stored, used on the farm or sent elsewhere.

Amenity	Amenity is a broad concept and is not specifically defined in Planning legislation. It is a matter of interpretation by the local planning authority and is usually understood to be the pleasant or normally satisfactory aspects of a location which contribute to its overall character and the enjoyment of residents, business users and visitors. A land-use that is not productive agriculture, forestry or industrial development. This can include formal and informal recreation and nature conservation.
Anaerobic Digestion (AD)	A natural process comprising the breakdown of organic material in the absence of air. It is carried out in an enclosed vessel and produces methane that powers an engine used to produce electricity. The useful outcomes of AD are electricity, heat, and the solid material left over called the digestate. Both the heat and the electricity can be sold if there is a market and the digestate can either be sold or used for agricultural purposes (landspread). Its use is currently small-scale and it can only be used for part of the waste stream e.g. sewage sludge, agricultural waste and some organic municipal and industrial waste.
Annual Monitoring Report (AMR)	The AMR documents progress in meeting the milestones of the adopted Minerals and Waste Development Scheme and will monitor the impact of policies when the plans are adopted. <b><u>The AMR is formally known in legislation as the 'Authority Monitoring Report'.</u></b>
Apportionment	<del>Related to Kent's share of the regional South East Plan's waste management capacity to be provided and Kent's share of the regional SEP's aggregate provision. The regional planning function has been repealed by the <i>Localism Act 2011</i> and the Regional Plan has been substantially revoked (certain habitat conservation elements still being in force) to date.</del>
Appraisal of hydrocarbon extraction	This phase follows exploration when the existence of oil or gas has been proven, and the operator needs further information about the extent of the deposit or its production characteristics to establish whether it can be economically exploited.
Area of Search (AoS)	Broad areas where certainty of knowledge of mineral resources may be less than in other types of site allocations. Within these areas, planning permissions could be granted to meet any shortfall in mineral supply, if suitable applications are made. AoS are no longer being used in strategic planning in Kent.
<b>B</b>	
Becquerel	A Becquerel is a unit of radioactivity, representing one disintegration per second.
Biodegradable waste	Any waste that is capable of undergoing natural decomposition, such as food and garden waste, paper and cardboard.
Biodiversity	The variety of all life on earth (mammals, birds, fish, invertebrates, plants etc).

Biodiversity Action Plan (BAP)	A plan that sets objectives and actions for the conservation of biodiversity, with measurable targets.
<b>Biodiversity Net Gain (BNG)</b>	<b>Biodiversity net gain is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand.</b>
<b>Biodiversity Opportunity Areas (BOAs)</b>	<b>The BOAs show where the greatest gains can be made from habitat enhancement, restoration and recreation, as these areas offer the best opportunities for establishing or contributing to large habitat areas and/or networks of wildlife habitats.</b>
<b>Blue Infrastructure</b>	<b>Urban water infrastructure such as ponds, lakes, streams, rivers and storm water provision.</b>
Brownfield site	Site previously used for or affected by development. It may be abandoned or in a derelict condition.
Buffer zone	A zone or area that separates minerals and/or waste management facilities from other land-uses to safeguard local amenity.
Building sand or soft sand	A naturally formed deposit where the sand grains are rounded in shape. The individual grains tend towards being equidimensional and the particle size variation is low. When soft sands are mixed with cement the mixture (called mortar) can be easily smoothed by hand to facilitate brick and block laying in construction.
<b>C</b>	
Call for sites	The call for sites is an early opportunity for individuals and organisations to suggest sites within the administrative area of a local planning authority which could be identified for development in a local plan. The call for sites exercise does not in itself determine whether a site should be allocated for development. This is determined by the local planning authority and the sites promoted in the call for sites exercise have no status until they are identified in an adopted local plan.
Certificate of Lawful Use	This is also known as a Lawful Development Certificate. These certificates exist in two forms: <ol style="list-style-type: none"> <li>1. a determination by a local planning authority as to whether an unauthorised development or use has become lawful through the passage of time, and can be continued without the need for planning permission</li> <li>2.</li> <li>3. a determination by a local planning authority as to whether a proposed use or building can occur or be built without the need for planning permission</li> </ol>
<b>Circular Economy</b>	<b>The circular economy is a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials and products for as long as possible. In this way, the</b>

	<b><u>lifecycle of products is extended. In practice, it implies reducing waste to a minimum. In a circular economy, when a product reaches the end of its life, its materials are kept within the economy wherever possible. These can be productively used again and again, thereby creating further value.</u></b>
Combined Heat and Power	A technology producing power (electricity) while capturing the usable heat produced in the process.
Commercial waste	Waste from premises used mainly for trade, business, sport, recreation or entertainment, as defined under Section 5.75(7) of the <i>Environmental Protection Act 1990</i> . For example, it is likely to include timber, metal, paints, textiles, chemicals, oils and food waste, as well as paper, card, plastic and glass.
Composting	The breakdown of plant matter by the action of micro-organisms and other organisms into usable end-products. It is an important method of processing organic waste because it reduces the amount of potentially polluting waste going to landfill or incineration.
Conformity	In conformity means being in compliance.
Construction waste (also see demolition and excavation waste)	Unwanted material arising from construction <b>and demolition and excavation</b> projects. It includes vegetation and soils from land clearance <b>and excavation</b> , discarded materials and off-cuts from building sites, road schemes and landscaping projects. It is mostly made up of <b>inert materials such as</b> stone, concrete, rubble and soils but may include timber, metal and glass.
Critical load or Level	Critical load or level as the threshold below which emissions from a facility or changes in road emissions can be considered to be sufficiently small as to be essentially trivial whether alone or in combination with other projects and plans.
<b>D</b>	
Degradable or putrescible waste	This is also called non-hazardous waste. This is a waste that will biodegrade or decompose, releasing environmental pollutants. For example this includes wood and wood products, paper, plasterboard, cardboard, vegetable matter, food processing wastes and vegetation.
Demolition waste	<del>This is also called construction waste. This is a waste arising from any development, redevelopment, or demolition of existing schemes. It includes vegetation and soils from land clearance, discarded materials and off-cuts from building sites, road schemes and landscaping projects. It is mostly made up of stone, concrete, rubble and soils but may include timber, metal and glass.</del>
Development Plan	The Kent MWLP forms part of the statutory Development Plan for Kent together with the adopted local plans prepared by the Kent district planning authorities. The development plan has statutory status as the starting point for decision making. Section 38(6) of the <i>Planning and Compulsory Purchase Act 2004</i> and Section 70(2) of the <i>TCPA 1990</i> require that planning applications should be determined in accordance with the development plan unless material

	considerations indicate otherwise.
<b>E</b>	
Energy from Waste (EfW)	The use of waste to generate energy (power and/or heat) or produce a gas that can be used as a fuel including the processing of waste to produce a fuel suitable for use in such plants.
Environmental Impact Assessment (EIA)	The process by which the impact on the environment of a proposed development can be assessed. Certain types and scale of waste proposals will require an Environmental Statement (ES) to be prepared. <i>The Town and Country Planning (Environmental Impact Assessment) Regulations 2011</i> (as amended) and the <i>Planning Practice Guidance on Environmental Impact Assessment</i> set out the circumstances when planning applications will be required to be accompanied by an EIA. The information contained in the EIA will be taken into account when local planning authorities determine such proposals.
European Sites	<p><del>These are defined by Regulation 8 of the <i>Habitat Regulations 2010</i> and originate from a list of designated areas produced by the European Community which can be amended. These include fully designated Special Areas of Conservation (SAC) and Sites of Community Importance (SCIs). Also included in the list of such sites are: sites hosting a priority habitat or species during the period in which the EC is consulting the UK Government as to its inclusion in the list of SCIs and pending a decision of the Council of the EU as to its inclusion, classified Special Protection Areas (SPAs), sites submitted by the UK government or the EC as eligible for identification as an SCI until such time as it is placed on the list of SCIs (usually referred to as candidate SACs).</del></p> <p>In England, as a matter of Government policy, the following sites should be given the same protection as statutory European Sites: a potential SPA, a possible or proposed SAC, a listed or a proposed Ramsar site, and sites identified or required as compensatory measures for adverse effects on (statutory) European Sites, SPAs, SAC and listed or proposed Ramsar sites.</p>
Examination in Public	The process in which all local plans are subject to an independent examination by a planning inspector before they can be adopted.
Exempt sites	Sites of small-scale waste management activities that do not require a licence or permit from the Environment Agency. They still require planning permission before they can operate and are subject to general rules (e.g. types and quantities of waste).
Exploratory phase of hydrocarbon extraction	The exploratory phase seeks to acquire geological data to establish whether hydrocarbons are present. It may involve seismic surveys, exploratory drilling and in the case of shale gas, (possibly) hydraulic fracturing.
<b>F</b>	Page 404



<b>Flood Risk Zone 3b</b>	<b>Land that has a 3.3% or greater annual probability of flooding.</b>
<b>G</b>	
Gasification	A technology that converts carbon containing material into gas (mostly methane). The gas can either be used as a substitute for natural gas or used to power electricity generation.
Geodiversity	The variety of rocks, minerals, fossils, soils and landforms, together with the natural processes that shape the landscape.
Geological Disposal Facility (GDF)	This is a secure facility which the Government is working towards finding a location for and which will be used for either the long-term storage or disposal of higher-activity radioactive wastes. Site selection is a process to determine sites where the geological conditions are suitable to contain the wastes and to find a site where the local community are in agreement with the development of a GDF.
Geomorphological	The scientific study of landforms and the processes that shape them.
Gigabecquerel	A becquerel is a unit of radioactivity, representing one disintegration per second. A gigabecquerel is 1,000 becquerels.
<b>Green Infrastructure</b>	<b>Green infrastructure assets include open spaces such as parks and gardens, allotments, woodlands, fields, hedges, lakes, ponds, playing fields, coastal habitats, as well as footpaths, cycleways or rivers.</b>
Greenhouse gas	Gases such as carbon dioxide and methane which when their atmospheric concentrations exceed certain levels can contribute to climate change by forming a barrier in the earth's atmosphere that traps the sun's heat.
Gross Value Added (GVA)	A measure of output i.e. the value of the goods and services produced in the economy. It is primarily used to monitor the performance of the national economy and is now the measure preferred by the Office for National Statistics to measure the overall economic wellbeing of an area. While the Gross Domestic Product and the GVA are both measures of value, the GVA excludes taxes and subsidies.
Groundwater	Water contained within underground strata (aquifers) of various types across the country. Groundwater is usually of high quality and often requires little treatment prior to use. It is however vulnerable to contamination from pollutants. Aquifer remediation is difficult, prolonged and expensive and therefore the prevention of pollution is important.
<b>H</b>	
<b>Habitats Site</b>	<b><u>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.</u></b>
Hazardous waste	Controlled waste that is dangerous or difficult to treat, keep, store or dispose of, so that special provision is required for

	dealing with it. Hazardous wastes are the more dangerous wastes and include toxic wastes, acids, alkaline solutions, asbestos, fluorescent tubes, batteries, oil, fly ash (flue ash), industrial solvents, oily sludges, pesticides, pharmaceutical compounds, photographic chemicals, waste oils, wood preservatives. If improperly handled, treated or disposed of, a waste that, by virtue of its composition, carries the risk of death, injury or impairment of health, to humans or animals, the pollution of waters, or could have an unacceptable environmental impact. It should be used only to describe wastes that contain sufficient of these materials to render the waste as a whole hazardous within the definition given above.
Heritage assets	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets includes designated heritage assets and assets identified by the local planning authority (including local listing).
Heritage Coast	Areas of undeveloped coastline that are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.
High Level Wastes (HLW)	One of four broad categories of radioactive waste, HLW are wastes in which the temperature may rise significantly as a result of their radioactivity, so that this factor has to be considered in designing storage and disposal facilities.
Household waste	This <b>falls within the category of</b> <del>is also known as</del> Municipal Solid Waste (MSW). This is a waste from a domestic property, caravan, residential home or from premises forming part of a university or school or other educational establishment and premises forming part of a hospital or nursing home. <b>Household waste collected by a local authority is known as 'Local Authority Collected Waste'.</b>
I	
Impact pathways	In carrying out a Habitat Regulations Assessment it is important to determine the various ways in which land-use plans can impact on <del>Habitat</del> European Sites by following the pathways along which development can be connected with <del>Habitat</del> European Sites. Impact pathways are routes by which a change in activity associated with a development can lead to an effect upon a <del>Habitat</del> European Site.
Imported minerals	Minerals imported through wharves and rail depots. In Kent this includes Marine Dredged Aggregates, crushed rock, sand and gravel, secondary aggregates and cement.
Industrial waste	Waste from any of the following premises: factory, provision of transport services (land, water and air), purpose of connection of the supply of gas, water, electricity, provision of sewerage services, provision of postal or telecommunication services.
Inert waste	Waste that will not biodegrade or decompose (or will only do so at a very slow rate). Types of materials include uncontaminated topsoil, subsoil, clay, sand, brickwork, stone, silica and glass

Intermediate Level Wastes (ILW)	One of four broad categories of radioactive waste, ILW are wastes with radioactivity levels exceeding the upper boundaries of LLW that are retrieved and processed to make them passively safe and then stored pending the availability of the GDF.
L	
Landbank	A stock of mineral reserves with planning permission for their winning and working.
Landfill	The deposition of waste onto hollow or void space in the land, usually below the level of the surrounding land or original ground level in such a way that pollution or harm to the environment is prevented. Former mineral workings have historically been used for this purpose.
Landfill gas	A by-product from the digestion by anaerobic bacteria (rotting) of biodegradable matter present in waste deposited on landfilled sites. The gas is predominantly methane together with carbon dioxide and trace concentrations of a range of other vapours and gases.
Land-won minerals	Mineral extracted from a quarry situated on the mainland, as opposed to off-shore mineral supplies such as MDAs.
<b>Life Cycle Assessment (LCA)</b>	<b>A methodology for assessing environmental impacts associated with all the stages of the life cycle of a commercial product, process, or service.</b>
Local Aggregate Assessment (LAA)	A public report prepared annually by MPAs to gather together up-to-date information on aggregate sales and reserves from land-won sources together with data on secondary and recycled aggregates and mineral imports.
Local Development Scheme	The timetable for the preparation of the local plans.
Local Geological Sites	Any geological or geomorphological sites, excluding SSSIs, that are considered worthy of protection for their educational, research, historical or aesthetic importance. They are broadly analogous to non-statutory wildlife sites and are often referred to locally by the same name. They can include important teaching sites, wildlife trust reserves, LNRs and a wide range of other sites. They are not regarded as inferior to SSSIs but as sites of regional importance in their own right.
<b><u>Local Nature Recovery Strategy</u></b>	<b><u>The Local Nature Recovery Strategy (LNRS) are a requirement of the Environment Act and are expected to supersede Biodiversity Opportunity Areas (BOAs). They will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits. At the time of writing (August 2022), the secondary legislation and statutory guidance relating to LNRS that will provide the detail and instruct the commencement of their development is awaited.</u></b>

Local Plan	A Local Plan is a Development Plan Document that includes planning policies for a local area. A Local Plan forms part of the Development Plan for an Area.
Low-carbon Economy (LCE) or low-fossil-fuel economy	An economy that has a minimal output of greenhouse gas emissions into the biosphere, but specifically refers to the greenhouse gas carbon dioxide.
Low Level Radioactive Waste (LLW)	One of four broad categories of radioactive waste that reflect the degree of radioactivity and hazard. LLW does not normally require shielding during handling or transport. It consists largely of paper, plastics and scrap metal items that have been used in hospitals, research establishments and the nuclear industry.
<b>M</b>	
<b>Marine Conservation Zone (MCZ)</b>	<b>Marine Conservation Zones are areas that protect a range of nationally important, rare or threatened habitats and species.</b>
Marine Dredged Aggregates (MDA)	Aggregates excavated from the seabed, as opposed to aggregate minerals extracted from the earth on the mainland.
Materials Recovery Facility	A facility where waste can be taken in bulk for separation, recycling or recovery of waste materials. This is usually Municipal Solid Waste, but some sites take Commercial & Industrial waste. Some may also take Construction and Demolition waste to be crushed and screened.
Methane	A colourless, odourless, flammable gas, formed during the decomposition of biodegradable waste.
Mineral Consultation Area (MCA)	An area identified in order to ensure consultation between the relevant local planning authority and the MPA before certain non-mineral planning applications made within the area are determined.
Mineral resources	Natural concentrations of minerals or bodies of rock that are, or may become, of potential economic interest due to their inherent properties.
Mineral Safeguarded Area (MSA)	Known areas of mineral resources that are of sufficient economic value to warrant protection for generations to come. There is no presumption that any areas within an MSA will ultimately be environmentally acceptable for mineral extraction. The purpose of MSAs is not to automatically preclude other forms of development, but to make sure that mineral reserves are considered in land-use planning decisions.

Municipal Solid Waste (MSW)	Waste collected and disposed of by or on behalf of a local authority. It will generally consist of household waste, some commercial waste, and waste taken to Household Waste Recycling Centres (HWRCs) by the general public. In addition, it may include road and pavement sweepings, gully emptying wastes, and some construction and demolition waste arising from local authority activities. It is typically made up of card, paper, plastic, glass, kitchen and garden waste. <b><u>In this Plan the term Municipal Solid Waste has largely been replaced by the term Local Authority Collected Waste.</u></b>
<b>N</b>	
Natura 2000 Sites	All EU member states are required to create a network of protected wildlife areas, known as Natura 2000 Sites, consisting of SACs and SPAs, established to protect wild birds under the European Birds Directive. These sites are part of a range of measures aimed at conserving important or threatened habitats and species. In the UK <b><u>SACs and Special Protection Areas (SPAs) no longer form part of the EU's Natura 2000 ecological network</u></b> <del>they are also known as European Sites.</del>
Natural Improvement Areas (NIAs)	Areas designated for creating more and better-connected habitats, recreational opportunities, flood protection, cleaner water and carbon storage as well as uniting local stakeholders.
<b><u>Net planning benefit</u></b>	<b><u>The genuine improvement of a site or area, for example, because adverse effects are limited in scope and scale, and the development includes measures to improve the physical state or management of landscapes or habitats, or new landscape features or habitats, which are better than they are at present.</u></b>
Non-hazardous Waste (Non-inert Waste)	This is also called non-inert waste. This is a waste that will biodegrade or decompose, releasing environmental pollutants. Examples include wood and wood products, paper and cardboard, vegetation and vegetable matter, leather, rubber and food processing wastes.
<b>O</b>	
Operation Stack	The process used to park lorries on a part of the M20 when cross channel services from the Port of Dover or through the Channel Tunnel are disrupted.
<b><u>Other Recovery</u></b>	<b><u>Recovery of value (materials or energy) from waste by means other than reuse, recycling and composting, and often by Energy from Waste. 'Other recovery' sits above disposal but below recycling and composting in the waste hierarchy.</u></b>

<b>P</b>	
Permitted reserves	Saleable minerals in the ground with planning permission for winning and working. Usually expressed in million tonnes.
Planning conditions	Conditions attached to a planning permission for the purpose of regulating and controlling the development.
Primary aggregates	Naturally occurring sand, gravel and crushed rock used for construction purposes, which have either been extracted from the sea bed or the earth's crust.
Production phase of Hydrocarbon Extraction	This normally involves the drilling of a number of wells. This may be wells used at the sites at the exploratory and/or appraisal phases of hydrocarbon development, or from a new site. Associated equipment such as pipelines, processing facilities and temporary storage tanks are also likely to be required.
Prospecting	Prospecting is the first stage of the geological analysis of a territory or area. It includes the physical search for minerals, fossils, precious metals or mineral specimens. Prospecting can be a small-scale form of mineral exploration that can extend to an organised, large scale effort undertaken by commercial mineral companies to find economically viable materials such as ores, gas, oil, coal and aggregates.
<b>Protected Groundwater Source Areas</b>	<b>Any land at a depth of less than 1,200 metres beneath a relevant surface area. I.e. and land at the surface that is within 50 metres of a point at the surface at which water is abstracted from underground strata and is used to supply water for domestic or food production purposes, or within or above a zone defined by a 50-day travel time for groundwater to reach a groundwater abstraction point that is used to supply water for domestic or food production purposes.</b>
<b>Public Right of Way (PROW)</b>	<b>The generic term for Public Footpaths, Public Bridleways, Restricted Byways, and Byways open to all traffic.</b>
Putrescible waste	Waste readily able to be decomposed by bacterial action. Landfill gas and leachate can occur as by-products of decomposition.
Pyrolysis and Gasification	Both systems involve heating the waste in varying amounts of oxygen to produce a gas. The gas could either be used as a substitute for natural gas or used to power electricity generation.
<b>R</b>	
Ramsar sites	Sites of international importance to birds that inhabit wetlands. Ramsar is the name of the place where the Wetlands Convention was signed.

Reclamation of mineral workings	The combined processes of restoration and aftercare following completion of mineral working.
Recovery	The collection, reclamation and separation of materials from the waste stream.
Recovery facilities	A facility that recovers value, such as resources and energy, from waste prior to disposal, includes recycling, thermal treatment, biological treatment and composting facilities.
Recycled aggregates	Aggregates produced from recycled CD waste such as crushed concrete and planings from road surfacing.
Recycling	The collection and separation of materials from waste and subsequent processing to produce new marketable products.
Reduction	The use of technology requiring less waste generation from production, or the production of longer lasting products with lower pollution potential, or the removal of material from the waste stream, e.g. paper being taken straight from a waste producer to a paper re-processing facility, avoiding it being handled at anywaste management operation.
Reserve	The remaining concentration or occurrence of workable material of intrinsic economic interest. Generally used for those economic mineral deposits that have the benefit of planning permission.
Resource	A concentration or occurrence of material of intrinsic economic interest in or on the Earth's crust in such a form, quality and quantity that they are reasonable prospects for eventual economic extraction.
Residual waste	The elements of the waste streams that remain following recovery, recycling or composting operations.
Resource recovery	The extraction of useful materials or energy from solid waste.
Restoration	Operations designed to return an area to an acceptable environmental state, whether for the resumption of the former land-use or for a new use following mineral working. Involves the reinstatement of land by contouring, the spreading of soils or soil making materials, etc.
Reuse	Reuse of waste is encouraged by the Government's national waste policy requirements. Typically it involves re-using materials so that they can be used again without further processing.
<b>S</b>	
Safeguarding	The process of protecting sites and areas that have potential for relevant development (minerals and waste) from other forms of development.
Saved policies	Retaining a local plan (or policies from it) until replacement by a new local plan. Normally lasts for three years only, but

	extended saving can occur if policies need to stay in place for a longer period.
Scheduled Ancient Monument	Nationally important monuments and archaeological areas that are protected under the Ancient Monuments and Archaeological Areas Act 1979.
Secondary aggregates	Construction materials that are produced as by-products of other processes and used instead of primary aggregates. Secondary aggregates include boiler ashes, colliery shale, burned clay, pulverised fuel ash, chalk and shale.
Self-sufficiency	A key aim of sustainable waste management is self-sufficiency in waste disposal, i.e. the waste generated within the region can be disposed or managed within the same region.
Sensitive receptors	Habitable residential accommodation including, but not limited to, hospitals, schools, childcare facilities, elderly housing, churches and convalescent facilities.
Shale gas	Mostly methane (CH <sub>4</sub> ) and is found in the pore spaces of shale, a fine grained sedimentary rock, that contains hydrocarbon materials. Methane, often referred to as natural gas has an occurrence that is geologically variable in that it can be found in a reservoir as well as held within the source rock such as shale. It is combustible and is used to generate electricity and for domestic heating and cooking. Shale gas is often referred to as an unconventional hydrocarbon as it is extracted using technologies developed since the 1940s that has enabled gas to be recovered from shale (a fine grained sedimentary rock mainly of marine origin) that were previously considered to be unsuitable or uneconomic for the extraction of natural gas. One process, hydraulic fracturing (often called fracking) is a technique where water (and additives) is pumped under pressure into productive shale rocks via a drilled bore to open up pore spaces and allow the shale gas to be pumped to the surface for collection <sup>150</sup> .
Sharp sand and gravel	A naturally occurring mineral deposit found in Kent and elsewhere. When extracted it is mainly used in the production of concrete products.
Silica sand or industrial sand	A naturally occurring mineral deposit that is extracted and used in industrial processes including glass manufacture and the production of foundry castings. It is also used in horticulture and for sports surfaces including horse menages and golf course bunker sand. It is also known as industrial sand. It is a mineral of national importance.

<sup>150</sup> Information on unconventional hydrocarbon extraction is on the following DECC website at: <https://www.gov.uk/government/publications/about-shale-gas-and-hydraulic-fracturing-fracking>



Sites of Special Scientific Interest (SSSIs)	<p>These sites are notified under Section 28 of the <i>Wildlife and Countryside Act 1981</i> by English Nature (now Natural England) whose responsibility is to protect these areas. These are important areas for nature conservation i.e. valuable flora, fauna or geological strata. Natural England needs to be notified of planning proposals in or adjacent to the designated areas.</p> <p>National Nature Reserves, terrestrial Ramsar sites, SPAs and SACs are also SSSIs under national legislation.</p>
Soft sand	See Building sand.
<b>Source Protection Zone (SPZ)</b>	<b>Indicate those areas where groundwater supplies are at risk from potentially polluting activities and accidental releases of pollutants. SPZs are primarily a policy tool used to control activities close to water supplies intended for human consumption. SPZs are not statutory and are mainly for guidance but they do relate to distances and zones defined in legislation where certain activities are restricted.</b>
Statement of Community Involvement	A document setting out how a local authority is to ensure that suitable sufficient consultation occurs for different elements of the planning process. This is a requirement as amended under the <i>Planning and Compulsory Purchase Act 2004</i> .
Sterilisation	When a change of use or the development of land on or near a minerals or waste facility prevents possible mineral extraction or continued use of a wharf, rail depot or other facility in the foreseeable future.
Strategic Environmental Assessment	An evaluation process for assessing the environmental impacts of plans and programmes. This is a statutory requirement of the Kent MWLP system.
Submission	A stage of the plan preparation process where the document is submitted to the Secretary of State for independent examination by a planning inspector. The document is published for public consultation prior to submission.
Surrounding environment	Aspects of the surrounding environment include such features as water resources including surface water, groundwater and rivers and their settings, heritage interests including listed buildings, conservation areas and their settings, and World Heritage Sites, nature reserves, local sites designated for biodiversity and geodiversity, species and habitats of importance for conservation and biodiversity, nationally designated areas including SSSIs and AONBs and their setting, internationally designated sites including SPAs, SACs, Ramsar sites, Heritage Coast and NIAs. The surrounding environment also includes those areas that are non-designated but contribute to the whole environment.
Sustainability	An evaluation process for assessing the environmental, social, economic and other sustainability effects of plans and

Appraisal (SA)	programmes from the outset of the preparation process. This is a statutory requirement.
Sustainable development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The definition also encompasses the efficient use of natural resources.
<b>T</b>	
Transfer stations	Facilities that receive waste (normally from a local area), where the waste is bulked up and transported further afield in larger lorries for disposal or recovery. Some transfer stations sort out the recoverable wastes, such as CD waste and scrap metal prior to onward transportation for disposal or processing.
<b>V</b>	
Very Low Level Radioactive Waste (VLLW)	One of four broad categories of radioactive waste that reflect the degree of radioactivity and hazard. The radioactive concentration of VLLW is similar to the natural activity of soils and is well within the normal range of natural radioactivity in the Earth's crust.
Void space	A hole created by mineral working or nature that may have potential for landfilling with waste.
<b>W</b>	
Waste	The TCPA 1990 has been amended so there is no dispute over whether waste, in terms of the planning regime, is defined in accordance with European law. It states that: Waste includes anything that is waste for the purposes of Directive 2006/12/EC of the European Parliament and of the Council on waste, and that is not excluded from the scope of that Directive by Article 2(1) of that Directive. Waste is therefore defined as any substance or object that the holder or the possessor either discards or intends or is required to discard <sup>151</sup> .
Waste arisings	The amount of waste generated in a given locality over a given period of time.
Waste Collection Authority (WCA)	A local authority with a statutory responsibility to provide a waste collection service to each household in its area, and on request, to local businesses.
Waste	A local authority that is legally responsible for the safe disposal of household waste collected by the WCAs. Long-

<sup>151</sup> This definition is inserted into s.336(1) of the TCPA 1990, as part of the consequential amendments made by the Environmental Permitting (England and Wales) Regulations 2007 SI 2007/3528 (the EPR 2007), as from 6 April 2008. See Schedule 21, para 19 of the EPR 2007 (and its commencement- see reg.1)

Disposal Authority	term contracts are let to private sector companies who provide the facilities to handle this waste. These contracts are awarded on the basis of detailed cost and environmental criteria as well as specific targets for recycling and reducing landfill.
Waste electrical and electronic equipment	Discarded electrical or electronic equipment, including all components, sub-assemblies and consumables that are part of the product at the time of discarding.
Waste hierarchy	A concept devised by EUWFD (2008/98/EC) conveying waste management options in order of preference; waste prevention (most preferred) followed by reduction, recycling, recovery and disposal (least preferred). Figure 18 shows the Waste Hierarchy in Chapter 6.
<b><u>Waste Hierarchy Statement</u></b>	<b><u>A statement to be submitted with a planning application for other recovery and waste disposal activity that demonstrates how only unavoidable residual waste will be managed at such facilities.</u></b>
Waste management permit	A permit granted by the Environment Agency (EA) authorising treatment, keeping or disposal of any specified description of controlled waste in or on specified land by means of specified plant.
Waste Management Unit (WMU)	A KCC department that manages all aspects of <b><u>LACWMSW</u></b> (household waste) arisings in Kent.
Waste minimisation	The reduction of unwanted outputs from the manufacturing and construction processes that are likely to result in less waste being produced.
Waste Planning Authority (WPA)	A local authority with responsibility for waste planning, including the determination of waste related planning applications. In areas with two tiers of local government (counties and districts), the county councils are the WPAs. National Parks are also WPAs. Unitary authorities, such as Medway Council, deal with waste planning and all other planning issues within their areas.
Waste reduction	To make waste production and waste management practices more sustainable. Key national objectives are to reduce the amount of waste that is produced, make the best use of waste produced and choose practices which minimise the risks of pollution and harm to human health. Waste reduction is concerned with reducing the quantity of solid waste that is produced and reducing the degree of hazard represented by such waste.
Wastewater	Water <b><u>emanating from the internal drainage of dwellings and business</u></b> that is discharged to the sewers and <del>includes MSW, C&amp;I waste</del> in addition to surface water run off. This raw wastewater is collected in sewers and transferred to

	wastewater treatment works where it is treated in such a way that it produces largely reusable sewage sludge and effluent that is discharged to watercourses.
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## Appendix B: List of Replaced and, Deleted and Retained Policies

**B.1**—All the previously adopted minerals and waste policies are replaced by the Kent MWLP 2013-30 and the Mineral Sites Plans. The Kent Minerals and Waste Plans previously in force are listed below:

- Kent Minerals Local Plan: Brickearth (1986)
- Kent Minerals Local Plan Construction Aggregates (1993)
- Kent Minerals Local Plan Chalk and Clay (1997)
- Kent Minerals Local Plan Oil and Gas (1997)
- Kent Waste Local Plan (1998)

**B.2**—All of these plans were prepared before Medway Council was formed and these plans therefore covered areas which are now within Medway.

**B.3** The Secretary of State for the Government Office for the South East wrote separately to both KCC and Medway Council on 21 September 2007 providing a direction on the policies in the previously adopted minerals and waste plans. Any policies not listed by the Secretary of State expired and those listed in the Direction are known as the 'saved policies'. It is the saved policies that are deleted by the Minerals and Waste Plan, and the Mineral Sites Plan once adopted. KCC and Medway Council have separate letters of direction from the Secretary of State and therefore the deletion of saved policies by KCC has no effect on Medway Council's saved policies.

## List of Saved Policies in Previously Adopted Plans which have been to be Deleted

This list identifies the saved policies within the previously adopted minerals and waste plans for Kent alongside the new policies in the Kent MWLP 2013-2030 that will replace them. These policies were will be deleted upon the adoption of the Kent MWLP 2013-2030.

### Saved Policies being Deleted

#### ~~Kent Minerals Local Plan Construction Aggregates (1993)~~ ~~Equivalent Policies in the Kent MWLP 2013-2030~~ ~~Saved Policies~~

A1	Access Considerations (for aggregate wharves and rail depots)	C5M 12	Sustainable Transport of Minerals
CA2C	Primary Planning Constraints (for aggregate wharves and rail depots)	-	No new sites came forward in the call for sites but Policy CSM 11 identifies safeguarded sites for wharves and rail depots for the plan period
CA3	Local Considerations (for aggregate wharves and depots)	C5M 12	Sustainable Transport of Minerals
CA4	Proposed Locations (for aggregate wharves and depots)	-	No new sites came forward in the call for sites but Policy CSM 11 identifies safeguarded sites for wharves and rail depots for the plan period
CA7	Provision of Geological Information in Support of an Application	DM 16	Information Required in Support of an Application
CA8D	Exceptions to Areas of Search	C5M 4	Non-identified Land-won Mineral Sites
CA9	Borrow Pits	-	Policy will be deleted. However borrow pits can be considered as part of Policy CSM 4

CA10	Mineral Consultation Areas (safeguarding mineral resources and potential supply points)	GSM 5, GSM 11 DM 7	Land-won Mineral Safeguarding, Safeguarded Wharves and Rail Depots, and Safeguarding Mineral Resources and Importation Infrastructure
CA12	The Structure Plan (regarding silica sand)	GSM 2	Supply of Land-won Minerals in Kent
CA13	Location for Mining and Processing Carboniferous Limestone	GSM 11	Prospecting for Carboniferous Limestone
CA16	Traffic Considerations	DM 13	Transportation of Minerals and Waste
CA18	Noise, Vibration and Dust	DM 11	Health and Amenity
CA19	Plant and Building	DM 1	Sustainable Design
CA20	Plant and Building	DM 11	Health and Amenity
CA20A	Ancillary Operations	DM 20	Ancillary Development
CA21	Public Rights of Way	DM 13 <u>4</u>	Public Rights of Way
CA22	Landscaping	DM 19	Restoration, Aftercare and After-use
CA23	Working and Reclamation	DM 19	Restoration, Aftercare and After-use

**Kent Minerals Local Plan Chalk and Clay (1997) Saved Policies – Equivalent Policies in the Kent MWLP 2013-2030**

CC1	Provision for Development	GSM 2	Supply of Land-won Minerals in Kent
CC1A	Provision for Development (secondary or waste material re-use)	-	Policy is deleted. There is no need for a policy supporting the preparation of suitable secondary or waste chalk or clay materials for re-use. It is considered that this is related to potential supply of recycled or secondary materials for cement workings
CC5	Safeguarding existing working areas in the south-eastern and western parts of Eastern Quarry	-	All potential reserves are now exhausted. Policy will be deleted
CC9 Page 420	Cement Wharves (safeguarding)	GSM 6 DM 7 DM 8	Safeguarded Wharves and Rail Depots and Safeguarding Mineral Resources  Safeguarding Minerals Management, Transportation & Waste Management Facilities
CC10A	Minerals Consultation Areas (safeguarding)	GSM 5	Land-won Mineral Safeguarding
CC12	Noise, Vibration and Dust	DM 11	Health and Amenity
CC14	Land Drainage, Flood Control and Land Stability	DM 10	Water Environment
CC15	Nature Conservation	DM 19	Restoration, Aftercare and After-use
CC16	Plant and Buildings	DM 1	Sustainable Design
CC18	Ancillary Operations	DM 20	Ancillary Development



CG20	Public Rights of Way	DM 14	Public Rights of Way
CG24	Road, Traffic and Access	DM 13	Transportation of Minerals and Waste
CG26	Landscaping	DM 19	Restoration, Aftercare and After-use
CG27	Aftercare	DM 19	Restoration, Aftercare and After-use

**Kent Minerals Local Plan Oil and Gas(1997) Saved Policies – Equivalent Policies in the Kent MWLP 2013-2030**

OG1AA	Coastal Planning		Policy will be deleted
OG2	Exploration	CSM 10	Oil, Gas and Coal-bed Methane
OG3	Appraisal	CSM 10	Oil, Gas and Coal-bed Methane
OG4	Development	CSM 10	Oil, Gas and Coal-bed Methane
OG5	Noise, Vibration, Dust and Gas	DM 11	Health and Amenity
OG7	Land Drainage, Flood Control and Unstable Land	DM 10	Water Environment
OG8	Nature Conservation	CSM 10 DM 19	Oil, Gas and Coal-bed Methane Restoration, Aftercare and After-use
OG9	Plant and Buildings	DM 4	Sustainable Design
OG10	Hours of Working	DM 16 DM 11	Information required in Support of an Application and Health and Amenity
OG11	Public Rights of Way	DM 14	Public Rights of Way
OG15	Road, Traffic and Access	DM 13	Transportation of Minerals and Waste
OG16	Road, Traffic and Access	DM 11	Health and Amenity
OG17	Landscaping	DM 19	Restoration, Aftercare and After-use

OG18	Working and Restoration/Aftercare	DM 19	Restoration, Aftercare and After-use
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**Kent Minerals Local Plan: Brickearth (1986) Saved Policies – Equivalent Policies in the Kent MWLP 2013-2030**

B2	Safeguarded Land	CSM 5 DM 7	Land-won Mineral Safeguarding Safeguarding Mineral Resources
B3	Development Land	DM 9	Extraction of Minerals in Advance of Surface Development
B4	Economically Workable Reserves	DM 16	Information Required in Support of an Application
B5	Material Required for Restoration (soil depths)	DM 16	Information Required in Support of an Application
B6	Working and Restoration Scheme Requirements	DM 19	Restoration, Aftercare and After-use
B7	Agricultural Aftercare	DM 19	Restoration, Aftercare and After-use
B9	Access	DM 12	Transportation of Minerals and Waste
B10	Mud and Stones on the Public Highway	DM 16	Information Required in Support of an Application
B11	General Policy on Environmental Impact	DM 11	Health and Amenity
B12	Noise, Dust and Traffic	DM 11 DM 13	Health and Amenity and Transportation of Minerals and Waste
B13	Landscaping	DM 16 DM 19	Information required in Support of an Application, Restoration, Aftercare and After-use
B14	Public Rights of Way	DM 14	Public Rights of Way

<b>Kent Waste Local Plan (1998) Saved Policies</b>		<b><del>Equivalent Policies in the Kent MWLP 2013-2030</del></b>	
W3	Locational Criteria	CSW 6	Location of Built Waste Management Sites Facilities
W5	Land Raising	CSW 9 CSW 11	Non Inert Waste Landfill in Kent Permanent Deposit Inert Waste
W6	Need (for waste facilities outside identified locations)	CSW 6	Location of Built Waste Management Sites Facilities
W7	Locations Suitable in Principle for Inert Waste to be Prepared for Recycling or Reuse	N/A	Policy Deleted
W8A	River Dredgings	CSW 14	Disposal of Dredgings
W9	Locations Suitable in Principle for Waste Separation and Transfer Proposals	N/A	Policy Deleted
W10	Composting and Digestion	CSW 7	Waste Management for Non-hazardous Waste
W11	Locations with Potential for EfW Proposals	N/A	Policy Deleted
W12	Landfill of Mineral Voids	CSW 9 CSW 10	Non Inert Waste Landfill in Kent Development at Closed Landfill Sites
W13	PFA	DM 1	Sustainable Design
W17	Incineration	DM 11	Health and Amenity
W18	Noise, Dust, Odours etc	DM 11	Health and Amenity
W19	Water Resources/ Leachate/ Groundwater	DM 10	Water Environment
W20	Landfill: Surcharging/Unstable Land/Land Water, Drainage and Flood Control	DM 10 DM 19	Water Environment Restoration, Aftercare and After-use

W21	Nature Conservation Policy	DM 19	Restoration, Aftercare and After-use
W22	Road Traffic and Access	DM 12	Transportation of Minerals and Waste
W25	Plant and Buildings	DM 1	Sustainable Design
W25A	Plant and Buildings	CSW 6	Location of Built Waste Management Sites Facilities
W27	Public Rights of Way	DM 14	Public Rights of Way
W31	Landscaping	DM 19	Restoration, Aftercare and After-use
W32	Restoration/Aftercare	DM 19	Restoration, Aftercare and After-use

~~Saved Policy CA6 — ‘Areas of Search within which the Extraction of minerals is Acceptable in Principle’ is deleted and replaced by the Kent Mineral Sites Plan~~

~~Saved Policy B1 — ‘Locations Suitable in Principle for the Extraction of Brickearth’ is deleted.~~

~~Note that the proposed deletion of saved policies CA6 and B1 is a result of the preparation of the Mineral Sites Plan that will provide updated policy on the allocation of land for minerals extraction.~~

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

**C.1** The table below lists the permitted land-won mineral working sites in Kent included in landbank calculations at the time of plan preparation. Sites that have been inactive for more than 10 years are not included in the landbank calculations. Sites that were inactive in 2013 are shown in *italics*.

**Table 3 Land-Won Mineral Sites in Kent included in calculations of permitted reserves**

Sites	Predominant Aggregate Type	Operator Details
<b>1. Aggregate Sites</b>		
Hermitage Quarry, Maidstone	Crushed Rock	Gallagher Aggregates Ltd
Blaise Farm, West Malling	Crushed Rock	Hanson Aggregates Ltd
<i>Stone Castle Farm, Whetsted</i>	<i>Sandstone Sand and Gravel</i>	<i>Lafarge Aggregates Ltd</i>
Faversham Quarries, Faversham	Sharp Sand and Gravel	Brett Aggregates Ltd
Lydd Quarry (Scotney Court Farm), Lydd	Sharp Sand and Gravel	Brett Aggregates Ltd
<i>Allens Bank, Lydd</i>	<i>Sharp Sand and Gravel</i>	<i>Brett Aggregates Ltd</i>
<i>Gonningbrook Quarry</i>	<i>Sharp Sand and Gravel</i>	<i>Brett Aggregates Ltd</i>
<i>Highstead Quarry, Chislet</i>	<i>Sharp Sand and Gravel</i>	<i>Brett Aggregates Ltd</i>
Denge Quarry, Lydd	Sharp Sand and Gravel	CEMEX UK
Darenth & Joyce Green Quarry, Dartford	Sharp Sand and Gravel	J-Clubb Ltd

<b>Sites</b>	<b>Predominant Aggregate Type</b>	<b>Operator Details</b>
East Peckham Quarry, East Peckham	Sandstone Sand and Gravel	J-Clubb Ltd
<i>Joyce Green Quarry, Dartford</i>	<i>Sharp Sand and Gravel</i>	<i>Hanson (Joyce Green Aggregates) Ltd</i>
<i>Aylesford Quarry, Aylesford</i>	<i>Soft Sand</i>	<i>Aylesford Heritage Ltd</i>
Borough Green Sand Pit, Sevenoaks	Soft Sand	Borough Green Sandpits Ltd
Charing Quarry, Charing	Soft Sand	Brett Aggregates Ltd
Lenham Quarry, Maidstone	Soft Sand	Brett Aggregates Ltd
Ightham Sand Pit, Sevenoaks	Soft Sand	H&H Ltd
Wrotham Quarry (Addington Sand Pit), Wrotham	Soft Sand	Hanson Aggregates
Nepicar Sand Quarry, Sevenoaks	Soft Sand	J-Clubb Ltd
Greatness Farm, Sevenoaks	Soft Sand	Tarmac Ltd
<b>2. Silica Sand</b>		
Nepicar Sand Pit, Wrotham	Silica sand	J-Clubb Ltd
Addington Sand Pit (Wrotham Quarry), Addington	Silica sand	Hanson Aggregates Ltd
<b>3. Brickearth and Brickclays</b>		
Claxfield Farm, Sittingbourne	Brickearth	Wienerberger Ltd
Hempstead House, Sittingbourne	Brickearth	Ibstock Brick Ltd
Babylon Tileworks, Tonbridge	Tiles (Weald Clay)	Mr M Gash

<b>4. Clay</b>		
Norwood Quarry, Isle of Sheppey	Engineering (London Clay)	FCC Environment (UK) Ltd
<b>5. Chalk</b>		
<i>Medway Works, Holborough</i>	<i>Cement</i>	<i>Lafarge Cement Ltd</i>
Darenth Rd Quarry, Dartford	Agricultural uses	J Clubb Ltd
Pinden Quarry, Dartford	Agricultural uses	SBS Ltd
Detling Quarry, Maidstone	Agricultural uses	John Bourne & Co Ltd
Beacon Hill Quarry, Ashford	Agricultural uses	John Bourne & Co Ltd
Crundale Quarry, Ashford	Agricultural uses	G Peach
Hegdale Quarry, Ashford	Agricultural uses	R H Ovenden Ltd
Rowling Quarry, Dover	Agricultural uses	R H Ovenden Ltd

**C.2** — Table 3 gives the sand and gravel and agricultural chalk permitted reserve calculations based on the data for the 2013 calendar year. The total permitted reserve figure per mineral type is given where data is available. Reserve details for the individual sites cannot be published due to operator confidentiality requirements. Table 4 shows hard rock, clay and brick earth quarries where there is commercial sensitivity due to there being less than three operational sites (or simply limited data). These reserves are expressed as an estimated supply in years rather than an available tonnage<sup>152</sup>.

**C.3** — Permitted reserve figures for all the economic minerals in Kent are reviewed annually in the Kent AMR. Further details of these calculations are given in the Kent LAA (updated annually) and in topic report TRM3: Other Minerals<sup>153</sup>.

<sup>152</sup> The years of supply are estimates based on the data from ten year sales averages, operator surveys or planning application information.

<sup>153</sup> Available from: [www.kent.gov.uk/mwlp](http://www.kent.gov.uk/mwlp)

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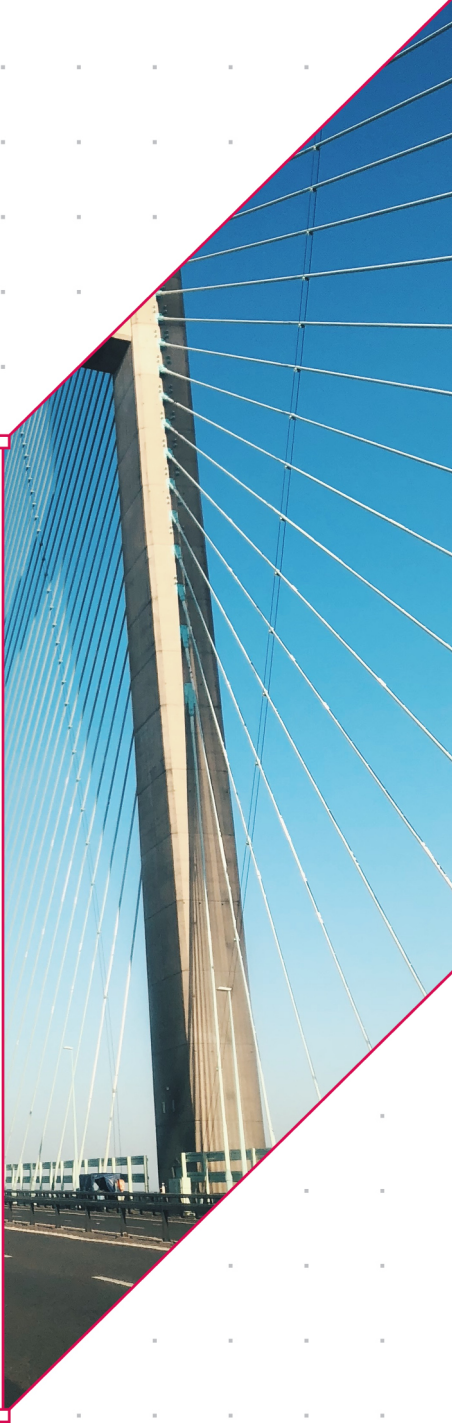


**Draft Sustainability  
Appraisal Report – Non-  
Technical Summary**

Updates to the Kent Minerals and  
Waste Local Plan 2013-30 in light  
of the Five Year Review

CO04300759

November 2023



**Document Control Sheet**

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# 1. Non-Technical Summary

## 1.1. Background

Amey is commissioned to undertake Sustainability Appraisal (SA) in support of the preparation of updates to the Kent Minerals and Waste Local Plan (KMWLP) following a Five Year Review. This report presents the interim outcomes of this process up to the Regulation 19 stage. SA is a mechanism for considering and communicating the likely effects of a draft plan, and alternatives, with a view to avoiding and mitigating adverse effects and maximising positives.

This is the fourth iteration of the SA of updates to the KMWLP, which is an update of the third draft SA (published in May 2023) and takes account of the following:

- Comments received on the third Regulation 18 KMWLP ('Further Proposed Changes') and third SA Report; and
- Further proposed minor amendments to policies and supporting text in the KMWLP which cover various matters.

## 1.2. What is the plan seeking to achieve?

The KMWLP was originally adopted in July 2016 and sets out the vision and objectives for Kent's minerals supply and waste management capacity from 2013 to 2030. 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. 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.

The KMWLP as proposed to be amended is a high-level document planning from 2024 to 2039 which:

- sets out the vision and strategy for mineral provision and waste management in Kent;
- contains a number of development management policies for evaluating minerals and waste planning applications;
- considers strategic site provision for all minerals and waste management facilities but does not identify any specific locations where key strategic development should take place.

The National Planning Policy Framework (2023) (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 in 2016, the KMWLP has been reviewed to assess whether updates to it are required. The review needs to consider whether the Vision, Strategic Objectives and policies of the Plan are still consistent with national

policy and local context 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.

The updates resulting from the Five Year Review make amendments to certain policies and supporting text of the KMWLP and these were first consulted on between December 2021 and February 2022. A second series of updates were consulted on in December 2022. A third round of focussed amendments ('Further Proposed Changes') represented the third Regulation 18 consultation on the draft updated KMWLP and took place alongside a separate, but related, Regulation 18 consultation on an updated Mineral Sites Plan.

The current piece of work is to undertake SA of the updated KMWLP to inform the Regulation 19 consultation on the updated KMWLP. This version of the KMWLP is the version (Pre-Submission Draft) that the Council intend to submit for independent examination of the updated Plan's soundness and legality.

The review and modification of the Vision, Strategic Objectives, policies and supporting text mentioned above will ensure the development plan for Kent is relevant and effective, reflecting changes in policy and other circumstances.

### **1.3. What's the situation now and how would it change without the plan (sustainability 'baseline')?**

The following is a summary of the sustainability baseline characteristics in Kent.

#### Environmental baseline

- The amount of residual waste collected per household in Kent has generally fallen in recent years, to 554kg in 2021/22. 44% of household waste was reused, recycled or composted, less than 1.5% is landfilled and most of the remainder is incinerated with energy recovery.
- Some 7 million tonnes of waste of all kinds (the majority being construction and demolition waste) were reported as being managed at Kent waste management facilities in 2021. This compares with around 1.85 million tonnes of Kent waste managed outside the county. However, this export is more than offset by imports so, taking a simple balance, Kent remains net self-sufficient. Of the imports, just over 360,000 tonnes came from London, of which 126,000 tonnes were managed by Energy from Waste and around 500 tonnes to non-inert landfill. 224,000 tonnes were managed at/by inert landfill/permanent deposit to land.
- Construction aggregates (sand, gravel and ragstone (a type of hard rock)) are the main types of economically important minerals extracted in Kent at this time, although brickearth (for stock brick manufacture), clay (for tile manufacture and engineering clay) and chalk (for engineering and agricultural lime applications) is also extracted. This is supplemented with imports and recycled aggregates.

- Kent is considered to be one of the UK's most wildlife-rich counties. This is a result of its varied geology, long coastline, landscape history and southerly location / proximity to mainland Europe.
- Natura 2000 habitat is concentrated around the coast, particularly around the Thames Gateway (much within Medway Unitary Authority), the Isle of Thanet, the Stour Estuary and Dungeness. Sites of Special Scientific Interest (SSSI) cover 8.5% of the county. The county contains c.10% of England's ancient woodland.
- The Thames Gateway is also acknowledged for its national importance due to 'brownfield' biodiversity.
- The last century has seen major losses and declines of species within Kent. Amongst the most important drivers of biodiversity loss in Kent are: the direct loss of land of value to wildlife to built-development or intensive farming, which has reduced and fragmented populations; and the effects of climate change.
- Kent is considered to be the most at risk local flood authority in England. Flooding has a significant impact on residents and the economy, with such effects predicted to worsen due to climate change.
- Since 2006 there has been a steady reduction in carbon dioxide emissions, to 4.1 tonnes per capita in 2021. This is slightly lower than national emission levels.
- In 2017 it is estimated that 922 early deaths occurred as a result of PM2.5 air pollution across Kent & Medway.
- Kent has the highest number of listed buildings in the South East, which is second only to the South West for numbers at regional level.
- The Kent Downs AONB covers nearly a quarter of the County, whilst the High Weald AONB is shared with East Sussex.
- Green Belt comprises the majority of Sevenoaks, Tonbridge and Malling and Gravesham Districts, as well as a proportion of Tunbridge Wells and Dartford Boroughs and a small part of Maidstone Borough.
- There are relatively extensive areas of high quality (grade one) agricultural land in Kent. This land tends to be concentrated in the north of the county, running in a band from Gillingham in the west through to Deal in the east. A pocket of high quality agricultural land can also be found in the area surrounding New Romney.
- Road traffic has grown fairly steadily over the decade from 2011, apart from 2020 when COVID-19 particularly affected car traffic. The effect on LGVs and HGVs was less marked, although still showed a decrease. Kent is a major gateway for the movement of international freight through the Channel

Tunnel, the ports of Dover, Ramsgate and Sheerness. Road haulage is the dominant means of transport in this sector.

- In Kent there are many catchments where there is little or no water available for abstraction during dry periods. Pressures are particularly notable in Kent as it is one of the driest parts of England and Wales, coupled with high population density and household water use. Over the next few decades, there will be increasing pressures from the rising population and associated development. Looking further ahead, climate change could have a major impact on the water that will be available for consumption.

#### Social baseline

- Kent had an estimated population of 1,589,100 in mid-2020. By 2032, the population of Kent is projected to increase to 1,724,263, an increase of c. 8%.
- Although Kent is ranked within the least deprived 50% of upper-tier local authorities in England for 4 out of 5 summary measures of the IMD2019, significant areas within Kent are amongst England's most deprived 20% and levels of deprivation have increased in nine out of 12 local authorities in Kent.
- Life expectancy is 9 years lower for men and 6 years lower for women in the most deprived populations in Kent compared to the least deprived populations.
- Early death rates from cancer, heart disease and stroke have fallen and are better than the England average. A quarter of children aged 4-5 are classified as being obese, higher than the average for England. However, estimated levels of adult obesity are similar to the England average.
- Climate change projections highlight an increase in risk to people from flooding and hotter, drier summers leading to public health risks.

#### Economic baseline

- In 2018, the gross disposable household income in Kent was £22,164 per resident, 4.4% above the national average.
- Between 2010 and 2020, the number of active enterprises grew by 26%, to 70,815, which is below the national average of 27.7% growth.
- The overall employment rate in Kent has risen since the KMWLP was adopted, from 73.8% in 2016 to 78.4% in 2021.
- Apart from a slight decline in 2009-2010, GVA per head in Kent and Medway has risen steadily in the 21<sup>st</sup> century. In 2019 it was £24,877 per head, up from £14,029 in 2000, a rise of 77%. However, per capita GVA is lower than for the South East as a whole and lower than for England.

- The largest sector for employment is wholesale and retail trade at 17.6%, followed by human health and social work at 13.3% and education at 9.6%. The distribution sector generated the highest gross value added in Kent, a fifth of the total.

### How would the baseline change without the updated KMWLP?

There is a degree of uncertainty about how the baseline might change without the adoption of the updated KMWLP. Developments will still be required to comply with the development management policies of the KMWLP. This includes policies on the protection and enhancement of: biodiversity value, landscape, Green Belt, heritage assets, the water environment, health and amenity (including air quality) and transportation. Long term trends in environmental quality are likely to continue. However, fewer biodiversity benefits would be secured without the requirement for a net gain in biodiversity and without inclusion of National Nature Reserves in the development management policy on biodiversity. There would also be weaker emphasis on the creation of green and blue infrastructure, with fewer sites likely to be delivered with fewer benefits for biodiversity, wellbeing and landscape. There are likely to be higher emissions of greenhouse gases from waste facilities without the stronger emphasis on carbon reduction in the updated KMWLP from other recovery, landfill and wastewater treatment. Without this, it could increase climate change effects including flooding with risks for communities, wildlife and habitats. Other climate change pressures may be increased with effects on biodiversity and communities, including increased temperatures and more frequent extreme weather events. There may be more adverse impacts on groundwater quality without the stronger protection proposed in the updated KMWLP.

Current trends in waste generation and management are likely to continue, although without the updated KMWLP there will be less strong emphasis on implementing the waste hierarchy and circular economy principles will not be promoted, resulting in less reuse and recycling than with the updated KMWLP. Some radioactive wastes from Dungeness Nuclear Licensed Sites would need to be managed elsewhere other than onsite. Air pollution control residues may be imported from outside Kent for landfill.

Without the updated KMWLP there is likely to be an undersupply of crushed rock, with insufficient reserves currently identified. This would result in minerals being transported from outside the county which will have adverse effects on transport networks, air quality, greenhouse gas emissions and cost. Alternatively, increased quantities may need to be secured from secondary and recycled aggregates and/or marine dredged aggregates. If sufficient minerals of the right type cannot be found, construction and industrial growth may be checked. This could lead to insufficient homes and infrastructure being provided with adverse effects on people and communities. Minerals in Kent would not provide sufficient material to support economic growth and industrial activity, in which case employment levels could reduce and GDP and household incomes may fall. There could be adverse impacts on communities in the vicinity of mineral sites if blasting were to take place without proper assessment of the impacts.



Population and levels of deprivation are unlikely to be significantly different with or without the updated KMWLP.

#### **1.4. Characteristics of areas likely to be significantly affected**

The SEA Directive requires that the appraisal describes the characteristics of areas likely to be significantly affected by the updated KMWLP. In deciding which areas are likely to be significantly affected, the SA has considered whether there is a spatial element to the proposed policy changes and therefore whether some parts of the county will be particularly affected. With the proposed deletion of policies CSM 3 and CSW 5, there is now only one policy with a spatial element, CSW 17 relating to the Dungeness Nuclear Estate. The appraisal of this policy has not identified any significant effects arising. It is therefore concluded that there are no areas likely to be significantly affected.

#### **1.5. Areas of Particular Environmental Importance**

In the KMWLP, there is one policy which identifies a specific site which is close to two of these internationally important nature conservation sites:

- CSW 17 (Dungeness): adjacent to Dungeness, Romney Marsh and Rye Bay SPA and Ramsar and Dungeness Special Area of Conservation (SAC).

The importance of each of these nature conservation sites is described in Section 3.8.

#### **1.6. SA Framework and Sustainability Objectives**

Various environmental, social and economic issues have been identified through reviewing a wide variety of plans and strategies, collecting baseline information and identifying sustainability issues and problems. These issues have informed the development of the sustainability appraisal framework, which consists of a set of sustainable development policy objectives (sustainability objectives) as set out in Table 1. The framework was published for consultation in the SA Scoping Report and the table below also incorporates some additional detailed criteria following comments received on the Scoping Report when it was published for consultation between December 2021 and February 2022. It also incorporates one addition as a result of a comment received in the consultation on the Scoping Report for the SA of the updated MSP published in December 2022. This is highlighted in bold in table 1.

Table 1 SA Framework

Sustainability Objectives		Detail – including <b>addition</b> resulting from consultation on Scoping Report for updated MSP
1	Biodiversity	<p>Ensure that development will not impact on important elements of the biodiversity resource and where possible contributes to the achievement of the Kent Biodiversity Action Plan (BAP) and other strategies.</p> <ul style="list-style-type: none"> <li>– Add to the biodiversity baseline by creating opportunities for targeted habitat creation (which, ideally, contributes to local or landscape scale habitat networks).</li> <li>– Avoid hindering plans for biodiversity conservation or enhancement.</li> <li>– Support increased access to biodiversity.</li> <li>– Provide a net gain in biodiversity value.</li> </ul>
2	Climate change	<p>Address the causes of climate change through reducing emissions of greenhouse gases through energy efficiency and energy generated from renewable sources.</p> <ul style="list-style-type: none"> <li>– Promote sustainable design and construction of facilities and support wider efforts to reduce the carbon footprint of minerals and waste operations.</li> </ul> <p><b>– Promote climate change adaptation</b></p>
3	Community and well-being	<p>Support efforts to create and sustain sustainable communities, particularly the improvement of health and well-being; and support the delivery of housing targets.</p> <ul style="list-style-type: none"> <li>– Help to redress spatial inequalities highlighted by the Index of Multiple deprivation.</li> <li>– Help to tackle more hidden forms of deprivation and exclusion, such as that which is experienced in urban and coastal areas and particular socio-economic groups within communities.</li> <li>– Ensure that the necessary aggregates are available for building, and that the necessary waste infrastructure is in place to support housing and economic growth</li> <li>– Ensure that minerals and waste development does not contribute to poor air quality with particular reference to PM2.5 and NOx</li> <li>– Protect and enhance public rights of way and access</li> <li>– Protect local green space</li> <li>– Avoid loss of tranquillity</li> </ul>

4	Sustainable economic growth	<p>Support economic growth and diversification.</p> <ul style="list-style-type: none"> <li>– Support the development of a dynamic, diverse and knowledge-based economy that excels in innovation with higher value, lower impact activities</li> <li>– Stimulate economic revival and targeted employment generation in deprived areas</li> </ul>
5	Flood risk	<p>Reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment.</p> <ul style="list-style-type: none"> <li>– Ensure that development does not lead to increased flood risk on or off site</li> <li>– Seek to mitigate or reduce flood risk through developments that are able to slow water flow and promote groundwater recharge</li> </ul>
6	Land	<p>Make efficient use of land and avoid sensitive locations.</p> <ul style="list-style-type: none"> <li>– Make best use of previously developed land</li> <li>– Avoid locations with sensitive geomorphology</li> <li>– Seek to safeguard the best and most versatile agricultural land and recognise its economic and other benefits</li> <li>- Prevent inappropriate development in the Green Belt</li> </ul>
7	Landscape and the historic environment	<p>Protect and enhance Kent's countryside and historic environment.</p> <ul style="list-style-type: none"> <li>– Protect the integrity of the AONBs and their setting and other particularly valued or sensitive landscapes</li> <li>– Take account of the constraints, opportunities and priorities demonstrated through landscape characterisation assessments and other studies at the landscape scale.</li> <li>– Avoid light pollution</li> <li>– Protect important heritage assets and their settings, as well as take account of the value of the character of the wider historic environment</li> </ul>
8	Transport	<p>Reduce and minimise unsustainable transport patterns and facilitate the transport of minerals and waste by the most sustainable modes possible</p> <ul style="list-style-type: none"> <li>– Minimise minerals and waste transport movements and journey lengths; and encourage transport by rail and water.</li> <li>– Ensure that minerals and waste transport does not impact on sensitive locations, including locations already experiencing congestion and locations where planned growth or regeneration is reliant on good transport networks.</li> </ul>

9	Water	<p>Maintain and improve the water quality of Kent's rivers, ground waters and coasts, and achieve sustainable water resources management</p> <ul style="list-style-type: none"> <li>– Ensure that minerals and waste development seeks to promote the conservation of water resources wherever possible with particular reference to abstraction.</li> <li>– Avoid pollution of ground or surface waters, particularly in areas identified as being at risk or sensitive</li> </ul>
10	Waste	<p>Ensure the sustainable management of waste</p> <ul style="list-style-type: none"> <li>– Manage waste in accordance with the waste hierarchy</li> <li>– Prevent adverse effects from waste on human health and the environment</li> <li>– Ensure waste is managed as near as possible to its place of production</li> </ul>

### 1.7. Likely Significant Effects of the Updated KMWLP

The SA has appraised each of the strategic objectives and policies as amended by the Five Year Review. The methodology and assumptions used in undertaking the appraisal are set out in Section 5.

The detailed findings of the SA of the amended policies are set out in Appendix B and summarised below. The SA of the strategic objectives and recommendations arising are set out in section 6 of this report.

The KMWLP has several policies promoting minimisation of greenhouse gas emissions and energy and water consumption, helping to reduce the likely impacts of climate change, for example by promoting the waste hierarchy and energy recovery, minimising emissions from transport, requiring greenhouse gas capture and promoting use of low carbon energy sources. It also requires developments to build in climate change adaptation measures where these are appropriate. Greenhouse gas emissions may nevertheless still rise as requirements for waste management and minerals production increase above existing levels.

The KMWLP seeks to avoid unacceptable adverse impacts of a development on the community and surrounding land uses, through reducing noise, odour, emissions and light, as well as visual intrusion and traffic. It requires that air quality impacts are mitigated, particularly in areas of poor air quality and makes provision for the preparation of a Health Impact Assessment. Measures to maintain mineral supply will provide materials for construction of housing and infrastructure to sustain communities and support economic/industrial activity.

The KMWLP contains several development management policies that require protection, enhancement, management and creation of biodiversity value. Maximum biodiversity net gain is required where practicable. Other policies contain provisions that would indirectly benefit biodiversity including protection and improvement of water quality and preventing unacceptable adverse impacts from noise, light, dust,

vibration, odour and emissions.

Restricting increases in greenhouse gas emissions and avoiding increased flood risk will benefit communities and biodiversity by avoiding the worst impacts of climate change, while protecting biodiversity, landscape, historic assets and Green Belt and ensuring access to public rights of way will benefit communities.

By promoting climate change adaptation measures, including sustainable drainage systems, and requiring no increase in flood risk in areas prone to flooding, the KMWLP will help to minimise the impact of development on flood risk and is likely to help to alleviate flood risk in the local area. Protection of green spaces may also help to alleviate flood risk.

The KMWLP requires high standards of restoration and aftercare of sites. If restored to agricultural use, the best and most versatile agricultural land should be protected in the long term. Removal of all buildings, plant and structures not necessary for the management of the site will restore long-term openness on Green Belt land, if applicable to the site. Maintaining capacity for secondary and recycled aggregates will help to avoid adverse impacts on land that could occur from primary extraction, although the significance and likelihood of these impacts are unknown.

Likely impacts on landscape and the historic environment are strongly dependent on sensitivities at particular development sites, the locations of which are largely unknown at this stage. However, development policies aim to preserve and enhance landscapes and the historic environment and require developments to mitigate their impacts on assets, therefore significant adverse impacts are unlikely and benefits are possible. The KMWLP requires landscape opportunities and heritage and landscape features to be addressed in site restoration plans. Facilitating development for the extraction of building stone will help to support the sympathetic restoration of older buildings and use of traditional materials.

Likely impacts on transport are uncertain as the location of most development is unknown. However, policy seeks to minimise transport and promote the most sustainable modes possible, although in practice opportunities are likely to be limited. Other measures seek to minimise the impacts of transport, such as safeguarding transport infrastructure, ensuring the network can accommodate the traffic that would be generated and taking particular measures in areas of poor air quality. Nevertheless, waste transport may increase although this is dependent on the degree to which new capacity replaces existing capacity and how well-located they are to the source of arisings.

The KMWLP prevents the deterioration of water bodies and requires improvement in their ecological status. Positive impacts on the water environment are therefore likely. Development management policy requires the minimisation of water consumption and emission of pollutants which will help to safeguard the quantity and quality of water and promote sustainable water resource management.

The updated KMWLP gives strong support to sustainable waste management, promoting the waste hierarchy and the circular economy, avoiding adverse impacts on human health and the environment, and promoting

recovery of energy and carbon capture and minimising waste transport. This will help to ensure the provision of waste infrastructure to support economic activity.

### 1.8. Recommendations for Mitigating Adverse Effects

The SA has considered whether there is scope for making recommendations for measures to prevent, reduce and, as fully as possible, offset any significant adverse effects of the updated KMWLP. A series of recommendations are made for amendments to strategic objectives, policies and supporting text. These are set out in detail in Section 6 and Appendix B.

### 1.9. Reasons for Selecting Alternatives Dealt With

The SA is required to appraise reasonable alternatives to the updated KMWLP as proposed. The reasonable alternatives that have been identified largely derive from a 'do nothing' option, in other words, not to make the changes proposed in the updated KMWLP, and from comments received in response to earlier consultations. The following have been identified as reasonable alternatives to the updated KMWLP as proposed, here referred to as 'options'.

#### Option A

- To allocate land for waste facilities as envisaged in the KMWLP adopted in 2016.

Option A would be to produce a Waste Sites Plan as originally envisaged in the KMWLP. It would be possible for Kent County Council to identify and allocate sites as suitable for waste-related development, even though no capacity gap has been identified, and therefore this has been appraised as a reasonable alternative.

In respect of a 'do nothing' option, each proposed amendment to the policies has been considered in turn to identify whether a 'do nothing' option is reasonable. In the case where an amendment is required to make the KMWLP consistent with policy elsewhere, a 'do nothing' option is not considered reasonable. Where there are other reasons for making the amendment, each has been considered on its merits. The conclusions of this review are set out in Appendix C. Two policies have been identified as having a reasonable 'do nothing' alternative to the policy amendment proposed. These have been identified as option B and option C:

- Option B: Do not strengthen groundwater protection in policy DM 10 Water Environment;
- Option C: Retain policy CSW 5 Strategic Site for Waste;

Each of the alternatives identified above have been appraised against the SA framework and an assessment made of the likely impacts on sustainability objectives. The detailed results are set out in Appendix D and summarised in Section 6.2.

### 1.10. Methodology

The SA has appraised each of the strategic objectives and policies as proposed to be amended, as well as the alternatives described in the previous section. The appraisal was done by assessing each policy amendment and each alternative against the appraisal objectives in turn and making a largely qualitative assessment, with reference also to the baseline data from the Scoping Report.

In reporting the results of the appraisal, the following symbols have been used to indicate the broad nature of the predicted effect:

*Table 2 Effect Symbols*

<b>Nature of effect</b>	<b>Symbol</b>
Significant positive effect	++
Some positive effect	+
No effect	0
Some negative effect	-
Significant negative effect	--
Uncertain effect	?

Further details on the methodology, including assumptions made, are given in Section 5 of the main report. Information on the difficulties encountered is provided in Section 4 of the main report. These relate to the lack of available data in some instances, lack of quantification and uncertainties about the scale and nature of some impacts.

### 1.11. Monitoring Recommendations

The sustainability appraisal has developed a set of recommendations for monitoring the predicted and unforeseen impacts of implementation of the updated KMWLP as proposed. These are set out as a series of indicators related to the sustainability appraisal framework based on the likely and possible impacts of the updated KMWLP. The recommended indicators should be incorporated into the Annual Monitoring Report for the KMWLP and are set out in Section 7.







# Kent Minerals and Waste Local Plan



## Kent Minerals and Waste Local Development Scheme

November 2023



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## Glossary of Terms/Abbreviations Used in the Text

Abbreviation	Explanation
Annual Monitoring Report (AMR)	A statutory document (referred to in legislation <sup>1</sup> as the 'Authority Monitoring Report') which monitors the progress of preparation of planning documentation against the Development Scheme milestones as well as progress in meeting the objectives and implementing the policies set out in the Kent Minerals and Waste Local Plan 2013-30.
Biodiversity net gain (BNG)	Biodiversity net gain is an approach to development which means that habitats for wildlife must be left in a measurably better state than they were in before development took place.
Kent Minerals and Waste Development Plan	The Kent Minerals and Waste Development Plan comprises the development plan documents that provide planning policy for minerals and waste development in Kent, currently this the Kent Minerals and Waste Local Plan 2013- 30 and the Kent Mineral Sites Plan 2020.
Kent Minerals and Waste Local Plan 2013-30 (KMWLP)	This adopted plan (July 2016) sets out the County Council's vision, objectives & spatial strategy for Minerals and Waste planning matters. It contains a statement of strategy and a set of primary policies and proposals for delivering the Core Strategy. The KMWLP was modified via an Early Partial Review (EPR) in 2020 to update the waste strategy and clarify the approach to mineral and waste safeguarding. The modified KMWLP adopted September 2020 sets the policy framework for the allocation of mineral sites and development management decisions.
Kent Minerals and Waste Local Plan 2024-39	The plan currently being prepared to replace the Kent Minerals and Waste Local Plan 2013-30.
Kent Mineral Sites Plan	This adopted plan (September 2020) allocates sites in Kent that are considered suitable for mineral working, subject to planning permission.
Kent Development Plan	The portfolio of documents that together provide the policy framework for all forms of development in Kent. It currently includes the Kent Minerals and Waste Local Plan 2013-30, the Kent Mineral Sites Plan, as well as Local Plans produced by the Kent Borough and District Councils.

<sup>1</sup> Section 35 of the Planning and Compulsory Purchase Act 2004 (as amended)

Kent Minerals and Waste Local Development Scheme (MWLDS)	The Kent Minerals and Waste Local Development Scheme is this document. The MWLDS includes a project plan setting out the County Council's programme and timetable for updating planning policy for waste and minerals development in Kent as well as associated Supplementary Planning Documents.
The Planning Inspectorate (PINS)	The Government agency responsible for programming and conducting the Independent Examination of Local Plans and for managing appeals on planning applications.
Statement of Community Involvement (SCI)	The SCI sets out the Council's policy for involving the community and other stakeholders in the preparation and revision of the Kent Minerals and Waste Development Plan and in the development management process. The SCI is not a Local Plan.
Strategic Environmental Assessment (SEA) & Sustainability Appraisal (SA)	A formal process that analyses and evaluates the social, economic and environmental effects of a plan or programme.
Supplementary Planning Document (SPD)	A document produced by the County Council that provides guidance on the implementation of policies in the Kent MWLP, for example in relation to minerals and waste safeguarding.

## 1. Introduction

**1.0.1** Kent County Council, as the minerals and waste planning authority for the County Council's administrative area, must prepare and keep under review a Minerals and Waste Local Development Scheme (MWLDS). The MWLDS sets out a timetable for the production of the key planning documents related to minerals and waste planning policy in Kent. This November 2023 MWLDS covers the period 2023-25 and replaces the previous May 2023 Scheme (agreed in May 2023).

The Minerals and Waste Local Development Scheme sets out the County Council's programme for the update of key planning documents related to minerals and waste planning policy in Kent during the period 2023-2025. Under this programme the Council will:

- **Prepare the Kent Minerals and Waste Local Plan 2024-39**
- **Review the Kent Mineral Sites Plan regarding the provision of Hard Rock**
- **Commence preparation of a Supplementary Planning Document related to Biodiversity Net Gain and waste and minerals development**

**1.0.2** The County Council is committed to the new programme set out in this MWLDS. Its progress will be reviewed annually and reported through the Annual Monitoring Report. Depending on progress this scheme will be updated to reflect changes to timetables.

**1.0.3** This Development Scheme has two key objectives:

- To inform the public and stakeholders of the documents that make up the planning policy framework for minerals and waste in Kent and the programme anticipated for their updating.
- To reflect the County Council's priorities and to enable work programmes to be set for preparation of the documents.

### 1.1 Legislative Context and Background

**1.1.1** The Planning and Compulsory Purchase Act 2004<sup>2</sup> sets out the system of requirements and procedures for local development planning in England. These requirements are applicable to all Minerals and Waste Planning Authorities and form the basis for the preparation of Kent County Council's suite of minerals and waste plans and supporting documents, as described within this Development Scheme.

**1.1.2** The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) build on the 2004 statutory framework (as amended) for the preparation and

<sup>2</sup> As amended by sections 110 -113 of the Localism Act 2011

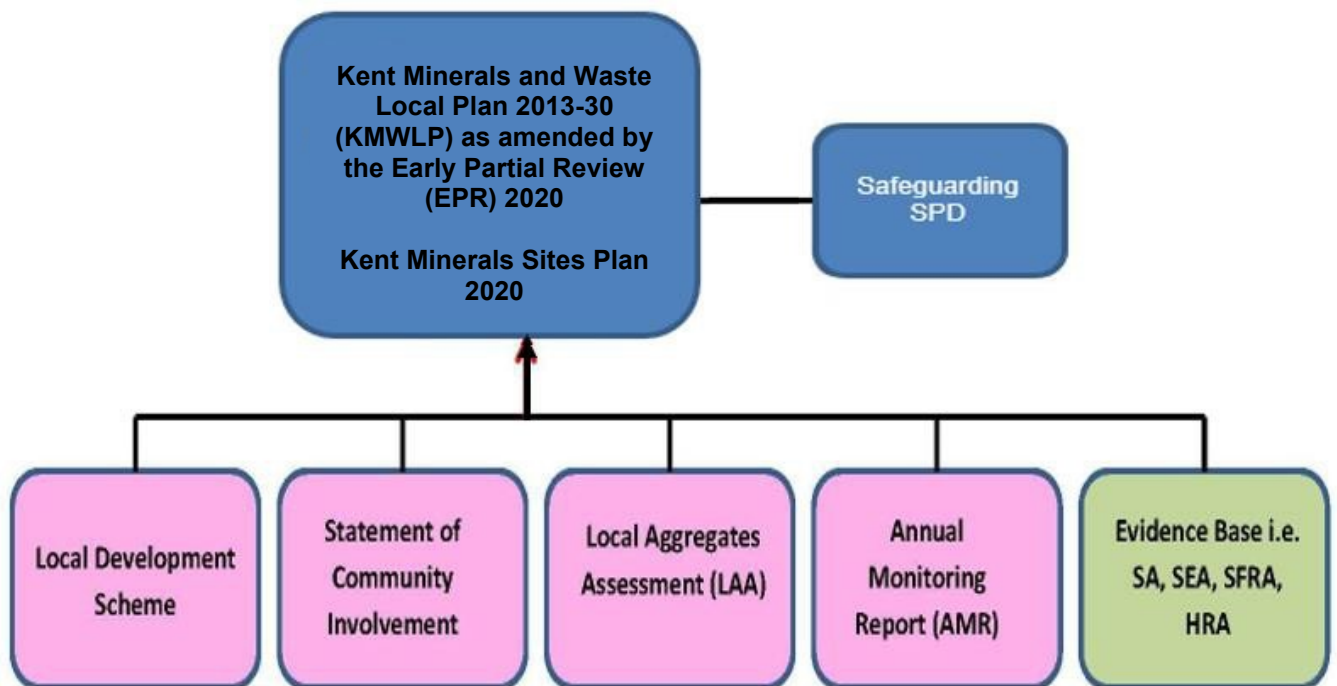
adoption of Development Plan Documents and Supplementary Planning Documents; the Regulations refer to Development Plan Documents as “Local Plans” since this term is believed to be more easily understood.

- 1.1.3** The Government is currently proposing reforms to planning legislation and these reforms will need to be addressed by Kent County Council as and when they are passed by parliament. These reforms may require an update to the scheme for preparing planning policy in Kent though it is currently not anticipated that this will affect the development of the Plans set out in this MWLDS.

## 1.2 The Minerals and Waste Local Development Scheme

- 1.2.1 The diagram below shows the relationship between the minerals and waste plans and supporting documents that currently form and underpin the adopted minerals and waste planning policy in Kent.
- 1.2.2 The Annual Monitoring Report<sup>3</sup> and the Local Aggregates Assessment are prepared on an annual basis and monitor performance (e.g. how development has actually come forward) against Plan objectives. These monitoring documents, as well as other survey work, help inform reviews of the adopted Plans and indicate whether changes might be required.
- 1.2.3 The Annual Monitoring Report and the annual Local Aggregate Assessment also inform decision makers of changes, such as aggregate landbank levels, that may be material to the determination of planning applications and appeals and would need to be taken into account as well as the policies of the adopted Plans.
- 1.2.4 Appendix A includes an outline of all the planning policy activity covered by this Scheme to December 2025.

**Figure 1 - Relationship between current adopted Minerals and Waste Local Plan Documents**



<sup>3</sup> The Annual Monitoring Report is produced to meet the Council’s statutory requirement to produce an ‘Authority Monitoring Report’ at least every 12 months.

## 2. Minerals and Waste Local Plans

**2.0.1** The following describes the main Kent Minerals and Waste Local Plan documents.

### 2.1 Kent Minerals and Waste Local Plan 2013 - 2030

**2.1.1** The Kent Minerals and Waste Local Plan 2013-30 is the strategic document which sets out the vision and delivery strategy for mineral provision and waste management in Kent. The Plan is formed of core strategic policies and a monitoring implementation framework, as well as development management policies against which any proposals for minerals and waste development will be assessed. The Plan makes provision for the ensuring of a ready and sustainable supply of minerals to meet construction and industrial requirements as well as the sustainable management of all wastes in Kent which includes supporting the principles of the UK Government's waste hierarchy.

**2.1.2** An Early Partial Review of the Plan was undertaken that covered two key aspects of the adopted Kent Minerals and Waste Local Plan 2013-30. This review resulted in changes to the Plan which were adopted in September 2020 and are explained below.

#### *Need for a Waste Sites Plan*

**2.1.3** The adopted 2016 KMWLP identified a shortfall in waste management capacity over the Plan period to be met, in part, by development on sites allocated in a Waste Sites Plan. Early work on a Waste Sites Plan included a reassessment of waste management requirements which showed that the identification of sites within a separate Waste Sites Plan was no longer justified. One of the main reasons for the change in position was that additional significant waste other recovery<sup>4</sup> capacity had been constructed in Kent that meant there was no longer a shortfall in such capacity. To regularise the position, modifications to the KMWLP were made.

#### *Minerals and Waste Safeguarding Matters*

**2.1.4** Following its adoption in 2016, implementation of the KMWLP revealed a significant ambiguity within policies DM 7 and DM 8 which was having a detrimental impact on the ability of the KMWLP to safeguard mineral resources and minerals and waste management infrastructure. Modifications to rectify this issue were made as part of the Early Partial Review in 2020.

**2.1.5** The modifications to the Kent Minerals and Waste Local Plan 2013-30 meant that the remaining saved policies in the Kent Waste Local Plan (1998) were replaced.

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<sup>4</sup> 'Other recovery' is the recovery of waste by means other than recycling and composting often includes 'energy from waste' involving incineration.



*Review of the Kent Minerals and Waste Local Plan 2021*

- 2.1.6** The National Planning Policy Framework (and legislation<sup>5</sup>) states policies in local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary.
- 2.1.7** Although the implementation of policies is monitored on an ongoing basis, the five yearly review is intended to establish whether any work is needed to update the policies. An update to a policy may be needed for the following reasons:
- The policy is no longer in conformity with national planning policy;
  - changes to local circumstances; such as a change in the quantum of development requirements or development of a Nationally Significant Infrastructure Project within the area (or nearby);
  - whether issues have arisen that may impact on the deliverability of key site allocations;
  - their appeals performance;
  - success of policies against indicators in the Development Plan as set out in the Annual Monitoring Report;
  - plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their development needs;
  - significant economic changes that may impact on viability; and,
  - whether any new social, environmental or economic priorities have arisen.
- 2.1.8** As the Kent Minerals and Waste Local Plan was adopted in July 2016 all its policies were reviewed in 2021 (including those which were updated by the Early Partial Review).
- 2.1.9** The review concluded that updates were needed to the Plan to address updates to the National Planning Policy Framework (NPPF) in 2018, 2019 and 2021 and associated planning practice guidance; legislation and policy concerning the need to adapt to, and mitigate climate change and associated low carbon growth; new policy relating to the management of low-level radioactive waste and policy and legislation concerned with achieving a circular economy where more waste is prevented or reused. Updates are also needed to reflect local context including the need for additional household waste management capacity, the Kent Environment Strategy and the Kent and Medway Energy and Low Emissions Strategy.
- 2.1.10** The table below sets out the key stages for the five-yearly review of the Kent Minerals and Waste Local Plan 2013-30 and preparation of an updated Plan that will cover the period 2024-39.

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<sup>5</sup> [Regulation 10A of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#)

**Review and Update of Kent Minerals and Waste Local Plan 2013-30 - Timetable for Key Stages**

<b>Stages</b>	<b>Dates</b>
<i>Evidence gathering to inform review</i>	<i>June 2020 – March 2021 (completed)</i>
<i>Consultation with key stakeholders on need for review of policies</i>	<i>January 2021 – May 2021 (completed)</i>
<i>Report outcome of review to Members including recommendations on the need to update policies</i>	<i>September - November 2021 (completed)</i>
<i>Consultation on draft updated policy (Regulation 18)</i>	<i>December 2021 – February 2022 (completed)</i>
<i>Consultation on draft Kent Minerals and Waste Local Plan 2023-38 (Regulation 18)</i>	<i>October 2022 – November 2022 (completed)</i>
<i>Consultation on further proposed changes to the Kent Minerals and Waste Local Plan (Regulation 18)</i>	<i>June – July 2023</i>
Publication of draft updated policy (Regulation 19) for representations on soundness (Pre-Submission Draft)	Jan – Feb 2024
Submission to Secretary of State	May 2024
Independent Examination Hearings	July 2024
Inspector's Report	November 2024
Adoption	February 2025

**2.1.11** The table above has not changed from that published in the previous Minerals and Waste Development Scheme (May 2023). The timetable reflects the consultation that took place in 2023 on a small number of further material changes to the Kent Minerals and Waste Local Plan. These changes relate to: Updates to aggregate requirements in Policy CSM2; removal of a commitment to make provision for the management of waste produced in London; and removal of the strategic site allocation at Norwood Quarry, Sheppey for the landfill of hazardous waste specifically incinerator fly ash (Policy CSW5). The timetable includes a sensible period between receipt of the Inspector's Report and adoption of the new Kent Minerals and Waste Local Plan. In accordance with the Council's Constitution, the Kent Minerals and Waste Local Plan 2024-2039 proposed for adoption will be presented to Full Council for agreement.

**2.1.12** It should be noted that, to a certain extent, the timing of the examination hearings and receipt of the Inspector's Report are dependent on the Planning Inspectorate.

## 2.2 Kent Mineral Sites Plan

### Mineral Sites Plan

**2.2.1** The current adopted Kent Mineral Sites Plan identifies mineral sites and locations for mineral extraction, processing and importation that reflect the principles and strategy of the Minerals and Waste Local Plan 2013 - 2030. The minerals covered in the document are soft sand (building sand) and sharp sand and gravels. The sites allocated are:

- Chapel Farm, Lenham (soft sand)
- Extension to Stonecastle Farm, Hadlow/Whetsted (sharp sand and gravels)
- Moat Farm, Capel (sharp sand and gravels)

**2.2.2** The Kent Mineral Sites Plan was adopted by the County Council on 10 September 2020. The 2020 Mineral Sites Plan replaces any sites allocated in the following previously adopted Plans:

- Kent Minerals Local Plan: Brickearth (1986)
- Kent Minerals Local Plan Construction Aggregates (1993)
- Kent Minerals Local Plan Chalk and Clay (1997)
- Kent Minerals Local Plan Oil and Gas (1997)

**2.2.3** As mentioned above, in light of the preparation of the updated Core Strategy policy to cover the period 2024 to 2039, there is now a need to investigate whether the Mineral Sites Plan can be updated to ensure sufficient sites are allocated to meet requirements for land won hard rock over this extended period.

**2.2.4** The revised timetable for work relating to the Mineral Sites Plan is set out below. The changes relate to the need for further evidencing gathering including detailed technical assessment and a further Call for Sites for hard rock which took place between August and October 2023. If a suitable site for hard rock can be found for allocation in the Minerals Sites Plan, it is anticipated that adoption would take place in December 2025.

#### **Update of the Kent Mineral Sites Plan - Timetable for Key Stages**

<b>Stages</b>	<b>Dates</b>
<i>Call for Sites</i>	<i>October - November 2022 (completed)</i>
<i>Consultation on a Site Nominated for Hard Rock (Regulation 18)</i>	<i>June - July 2023</i>
<i>Second Call for Sites</i>	<i>August - October 2023</i>
Publication of draft updated Minerals Sites Plan for representations on soundness (Regulation 19 (Pre-Submission Draft))	October - November 2024
Submission to Secretary of State for Examination	February 2025

Independent Examination Hearings	March - April 2025
Inspector's Report	August 2025
Adoption	December 2025

## 2.3 Adopted Policies Maps

**2.3.1** The Adopted Policies Maps illustrate the mineral and waste policies on an Ordnance Survey base. Once a Local Plan has been adopted, the County Council's policies maps including the mineral safeguarding areas and allocations should be included as part of the Local Plans maintained and adopted by borough/district planning authorities. The borough/district council maps should be updated and amended whenever a new or revised Minerals and Waste Plan is adopted.

## 2.4 Arrangements for the preparation of the Kent Minerals and Waste Local Plan 2024-39 and updates to the Kent Mineral Sites Plan

**2.4.1** Arrangements for the preparation of the Kent Minerals and Waste Local Plan 2024-39 and updates to the Kent Mineral Sites Plan are set out in the table below.

<b>Organisational Lead</b>	Minerals and Waste Planning Policy Team, Growth and Communities, Kent County Council
<b>Political Management</b>	Informal Members Group
	Decision making by Cabinet Member responsible for Minerals and Waste Local Plan matters, relevant Cabinet Committee, Cabinet and Full Council as appropriate.
<b>Resources Required</b>	Existing staff resources and consultancy support
<b>Community &amp; Stakeholder Involvement</b>	In accordance with the Regulations and Statement of Community Involvement.

## 3 Key Supporting Documents and Evidence Base

### 3.1 Annual Monitoring Report and Local Aggregates Assessment

- 3.1.1** Plan preparation progress and the implementation and effectiveness of adopted plan policies is, and will be, reviewed annually through the Annual Monitoring Report (AMR). Monitoring will indicate what, if any changes, need to be made and these will be incorporated into subsequent reviews of the adopted policies.
- 3.1.2** In addition, the National Planning Policy Framework states that Mineral Planning Authorities should plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment (LAA) based on:
- A rolling average of 10 years sales data and other relevant local information; and,
  - an assessment of all of the supply options (including marine dredged, secondary and recycled sources).
- 3.1.3** The AMR and LAA are published annually on the County Council's website<sup>6</sup>.

### 3.2 Statement of Community Involvement

- 3.2.1** The Government has set minimum standards for consultation during plan preparation prior to its submission for examination<sup>7</sup>. It is crucial that all interested parties, including local communities, the minerals and waste industry and environmental groups are involved in the preparation of planning documents.
- 3.2.2** Kent County Council's Statement of Community Involvement (SCI) sets out how communities are to be involved in the preparation of Local Plan documents. The document sets the standards and opportunities for community involvement in the preparation and review of the Local Plan documents identified in this Development Scheme, as well as involvement in planning applications that the County Council determines<sup>8</sup>.
- 3.2.3** The current version of the SCI was adopted in August 2021. The latest SCI reflects the increased ability to consult by electronic means and includes how the County Council engages with the process of neighbourhood planning. The County Council is required to review the SCI at least every five years and so the next review will take place in 2026 unless relevant circumstances change requiring an earlier review.

<sup>6</sup> Available from: [Monitoring and assessment - Kent County Council](#)

<sup>7</sup> See The Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>8</sup> The Statement of Community Involvement can be viewed at: [Statement-of-Community-Involvement.pdf \(kent.gov.uk\)](#)

### 3.3 Minerals and Waste Safeguarding Supplementary Planning Document

- 3.3.1** The County Council adopted an updated Minerals and Waste Safeguarding Supplementary Planning Document (SPD) in March 2021.
- 3.3.2** The purpose of the SPD is to provide guidance on the implementation of policies in the adopted Kent MWLP in relation to minerals and waste safeguarding matters; it does not introduce new policy. The adopted policies on safeguarding prevent the unnecessary sterilisation of the mineral resources in Kent deemed of economic importance by the British Geological Survey (BGS). The Plan also safeguards minerals and waste importation and processing infrastructure (wharves, railheads and the production of secondary and recycled mineral substitute products and waste management infrastructure).
- 3.3.3** Similarly, they ensure that the existing minerals and waste management infrastructure in Kent is not lost to, or its use compromised by, the inappropriate proximity of non-mineral or waste developments, that by their nature may be incompatible with their continued operation. An example could be housing development within close proximity to an existing operationally unrestricted mineral wharf.
- 3.3.4** The SPD was updated to reflect updates to the mineral and waste safeguarding policies made by the Early Partial Review of the Kent Minerals and Waste Local Plan 2013-2030, and to provide further guidance on their application.

### 3.4 Supplementary Planning Document related to Biodiversity Net Gain

- 3.4.1** The Environment Act 2021 introduces a statutory requirement for new development to achieve 'biodiversity net gain'. This new requirement is being reflected in the updated Kent Minerals and Waste Local Plan 2024-39. As this is such a complex area, especially when applied to the restoration of mineral workings, it is considered that a Supplementary Planning Document, or equivalent guidance<sup>9</sup>, should be prepared that will set out how policy requirements for BNG associated with waste and minerals development will be implemented.
- 3.4.2** Work on the Biodiversity Net Gain SPD will commence following adoption of the Kent Minerals and Waste Local Plan 2024-39 and a timetable for its preparation will be included in a future version of this document.

### 3.5 Sustainability Appraisal and Strategic Environmental Assessment

- 3.5.1** The preparation of the Kent Minerals and Waste Local Plan 2024-2039 and updates to the Kent Mineral Sites Plan are subject to appraisal and testing through Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). SEA is a

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<sup>9</sup> Proposed reforms to the planning system indicate that Supplementary Planning Documents will no longer exist in their current form.

systematic process of identifying and addressing the environmental consequences of plans and programmes originally required by European Union directive that is in force in UK environmental law. The testing will identify any likely significant environmental effects resulting from the implementation of updated strategies, policies and proposals brought forward with the objective of promoting sustainable development.

**3.5.2** A Sustainability Appraisal Scoping Report was published alongside the draft updated Kent Minerals and Waste Local Plan policies between December 2021 and February 2022, and a draft Sustainability Appraisal accompanied the draft Minerals and Waste Local Plan that was published between October and December 2022 and the further proposed changes published in 2023. The Scoping Report sets out the scope of the SA process and is used to consult the views of the three statutory consultees on that scope, namely the Environment Agency, Natural England and Historic England. An SA Scoping Report for the Mineral Sites Plan work was published alongside the Call for Sites and a further SA was published to support the draft updated Minerals Sites Plan that included details of the nominated site for hard rock in June/July 2023. An updated SA of the KMWLP, which considers the proposed further changes to the KMWLP and takes account of comments received on the draft SA published in 2022, will also be published to accompany the publication of the Pre-Submission Draft KMWLP in early 2024.

### **3.6 Appropriate Assessment under the Habitats Directive**

**3.6.1** The purpose of Appropriate Assessment (AA) is to assess the impacts of spatial plans, such as the proposed Local Plans, against the nature conservation objectives of any 'Habitat site'<sup>10</sup> and to ascertain whether they would adversely affect the integrity of that site. There are a number of Habitat Sites in Kent and the County Council will, as necessary, apply Appropriate Assessment to any proposed updates to policy.

**3.6.2** A Scoping Report that considers the need for Appropriate Assessment of the updated policies in the KMWLP has been prepared indicating that AA of the policies is not required. This will be published alongside the Pre-Submission Draft KMWLP in early 2024.

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<sup>10</sup> European Sites are sites which are designated under The Conservation of Habitat and Species Regulations 2017 which in turn was amended under the Conservation of Habitat and Species (Amendment) (EU Exit) Regulations 2019).

## 4 Supporting Statement

### 4.1 Management and Resources

**4.1.1** This scheme amends earlier schedules to reflect the current programme for the preparation of minerals and waste planning policy in Kent.

### 4.2 Evidence Base

**4.2.1** To create a sound evidence base for the preparation the KMWLP 2024-39 and the Kent Mineral Sites Plan, relevant surveys and monitoring information are needed.

**4.2.2** The evidence base consists of indicators set out in the monitoring schedule of the current adopted KMWLP. Indicators are also included within the Data Monitoring chapter of the AMR which, in summary, includes the following:

- The production of aggregates
- New mineral reserves
- Landbanks
- Safeguarding
- Sales of construction aggregates at wharves and rail depots
- Capacity of any new waste management facilities
- Waste arisings including municipal waste
- Exports and imports of waste
- Exports and imports of minerals
- Capacity for handling waste materials in Kent.

**4.2.3** Other evidence base reports will be compiled to support the Kent Minerals and Waste Local 2024-39 and the updated Mineral Sites Plan.

### 4.3 Duty to Co-operate

**4.3.1** The 'Duty to Cooperate' arising from the Localism Act 2011, applies to all Local Planning Authorities, County Councils and prescribed bodies<sup>11</sup>. and requires that they must co-operate with each other to maximise effectiveness in planning for strategic cross-boundary matters in development plans.

**4.3.2** The duty imposed on these bodies requires that engagement should occur constructively, actively and on an on-going basis during the plan making process and that regard must be given to the activities of other authorities where these are relevant to the local planning authority in question.

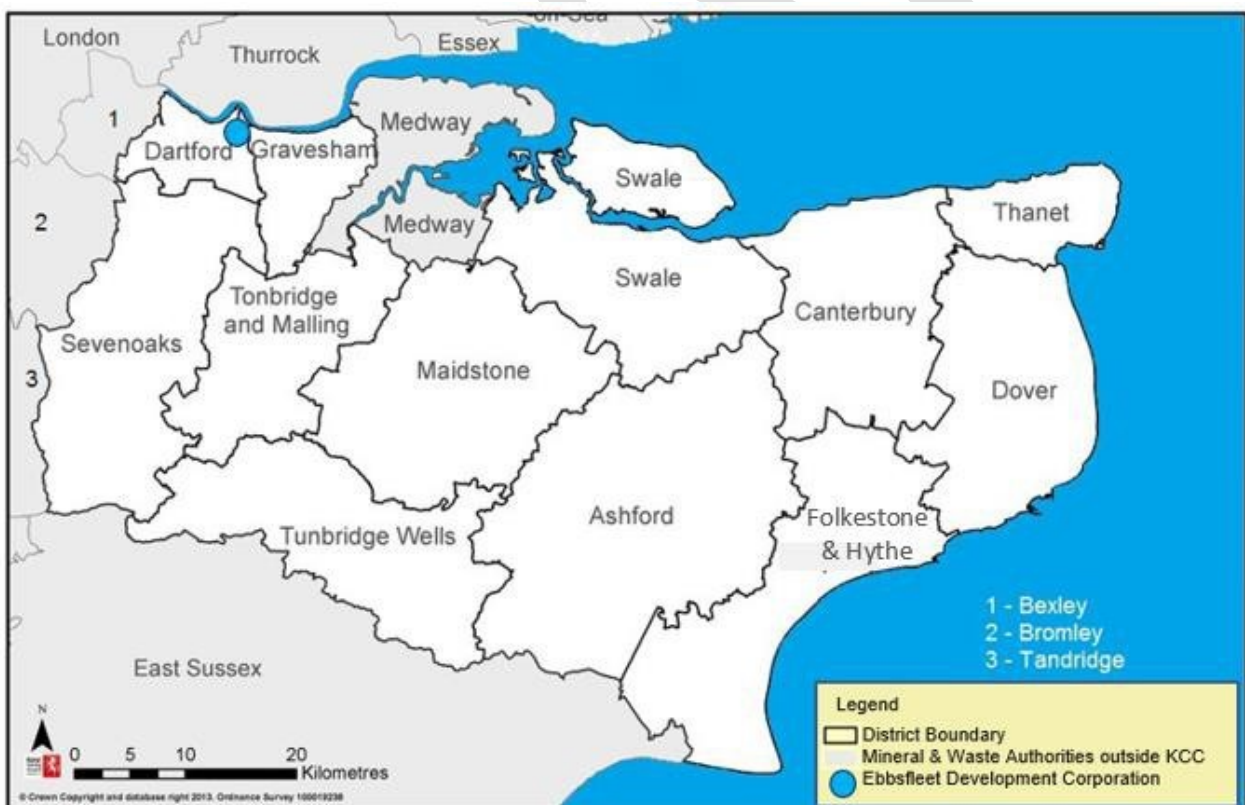
**4.3.3** For Kent, this represents the boroughs/districts within the county, as well as those which may border Kent or authorities which import/export a significant amount of minerals or waste to and from Kent.

<sup>11</sup> See Regulation 4 (1) The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)



- 4.3.4** Within the Kent area both Kent County Council and Medway Council are minerals and waste planning authorities. It is recognised that the strategic nature of minerals and waste planning issues may not be confined within the respective areas of each authority. We will continue our commitment to joint working and sharing of evidence with Medway Council to ensure that there is both common understanding and consistency in the development and direction of policy for the individual local plans. To this end a Statement of Common Ground between Kent County Council and Medway Council that addresses these issues has been prepared and will be updated as necessary. Statements of Common Ground on mineral and waste planning matters have also been agreed with a number of neighbouring mineral and waste planning authorities and Kent Borough and District Councils.
- 4.3.5** The Annual Monitoring Report includes information on activity undertaken by the Council as part of its Duty to Cooperate.
- 4.3.6** Draft legislation<sup>12</sup> published in May 2022 proposes that the statutory Duty to Cooperate be abolished. The County Council will monitor implementation of this legislation but in the meantime will prepare planning policy in accordance with the existing statutory requirements.

**Figure 2 - Geographic area covered by Kent County Council**



<sup>12</sup> Levelling Up and Regeneration Bill

## 4.4 Risk Assessment

4.4.1 In preparing this Development Scheme, consideration has been given to potential risks that might impact on preparation of the Local Plan. These risks include:

- **Personnel** - Availability of experienced personnel.
- **Decision Making** - Political Processes.
- **Soundness** - Working alongside key stakeholders to ensure the KMWLP is delivered in accordance with the appropriate regulations.
- **External Bodies** - The length of time it takes to receive responses from stakeholders and the quality of these responses.
- **Community Engagement** - Issues of concern and the scale of response may influence the programme.

## Appendix A: Summary Programme of Planning Policy Activity

Activity	November 2023	December 2023	January 2024	February 2024	March 2024	April 2024	May 2024	June 2024	July 2024	August 2024	September 2024	October 2024	November 2024
<b>Updated Minerals and Waste Development Scheme</b>													
Review													
Publish update if required													
<b>Kent Minerals and Waste Local Plan 2023-38</b>													
Consultation on draft updated policy with extended plan period (Regulation 18)													
<b>NEW: Further Reg 18 on focussed updates</b>													
Publication of draft updated policy (Regulation 19) for representations on soundness			Reg 19	Reg 19									
Prepare documentation for submission													
Submission to Secretary of State							Submission						
Independent Examination Hearings								Hearings					
Inspector's Report												IR	
Adoption													
<b>Kent Mineral Sites Plan (Crushed Rock)</b>													
Call for Sites													
Consultation on Site Options (Regulation 18)													
Publication of Preferred Sites (Regulation 19) for representations on soundness												Reg 19	Reg 19
Submission to Secretary of State													
Independent Examination Hearings													
Inspector's Report (IR)													
Adoption													
<b>Biodiversity Net Gain SPD</b>													
Text of Draft Revised SPD													
Consultation and engagement on draft SPD (allow 3 months)													
Analysis of consultation feedback with recommendations for changes to SPD													
Update SPD to prepare final for adoption													
Adoption (inc. report writing)													
<b>Annual Monitoring Report</b>													
Monitoring of all policies													
Draft in light of annual waste data and LAA													
Finalise taking account of monitoring of policies													
<b>Local Aggregates Assessment</b>													
Survey of operators inc. recycled aggregate producers													
Update data (10yr av.; landbanks etc.) in light of survey													
Update commentary in previous LAA based on revised data													
Draft for SEEAWP													
Consultation with SEEAWP													
Prepare final draft in light of SEEAWP comments													
Publish Final Draft													

Continued on next page.

Activity	December 2024	January 2025	February 2025	March 2025	April 2025	May 2025	June 2025	July 2025	August 2025	September 2025	October 2025	November 2025	December 2025
<b>Updated Minerals and Waste Development Scheme</b>													
Review													
Publish update if required													
<b>Kent Minerals and Waste Local Plan 2023-38</b>													
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<b>NEW: Further Reg 18 on focussed updates</b>													
Publication of draft updated policy (Regulation 19) for representations on soundness													
Prepare documentation for submission													
Submission to Secretary of State													
Independent Examination Hearings													
Inspector's Report													
Adoption			<b>ADOPTION</b>										
<b>Kent Mineral Sites Plan (Crushed Rock)</b>													
Call for Sites													
Consultation on Site Options (Regulation 18)													
<b>Publication of Preferred Sites (Regulation 19) for representations on soundness</b>													
Submission to Secretary of State			<b>Submission</b>										
Independent Examination Hearings					<b>Hearings</b>								
Inspector's Report (IR)									<b>IR</b>				
Adoption													<b>ADOPTION</b>
<b>Biodiversity Net Gain SPD</b>													
Context of Draft Revised SPD													
Consultation and engagement on draft SPD (allow 3 months)													
Analysis of consultation feedback with recommendations for changes to SPD													
Update SPD to prepare final for adoption													
Adoption (inc. report writing)													
<b>Annual Monitoring Report</b>													
Monitoring of all policies													
Draft in light of annual waste data and LAA													
Finalise taking account of monitoring of policies													
<b>Local Aggregates Assessment</b>													
Survey of operators inc. recycled aggregate producers													
Update data (10yr av.; landbanks etc.) in light of survey													
Update commentary in previous LAA based on revised data													
Draft for SEEAWP													
Consultation with SEEAWP													
Prepare final draft in light of SEEAWP comments													
Publish Final Draft													



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## EQIA Submission – ID Number

### Section A

#### EQIA Title

Full Review Kent Minerals and Waste Local Plan 2024-39 - Timetable and a Mandate for Public Consultation  
Pre-submission Test of Soundness Regulation 19 of the Town and Country Planning Regulations 2012

#### Responsible Officer

Bryan Geake - GT GC

#### Type of Activity

##### Service Change

No

##### Service Redesign

No

##### Project/Programme

No

##### Commissioning/Procurement

No

##### Strategy/Policy

Strategy/Policy

##### Details of other Service Activity

No

#### Accountability and Responsibility

##### Directorate

Growth Environment and Transport

##### Responsible Service

Growth & Communities

##### Responsible Head of Service

Sharon Thompson - GT GC

##### Responsible Director

Stephanie Holt-Castle - GT GC

#### Aims and Objectives

The County Council is required by planning legislation to produce a development plan (commonly known as a Local Plan) for the sustainable delivery of mineral resources, safeguarding of mineral and waste infrastructure and the sustainable management of waste. The Kent Minerals and Waste Local Plan 2013-30 (KMWLP) (as amended by the Early Partial Review) was adopted in 2020 (and collectively constitutes the Plan) and sets out the vision and strategy to achieve this. The supply of minerals and the management of waste play an important role in sustainable communities and providing the infrastructure that society requires. Their ongoing safeguarding is also an objective of the Plan to ensure this role can be carried out in an efficient and uninterrupted manner as possible.

The County Council as plan making authority is required by the National Planning Policy Framework (NPPF) to assess whether the Plan is requirement to be reviewed, and if necessary updated, at least once every 5 years. To this end, the Council has identified that some of the policies and supporting text are no longer considered as effective or have become out of date.

To address these matters, changes were proposed to the adopted Plan and were subject to public consultation between December 2021 and February 2022. These changes were proposed to address national planning policy changes set out in the NPPF and included new provisions relating to biodiversity net gains targets, carbon neutrality targets, the management of low level and very low-level nuclear waste management, the circular economy and aggregate supply and mineral safeguarding. Further changes were

proposed in response to the comments made in the recent public consultation. These changes have been introduced into the Plan to make it effective and in accordance with national planning and wider environmental policy. Then In June 2023 further changes to the Plan were considered appropriate and were consulted upon. These changes relate to the quantity of aggregate mineral to be planned for, deletion of a strategic waste site allocation to accept hazardous flue ash, and deletion of text which concerns making specific provision for a proportion of London’s non-hazardous waste arisings by landfill or by energy recovery over the period of the Plan to 2039.

As part of the mandatory formal review process, the proposed changes will require further public consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning ) (England) Regulations 2012. This will invite representations on soundness and is anticipated in January to February 2024.

In discharging its plan making responsibilities, the Council must be certain that the outcome of such a plan review does not have inherent adverse impacts on persons or groups with a protected characteristic.

## Section B – Evidence

### Do you have data related to the protected groups of the people impacted by this activity?

Yes

### It is possible to get the data in a timely and cost effective way?

Yes

### Is there national evidence/data that you can use?

Yes

### Have you consulted with stakeholders?

Yes

### Who have you involved, consulted and engaged with?

The community has had the opportunity to comment on the further changes to the Plan via a series of public consultation events between 13 June to the 25 July 2023. The Council used a variety of communication methods as set out in the County Council’s Statement of Community Involvement. All relevant groups within the county were engaged without bias to any one definable group within the community as a whole. Accessible documents were available, and material was available in hard copy.

In addition to local communities, all relevant statutory and non-statutory consultees have been consulted; they include:

- Parish Councils
- Borough and District Council
- Environment Agency
- Natural England
- Historic England
- Highways England
- Health and Safety Executive,
- Health Protection Agency (Public Health England)
- Campaign to Protect Rural England
- Civil Aviation Authority ((Head of Aerodromes Standards Department),
- Kent Wildlife Trust
- Gardens Trust
- Ministry of Defence
- Network Rail



- The respective water authority (e.g., South East Water)
- UK Power Networks
- Sports England
- Ramblers Association

No response to the public consultation identified an adverse impact upon those with a protected characteristic.

The proposed Plan soundness public consultation (Regulation 19) will invite comments using the same methodology.

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

Yes

**Do you have evidence that can help you understand the potential impact of your activity?**

Yes

**Section C – Impact**

**Who may be impacted by the activity?**

**Service Users/clients**

Service users/clients

**Staff**

Staff/Volunteers

**Residents/Communities/Citizens**

Residents/communities/citizens

**Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?**

No

**Details of Positive Impacts**

Not Applicable

**Negative impacts and Mitigating Actions**

**19. Negative Impacts and Mitigating actions for Age**

**Are there negative impacts for age?**

No

**Details of negative impacts for Age**

Not Applicable

**Mitigating Actions for Age**

Not Applicable

**Responsible Officer for Mitigating Actions – Age**

Not Applicable

**20. Negative impacts and Mitigating actions for Disability**

**Are there negative impacts for Disability?**

No

**Details of Negative Impacts for Disability**

Not Applicable

**Mitigating actions for Disability**

Not Applicable

**Responsible Officer for Disability**

Not Applicable

**21. Negative Impacts and Mitigating actions for Sex**

<b>Are there negative impacts for Sex</b>
No
<b>Details of negative impacts for Sex</b>
Not Applicable
<b>Mitigating actions for Sex</b>
Not Applicable
<b>Responsible Officer for Sex</b>
Not Applicable
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>Are there negative impacts for Gender identity/transgender</b>
No
<b>Negative impacts for Gender identity/transgender</b>
Not Applicable
<b>Mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
No
<b>Negative impacts for Race</b>
Not Applicable
<b>Mitigating actions for Race</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Race</b>
Not Applicable
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
No
<b>Negative impacts for Religion and belief</b>
Not Applicable
<b>Mitigating actions for Religion and belief</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Applicable
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>
No
<b>Negative impacts for Sexual Orientation</b>
Not Applicable
<b>Mitigating actions for Sexual Orientation</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Applicable
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No
<b>Negative impacts for Pregnancy and Maternity</b>
Not Applicable
<b>Mitigating actions for Pregnancy and Maternity</b>

Not Applicable
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Applicable
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Applicable
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Applicable
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No
<b>Negative impacts for Carer's responsibilities</b>
Not Applicable
<b>Mitigating actions for Carer's responsibilities</b>
Not Applicable
<b>Responsible Officer for Carer's responsibilities</b>
Not Applicable

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**From:** Benjamin Watts, General Counsel

**To:** Environment and Transport Cabinet Committee – 15 November 2023

**Subject:** Work Programme

**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 Cabinet Committee is asked to consider and agree its Work Programme.

## 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

- 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 Cabinet Committee is asked to consider and agree its Work Programme.

5. **Background Documents:** None

### 6. Contact details

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## Environment and Transport Cabinet Committee – Draft Agenda and Work Programme

Item	Cabinet Committee to receive item
Verbal Updates by Cabinet Members and Corporate Director	At each meeting
Performance Dashboard	At each meeting
Work Programme	At each meeting
Draft Budget	Annual
Biosecurity and Tree Health Report	Annual (January)
Corporate Risk Register	Annual (March)
Winter Service Policy	Annual (September)
Environment Agency - Presentation	Bi-Annual
Southern Water - Presentation	Bi-Annual

11 January 2024		
No.	Item	Additional Comments
Page 475	Biosecurity and Tree Health Report	Annual
	North Link Thanet Road MRN	Deferred from November
	Dover Access Improvements Levelling Up Fund	Deferred from November
	Gravesend to Tilbury Ferry - Key Decision	Deferred from September
	Environment Agency - Presentation	To explain enforcement responsibilities
	Local Electric Vehicle Infrastructure (LEVI) funding	
	Mobility as a Service (as part of National Highways Designated funds project) - Key Decision	Deferred from September
	Procurement and award of contract/s for Highway Arboriculture Programmed Works	Deferred from September
	Road Closure Permits Progress	Requested 12 September 2023
	High Weald AONB Management Plan - Key Decision	

7 March 2024		
No.	Item	Additional Comments
	Corporate Risk Register	Annual

	Southern Water - Presentation	Bi-Annual
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<b>Items for Consideration that have not yet been allocated to a meeting</b>		
Highways and Transportation fault reporting and enquiry form - Update		Requested at ETCC on 19 January 2023
A review of highway aspects of planning applications - Report		Requested at ETCC on 7 March 2023 For information
Electric vehicle charging infrastructure - Report		Requested at ETCC agenda setting on 29 March 2023
Heritage Plan		
Climate Change Adaptation Plan		
Household Waste Recycling Centre Review - Key Decision		
Minerals and Waste Local Plan - Key Decision		
Road closures (including Highways Inspector) - Update		