

PLANNING AND INFRASTRUCTURE POLICY ADVISORY COMMITTEE MEETING

Date: Wednesday 8 June 2022
Time: 6.30 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Mrs Blackmore, Clark, Mrs Grigg, Kimmance, Munford, Spooner, Springett, Trzebinski and Young

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Election of Chairman
4. Election of Vice-Chair
5. Urgent Items
6. Notification of Visiting Members
7. Disclosures by Members and Officers
8. Disclosures of Lobbying
9. To consider whether any items should be taken in private due to the possible disclosure of exempt information
10. Presentation of Petitions (if any)
11. Question and Answer session from Local Residents (if any)
12. Questions from Members to the Chairman (if any)
13. 4th Quarter Financial Update & Performance Monitoring Report 1 - 24
14. Lower Thames Crossing – Local Refinement Consultation 25 - 51
15. Draft Statement of Common Ground with Medway Council 52 - 58

Issued on 27 May 2022

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

PART II

To move that the public be excluded for the items set out in Part II of the Agenda because of the likely disclosure of exempt information for the reasons specified having applied the Public Interest Test.

Head of Schedule 12A and Brief Description

16. Exempt Appendix 1 - Draft Statement of Common Ground with Medway Council 59 - 75

INFORMATION FOR THE PUBLIC

In order to ask a question at this meeting, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Monday 6th June). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Monday 6th June). You will need to tell us which agenda item you wish to speak on.

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

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**PLANNING & INFRASTRUCTURE
POLICY ADVISORY COMMITTEE**

8 June 2022

**4th Quarter Financial Update & Performance Monitoring
Report 2021/22**

Timetable	
Meeting	Date
Planning & Infrastructure Policy Advisory Committee	8 June 2022

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Not Applicable – report for noting by the Planning & Infrastructure Policy Advisory Committee
Lead Head of Service	Mark Green, Director of Finance & Business Improvement
Lead Officer and Report Author	Paul Holland, Senior Finance Manager Georgia Harvey, Senior Information Governance Officer
Classification	Public
Wards affected	All

Executive Summary

This report sets out the 2021/22 financial and performance position for the services reporting into the Strategic Planning & Infrastructure Committee (SPI) as at 31st March 2022 (Quarter 4). The primary focus is on:

- The 2021/22 Revenue and Capital budgets; and
- The 2021/22 Key Performance Indicators (KPIs) that relate to the delivery of the Strategic Plan 2019-2045.

The combined reporting of the financial and performance position enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues in their proper context, reflecting the fact that the financial and performance-related fortunes of the Council are inextricably linked.

Budget Monitoring

Overall net expenditure at the end of Quarter 4 for the services reporting to SPI is -£0.715m, compared to the approved profiled budget of -£0.434m, representing an underspend of £0.281m.

Capital expenditure at the end of Quarter 4 was £0.000m against a total budget of £0.086m.

The budgets in this report are the revised estimates for 2021/22.

Performance Monitoring

100% (6 of 6) targetable quarterly key performance indicators reportable to the Strategic Planning & Infrastructure Committee achieved their Quarter 4 target.

There is also an outturn report for 2021/22 that summarises the performance for the year as a whole.

Purpose of Report

The report enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues as at 31st March 2022.

This report makes the following recommendations to the Planning & Infrastructure Policy Advisory Committee:

1. That the Revenue position as at the end of Quarter 4 for 2021/22, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. That the Capital position at the end of Quarter 4 be noted; and
3. That the Performance position as at Quarter 4 for 2021/22, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.
4. That Annual Performance for 2021/22 be noted.

4th Quarter Financial Update & Performance Monitoring Report 2021/22

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>This report monitors actual activity against the revenue budget and other financial matters set by Council for the financial year. The budget is set in accordance with the Council's Medium-Term Financial Strategy which is linked to the Strategic Plan and corporate priorities.</p> <p>The Key Performance Indicators and strategic actions are part of the Council's overarching Strategic Plan 2019-45 and play an important role in the achievement of corporate objectives. They also cover a wide range of services and priority areas.</p>	Director of Finance and Business Improvement (Section 151 Officer)
Cross Cutting Objectives	This report enables any links between performance and financial matters to be identified and addressed at an early stage, thereby reducing the risk of compromising the delivery of the Strategic Plan 2019-2045, including its cross-cutting objectives.	Director of Finance and Business Improvement (Section 151 Officer)
Risk Management	This is addressed in Section 5 of this report.	Director of Finance and Business Improvement (Section 151 Officer)
Financial	<p>Financial implications are the focus of this report through high level budget monitoring. Budget monitoring ensures that services can react quickly enough to potential resource problems. The process ensures that the Council is not faced by corporate financial problems that may prejudice the delivery of strategic priorities.</p> <p>Performance indicators and targets are closely linked to the allocation of resources and determining good value for money. The financial implications of any proposed</p>	Senior Finance Manager (Client)

	<p>changes are also identified and taken into account in the Council's Medium-Term Financial Strategy and associated annual budget setting process. Performance issues are highlighted as part of the budget monitoring reporting process.</p>	
Staffing	<p>The budget for staffing represents a significant proportion of the direct spend of the Council and is carefully monitored. Any issues in relation to employee costs will be raised in this and future monitoring reports.</p> <p>Having a clear set of performance targets enables staff outcomes/objectives to be set and effective action plans to be put in place.</p>	<p>Director of Finance and Business Improvement (Section 151 Officer)</p>
Legal	<p>The Council has a statutory obligation to maintain a balanced budget and the monitoring process enables the Committee to remain aware of issues and the process to be taken to maintain a balanced budget.</p> <p>There is no statutory duty to report regularly on the Council's performance. However, under Section 3 of the Local Government Act 1999 (as amended) a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. One of the purposes of the Key Performance Indicators is to facilitate the improvement of the economy, efficiency and effectiveness of Council services. Regular reports on Council performance help to demonstrate best value and compliance with the statutory duty.</p>	<p>Senior Lawyer (Corporate Governance), MKLS</p>
Information Governance	<p>The performance data is held and processed in accordance with the data protection principles contained in the Data Protection Act 2018 and in line with the Data Quality Policy, which sets out the requirement for ensuring data quality. There is a program for undertaking data quality audits of performance indicators.</p>	<p>Policy and Information Team</p>

Equalities	There is no impact on Equalities as a result of the recommendations in this report. An EqIA would be carried out as part of a policy or service change, should one be identified.	Equalities and Communities Officer
Public Health	The performance recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	There are no specific issues arising.	Director of Finance and Business Improvement (Section 151 Officer)
Procurement	Performance Indicators and Strategic Milestones monitor any procurement needed to achieve the outcomes of the Strategic Plan.	Director of Finance and Business Improvement (Section 151 Officer)
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and there are no direct implications on biodiversity and climate change.	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 The Medium-Term Financial Strategy for 2021/22 to 2025/26 - including the budget for 2021/22 - was approved by full Council on 24th February 2021. This report updates the Committee on how its services have performed over the last quarter with regard to revenue and capital expenditure against approved budgets.
- 2.2 This report also includes an update to the Committee on progress against its Key Performance Indicators (KPIs).
- 2.3 Attached at Appendix 1 is a report setting out the revenue and capital spending position at the Quarter 4 stage. Attached at Appendix 2 is a report setting out the position for the KPIs for the corresponding period. Attached at Appendix 3 is a further KPI report summarising the position for the year as a whole.

3. AVAILABLE OPTIONS

- 3.1 There are no matters for decision in this report. The Committee is asked to note the contents but may choose to comment.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 In considering the current position on the Revenue budget, the Capital Programme, and the KPIs at the end of March 2022, the Committee can choose to note this information or could choose to comment.
- 4.2 The Committee is requested to note the content of the report.
-

5. RISK

- 5.1 This report is presented for information only and has no direct risk management implications.
- 5.2 The Council produced a balanced budget for both revenue and capital income and expenditure for 2021/22. The budget is set against a backdrop of limited resources and a difficult economic climate, even before the impact of the Covid-19 pandemic became clear. Regular and comprehensive monitoring of the type included in this report ensures early warning of significant issues that may place the Council at financial risk. This gives the Executive the best opportunity to take actions to mitigate such risks.
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6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The KPIs update ("Performance Monitoring") were reported to the service committees quarterly under the previous constitution: Communities, Housing & Environment Committee; Economic Regeneration & Leisure Committee; and the Strategic Planning & Infrastructure Committee. Each committee also received a report on the relevant priority action areas. The report was also presented to the Policy & Resources Committee, reporting on the priority areas of "A Thriving Place", "Safe, Clean and Green", "Homes and Communities" and "Embracing Growth and Enabling Infrastructure".
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The Quarter 4 Budget & Performance Monitoring reports are being considered by the relevant Policy Advisory Committees during June 2022.
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8. REPORT APPENDICES

- Appendix 1: Fourth Quarter Budget Monitoring 2021/22
 - Appendix 2: Fourth Quarter Performance Monitoring 2021/22
 - Appendix 3: Performance Monitoring Outturn Report 2021/22
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9. BACKGROUND PAPERS

None.

Fourth Quarter Financial Update 2021/22

Planning & Infrastructure – Policy Advisory Committee

8th June 2022

Lead Officer: Mark Green

Report Author: Paul Holland

Contents

Part A: Executive Summary & Overview Page 2

Part B: Revenue Budget Q4 2021/22

B1) Revenue Budget Page 5

Part C: Capital Budget Q4 2021/22

C1) Capital Budget Page 9

Part A

Executive Summary & Overview



This report provides members with the provisional outturn for 2021/22, covering activity for the Strategic Planning & Infrastructure Committee's revenue and capital accounts for the fourth quarter of 2021/22. Whilst the Strategic Planning & Infrastructure Committee (SPI) no longer exists under the new Executive structure this Policy Advisory Committee has inherited essentially the same budgetary responsibilities and it is therefore appropriate for it to be considering this report.

Members will be aware that there was significant uncertainty in the 2021/22 budget estimates arising from the ongoing impact of the Covid-19 pandemic, both in relation to demands on the Council to respond and the speed of local economic recovery. Financial support from central government received during 2020/21 continued to support specific activities, and the unringfenced Covid-19 grant of £860,000 was used to support recovery and renewal activities. However, the impact on the Council's financial position from the pandemic has continued to reduce throughout the year, although there will continue to be some residual impact into 2022/23.

The headlines for Quarter 4 are as follows:

Part B: Revenue budget – Q4 2021/22

- Overall net expenditure at the end of Quarter 4 for the services reporting to SPI is -£0.715m, compared to the approved profiled budget of -£0.434m, representing an underspend of £0.281m.

Part C: Capital budget – Q4 2021/22

- Capital expenditure at the end of Quarter 4 was £0.000m against a total budget of £0.086m.

The budgets in this report are the revised estimates for 2021/22.

Part B

Fourth Quarter Revenue Budget 2021/22

B2) Revenue Budget

B1.1 The table below provides a detailed summary on the budgeted net income position for SPI services at the end of Quarter 4. The financial figures are presented on an accruals basis (e.g., expenditure for goods and services received, but not yet paid for, is included).

SPI Revenue Budget & Outturn – Quarter 4

Planning Services

(a)	(b)	(c)	(d)
Cost Centre	Approved Budget for Year £000	Actual £000	Variance £000
Building Regulations Chargeable	-347	-442	95
Building Control	-1	0	-1
Street Naming & Numbering	-73	-67	-6
Development Control Advice	-253	-198	-55
Development Control Appeals	129	18	112
Development Control Majors	-507	-508	2
Development Control - Other	-656	-748	91
Development Control Enforcement	70	132	-63
Planning Policy	446	528	-82
Neighbourhood Planning	0	-37	37
Conservation	-11	10	-21
Land Charges	-265	-282	17
Spatial Policy Planning Section	434	424	11
Head of Planning and Development	110	112	-2
Development Management Enforcement Section	0	0	0
Building Surveying Section	472	465	8
Mid Kent Planning Support Service	315	275	40
Heritage Landscape and Design Section	206	210	-4
CIL Management Section	61	17	44
Mid Kent Local Land Charges Section	80	55	25
Development Management Section – Majors	288	283	5
Development Management Section – Others	928	928	-1
Salary Slippage	-92	0	-92
Sub-Total Planning Services	1,333	1,174	160

Parking Services

(a)	(b)	(c)	(d)
Cost Centre	Approved Budget for Year £000	Actual £000	Variance £000
Environment Improvements	7	17	-9
Name Plates & Notices	19	23	-4
On Street Parking	-440	-440	0
Residents Parking	-217	-217	0
Pay & Display Car Parks	-1,194	-1,230	36
Non Paying Car Parks	15	9	6
Off Street Parking - Enforcement	-219	-223	4
Mote Park Pay & Display	-186	-226	41
Sandling Road Car Park	3	-2	5
Park & Ride	131	131	0
Other Transport Services	-4	-30	26
Parking Services Section	317	301	16
Sub-Total Parking Services	-1,768	-1,889	121
TOTAL	-434	-715	281

B1.2 The table shows that at the end of the fourth quarter overall net expenditure for the services reporting to SPI is -£0.715m, compared to the approved profiled budget of -£0.434m, representing an underspend of £0.281m.

B1.3 The table indicates that in certain areas, significant variances to the budgeted income levels have emerged during the fourth quarter of the year. The reasons for the more significant variances are explored in section B2 below.

B2) Variances

B2.1 The most significant variances for this Committee are as follows:

	Positive Variance Q4	Adverse Variance Q4
Strategic Planning & Infrastructure Committee	£000	
PLANNING SERVICES		
Building Regulations Chargeable - The budget figure was reduced by 10% for this year, and income was higher than expected.	95	
Development Control (Advice) – The negative variance was mainly down to income from Planning Performance Agreements being lower than forecast.		-54
Development Control (Appeals) – There have been fewer appeals than was anticipated at the start of the year.	111	
Development Control (Minors) - The positive variance is due to a high level of income being generated coupled with the 10% decrease in income budget. The excess in income is due to a substantial increase in principally householder applications.	91	
Development Control (Enforcement) - The costs for two enforcement cases have been higher than was forecast.		-62
Planning Policy – Costs associated with the Local Plan Review have been higher than was forecast. There is a separate section on the review below.		-82
Neighbourhood Planning – Grants have been received for the work, but expenditure for the year was minimal.	37	

Local Plan Review

The Local Plan Review (LPR) process is an important, high profile and continuous task undertaken by the Planning Services team. The associated revenue spending profile however is cyclical and does not fit the conventional 12-month financial planning process for general revenue expenditure. Instead, spending tends to follow the five-year production period of each Local Plan with various peaks and troughs over that time period.

The LPR process is therefore funded through an annual £200,000 revenue contribution, in addition to the existing service budget, with any remaining unspent balances at year end automatically rolled forward into the following financial year. The table below shows the available revenue resources currently allocated to fund LPR activities, and the spend as at 31st March 2022.

Opening Balance 01/04/2021	Spending April 2021 - March 2022	Variance
£'s	£'s	£'s
416,912	539,401	-122,489

The figures above exclude expenditure on the Town Centre Strategy, which was covered by a previous separate report to this committee.

The residual overspend will be funded from corporate contingency budgets, as agreed by Policy and Resources Committee on 24 March 2021.

In addition to the resources and planned expenditure outlined above, £140,000 was allocated from the 2020/21 underspend for non-spatial planning policy development. This will be overseen by the Interim Local Plan Review Director in consultation with the Chairman and Vice-Chairman of the Strategic Planning and Infrastructure Committee. Planned expenditure on these activities has not been included within the table above.

	Positive Variance Q4	Adverse Variance Q4
Strategic Planning & Infrastructure Committee	£000	
PARKING SERVICES		
Pay & Display Car Parks – Income levels recovered strongly in March, and while they were still £28,000 below budget this was offset by a reduced level of running costs.	36	
Mote Park Pay & Display – The income target was exceeded by £12,000, and there was a reduced level of running costs.	41	

Part C

Fourth Quarter Capital Budget 2021/22

B1) Capital Budget: Strategic Planning & Infrastructure Committee (SPI)

B1.1 The position of the 2021/22 SPI element of the Capital Programme at the Quarter 4 stage is presented in Table 3 below. The budget for 2021/22 includes resources brought forward from 2020/21.





SPI Capital Programme 2021/22 (@ Quarter 4)




	Revised Estimate 2021/22 £000	Actual to March 2022 £000	Budget Remaining £000
Strategic Planning & Infrastructure			
Bridges Gyratory Scheme	86		86
Total	86		86

There was no spend incurred against this budget during 2021/22.

SPI: Quarter 4 Performance Report

Key to performance ratings

RAG Rating	
	Target not achieved
	Target slightly missed (within 10%)
	Target met
	Data Only











Direction	
	Performance has improved
	Performance has been sustained
	Performance has declined
N/A	No previous data to compare

Performance Summary

RAG Rating	Green	Amber	Red	N/A ¹	Total
KPIs	6	0	0	4	10
Direction	Up	No Change	Down	N/A	Total
Last Quarter	6	1	1	2	10
Last Year	3	2	3	2	10

- 100% (6 of 6) targetable quarterly key performance indicators (KPIs) reportable to this Committee achieved their Quarter 4 (Q4) target¹.
- Compared to last quarter (Q3 2021/22), performance for 75% 6 of 8 KPIs have improved, 12.5% 1 of 8 had no change and for 12.5% 1 of 8 have declined¹.
- Compared to last year (Q4 2021/22), performance for 37.5% 3 of(8 KPIs have improved, 25% 2 of 8 had no change and 37.5% 3 of 8 have declined¹.

Embracing Growth & Enabling Infrastructure

Performance Indicator	Q4 2021/22				
	Value	Target	Status	Short Trend (Last Quarter)	Long Trend (Last Year)
Percentage of priority 1 enforcement cases dealt with in time	100%	95%			
Percentage of Priority 2 enforcement cases dealt with in time	94.21%	90%			
Number of enforcement complaints received	122				

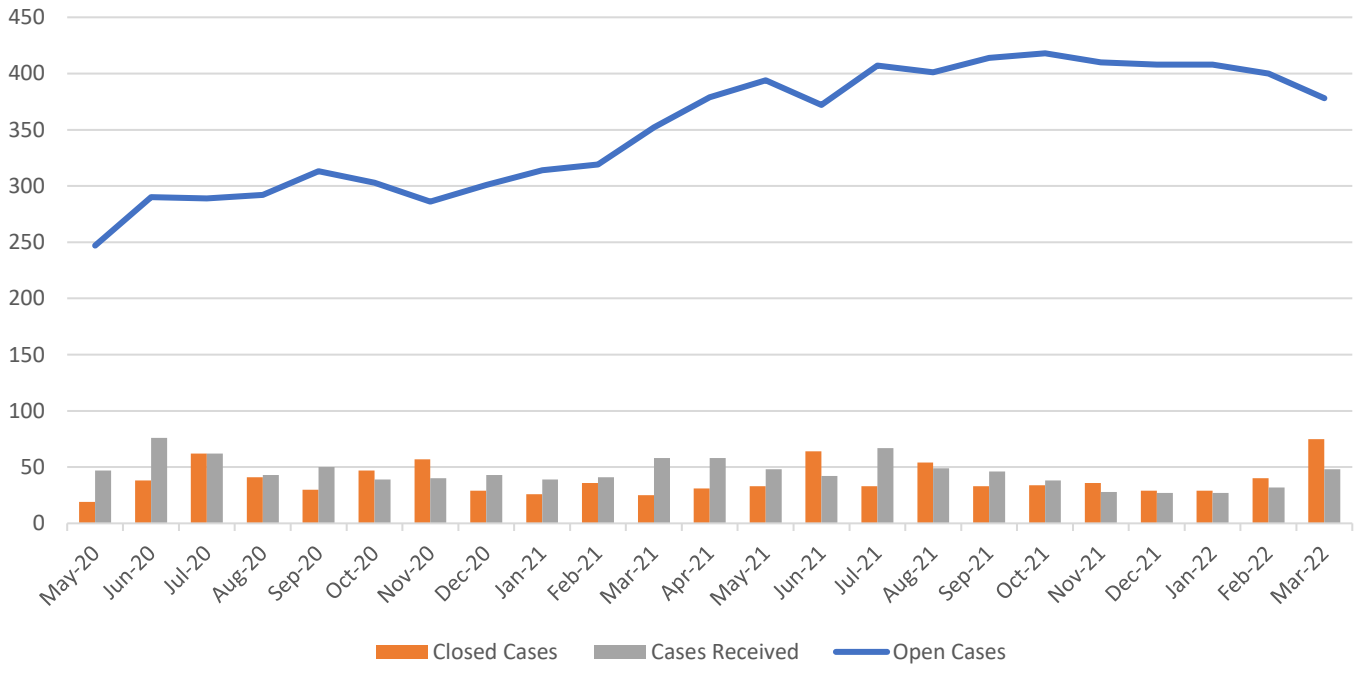
¹ PIs rated N/A are not included in the summary calculations.

Performance Indicator	Q4 2021/22				
	Value	Target	Status	Short Trend (Last Quarter)	Long Trend (Last Year)
Processing of planning applications: Major applications (NI 157a)	91.67%	90%			
Processing of planning applications: Minor applications (NI 157b)	96.30%	95%			
Processing of planning applications: Other applications (NI 157c)	99.21%	98%			
Number of affordable homes delivered (Gross)	64	50			
Affordable homes as a percentage of all new homes	Annual KPI				
Net additional homes provided (NI 154)	Annual KPI				

	Open planning enforcement cases (as of the start of each month)				
	Value	Target	Status	Short Trend (Last Month)	Long Trend (Last Year)
January 2022	408				
February 2022	400				
March 2022	378				

**Planning Enforcement Caseload
March 2020 – March 2022**

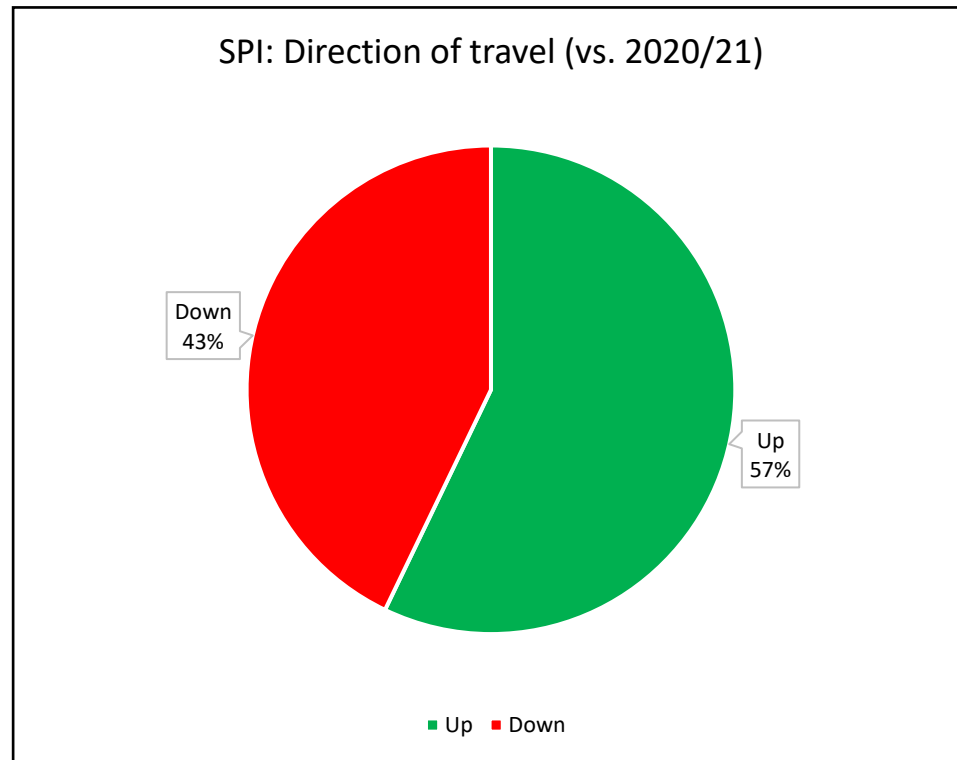
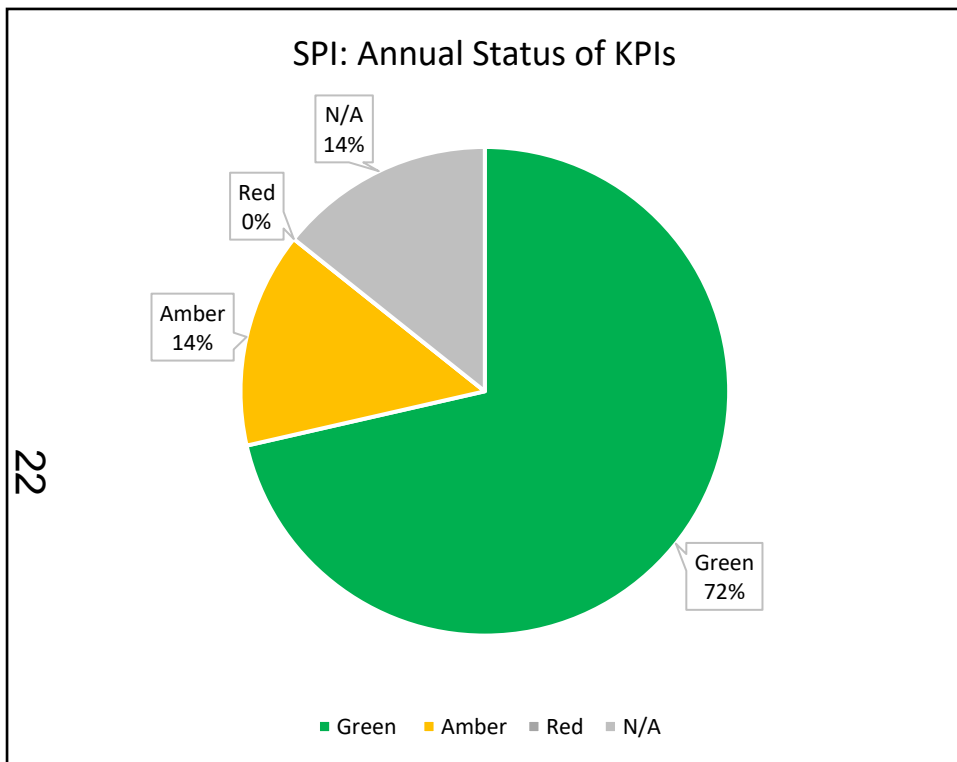
Planning Enforcement Caseload


















SPI: Part B – 2021/2022 End of Year Outturn

Embracing Growth & Enabling Infrastructure

Annual Performance of KPIs



Indicator	Q1 2021/22	Q2 2021/22	Q3 2021/22	Q4 2021/22	Annual 2021/22	Annual Target 2021/22	Annual Status	Direction of travel (Last Year)
Percentage of priority 1 enforcement cases dealt with in time	100%	100%	100%	100%	100%	95%		
Percentage of Priority 2 enforcement cases dealt with in time	73.79%	87.42%	91.21%	94.21%	85.85%	90%		
Number of enforcement complaints received	148	162	93	122	525			
Number of affordable homes delivered (Gross)	150	117	59	64	390	180		
Processing of planning applications: Major applications (NI 157a)	92.86%	88.89%	87.50%	91.67%	90%	90%		
Processing of planning applications: Minor applications (NI 157b)	97.12%	96.64%	94.44%	96.30%	96.13%	95%		
Processing of planning applications: Other applications (NI 157c)	100%	99.44%	99.12%	99.21%	99.45%	98.00%		

Notes

- Direction of travel for targeted performance indicators shows if performance has improved or declined. For data only performance indicators direction of travel shows if there has been an increase or decrease in volume.
- Data collection is ongoing for '**New additional homes provided (NI 154)**'. Data used to calculate the new additional homes provided relies on information generated from the annual Housing Information Audit and collected through site visits. The target for this is 883 in 2021/22. The annual survey is close to completion and its findings will be reported in late summer.
- The target '**Affordable homes as a percentage of all new homes**' is an annual figure, calculated using the figures from the '**Net additional homes provided (NI 154)**' and '**Number of affordable homes delivered (Gross)**'. The '**Number of affordable homes delivered (Gross)**' annual figure for 2021/22 is 390, which is made up of 121 shared ownership homes delivered (gross) and 269 social rented homes delivered (gross). The target for 2021/22 for the '**Affordable homes as a percentage of all new homes**' is 20%. This indicator will be updated when the finding for **New additional homes provided (NI 154)** are published later this year.

Summary of 2021/22 year

Comments from the Head of Planning:

²
The COVID-19 pandemic and resourcing have had an impact on productivity, most notable in Planning Enforcement. Despite these hurdles throughout the year, performance standards remain high.

Similarly, strong performance has been maintained and improved with regards to both 'major' and 'other' applications.

There were no performance indicators this year for the Strategic Policy Team, but significant progress has been made with the Local Plan Review in that this has been submitted to the Planning Inspectorate.

The Building Control Team has continued to perform well and in a cost-effective manner.

Planning and Infrastructure Policy Advisory Committee

8 June 2022

Lower Thames Crossing – Local Refinement Consultation

Timetable	
Meeting	Date
Planning and Infrastructure Policy Advisory Committee	8 June 2022
Lead Member for Planning and Infrastructure	TBC
Council	N/A

Will this be a key decision?	No
Urgency	Not Applicable
Final Decision-Maker	Lead Member for Planning and Infrastructure
Lead Head of Service	Phil Coyne (Interim Director, Local Plan Review), Rob Jarman (Head of Planning and Development)
Lead Officer and Report Author	Tom Gilbert (Principal Planning Officer, Strategic Planning) & Claire Weeks (Senior Transport & Development Planner).
Classification	Public
Wards affected	All

Executive Summary

On 12th May 2022 National Highways launched a non-statutory public consultation on local refinements to the proposed Lower Thames Crossing. The consultation ends at 11:59pm on 20th June 2022.

This report outlines the consultation and recommends that the proposed response set out in Appendix 1 of the report is forwarded to National Highways as the Council's formal response to the consultation.

This report is to be considered by the Policy Advisory Committee before being passed to the Lead Member for decision.

Purpose of Report

To provide background to the present Lower Thames Crossing Consultation and to seek views from this Policy Advisory Committee on the response to the consultation as appended at Appendix 1 to this report prior to decision by the Lead Member for Planning and Infrastructure on the Executive.

This report makes the following recommendations to the Committee:

1. That the Lead Member for Planning and Infrastructure be recommended to note content of the Lower Thames Crossing Local refinement consultation and approve for submission the Council's response as set out in Appendix 1.

Lower Thames Crossing – Local Refinement Consultation

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>The recommendation will support the Council’s overall achievement of its corporate objectives.</p>	Interim Local Plan Review Director
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation supports the achievement of the cross-cutting objectives.</p>	Interim Local Plan Review Director
Risk Management	Already covered in the risk section of the report’	Interim Local Plan Review Director
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Director of Finance and Business Improvement (Section 151 Officer & Finance Team)
Staffing	We will deliver the recommendation with our current staffing.	Interim Local Plan Review Director

Legal	There are no legal implications arising from the proposed response. National Highways are consulting local authorities and other stakeholders on an application for a Development Consent Order for the Lower Thames Crossing which they propose to submit to the Planning Inspectorate later this year. Pursuant to the response outlined at Appendix 1, the proposal does not impact upon the existing or proposed spatial strategies outline in the Maidstone Local Plan 2011-2031 and Regulation 19 Draft for Submission Maidstone Local Plan Review 2022-2037.	Team Leader (MKLS (Planning))
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes. The Information Governance Team have reviewed the Privacy Notice provided by National Highways in the Consultation Response Form and no issues were identified.	Information Governance Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities Officer
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Interim Local Plan Review Director
Procurement	N/A	Interim Local Plan Review Director
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and are; <ul style="list-style-type: none"> • There are no implications on biodiversity and climate change. • This aligns with action(s) (number and quote action) of the Biodiversity and Climate Change Action Plan 	Biodiversity and Climate Change Officer

2. INTRODUCTION AND BACKGROUND

2.1 National Highways is currently consulting on proposed local refinements to the Lower Thames Crossing highway infrastructure improvements. The consultation runs from 12 May to 11.59pm on the 20 June 2022.

2.2 This report summarises the consultation and the proposed response from Maidstone Borough Council. National Highways has provided a standard template to collect responses; a draft version of the Council's response is attached in Appendix 1.

Background

2.3 National Highways is proposing a new road and tunnel, approximately 23km long, the A122 Lower Thames Crossing.

2.4 It would connect to the A2 and M2 in Kent, passing through a tunnel under the River Thames, before linking to the A13 in Thurrock and junction 29 of the M25, north of the Thames.

2.5 Prior to this consultation there have been five previous consultations. These include:

2.5.1 Route Consultation 2016

2.5.2 Statutory Consultation 2018

2.5.3 Supplementary Consultation 2020

2.5.4 Design Refinement Consultation 2020, and;

2.5.5 Community Impacts Consultation 2021.

Consultation content

2.6 National Highways is consulting on the following elements as part of the present consultation:

- More public open space to the east of the tunnel entrance in Kent,
- The redesign of Tilbury Fields
- Modifying the emergency and maintenance access to the northern tunnel entrance, providing safer operation of the tunnel facilities and better access for emergency services
- Replacing a slip road on the A13 junction with a new link from the Orsett Cock roundabout to the A1089 to reduce traffic impacts on local roads
- A new footbridge over the A127 and further improvements for walkers, cyclists and horse riders including improved bridleways
- Further refinement of utility works to enable the project to be built
- Additional environmental compensation and mitigation with potential woodland and green open space

2.7 Further details of the consultation can be found on the specific National Highways website for the consultation that can be located via the link in Background Paper 1.

- 2.8 Most of the proposals outlined in this consultation do not directly affect Maidstone Borough however the proposals relating to additional environmental compensation and mitigation do. These proposals relate to further traffic enforcement between M2 junctions 3 & 4 (Background paper 2 pp.144-145) and the creation of a new compensation site in the M2 corridor at Blue Bell Hill (Background Paper 2 pp.150-151).
- 2.9 The Lower Thames Crossing proposal could have an impact on borough's road network especially the A229 corridor, however at this point in time it is difficult to ascertain the extent of any impacts until further information on the transport modelling and proposed mitigations are published. Both are expected in due course as National Highways undertake further work.
- 2.10 The purpose of these environmental interventions is to the reduce nitrogen and ammonia deposition levels on designated habitats caused by traffic using the Lower Thames Crossing. Summary of responses
- 2.11 The Council's full proposed response is set out in Appendix 1 to this report and uses the standard template provided by National Highways. In summary:
- 2.11.1** The Council has no comments to make on sections 1,2, and 5
 - 2.11.2** In principal Maidstone Borough Council is supportive of the proposed environmental compensation measures proposed (sections 3 and 4)

Next steps

- 2.12 This response (together with the other consultation responses previously provided) will be considered by and inform National Highways' Development Consent Order application, which is expected to be submitted to the Planning Inspectorate later this year.

3. AVAILABLE OPTIONS

- 3.1 That Planning and Infrastructure Policy Advisory Committee recommend that the response to the consultation be approved by the Lead Member for Planning & Infrastructure. This would allow the response to be sent by the submission deadline.
- 3.2 That Planning and Infrastructure Policy Advisory Committee recommend that the response be approved by the Lead Member for Planning & Infrastructure, subject to further comments and changes. This would allow the response to be sent by the submission deadline.
- 3.3 That Planning and Infrastructure Policy Advisory Committee recommend that the response is not approved by the Lead Member for Planning & Infrastructure. However, this would mean the response would not be sent and the Council's views would not be factored into the Lower Thames Crossing proposals.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That Planning and Infrastructure Policy Advisory Committee recommend that the response to the consultation be approved by the Lead Member for Planning & Infrastructure. This would allow the response to be sent by the submission deadline of 20th June 2022 and ensure the Council's views are considered.
-

5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. [
-

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 If agreed the response provided as Appendix 1 will be presented to the executive and then if approved submitted to National Highways on behalf of the Maidstone Borough Council.
-

7. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Maidstone Borough Council Response to Lower Thames Crossing Local Refinement Consultation
-

8. BACKGROUND PAPERS

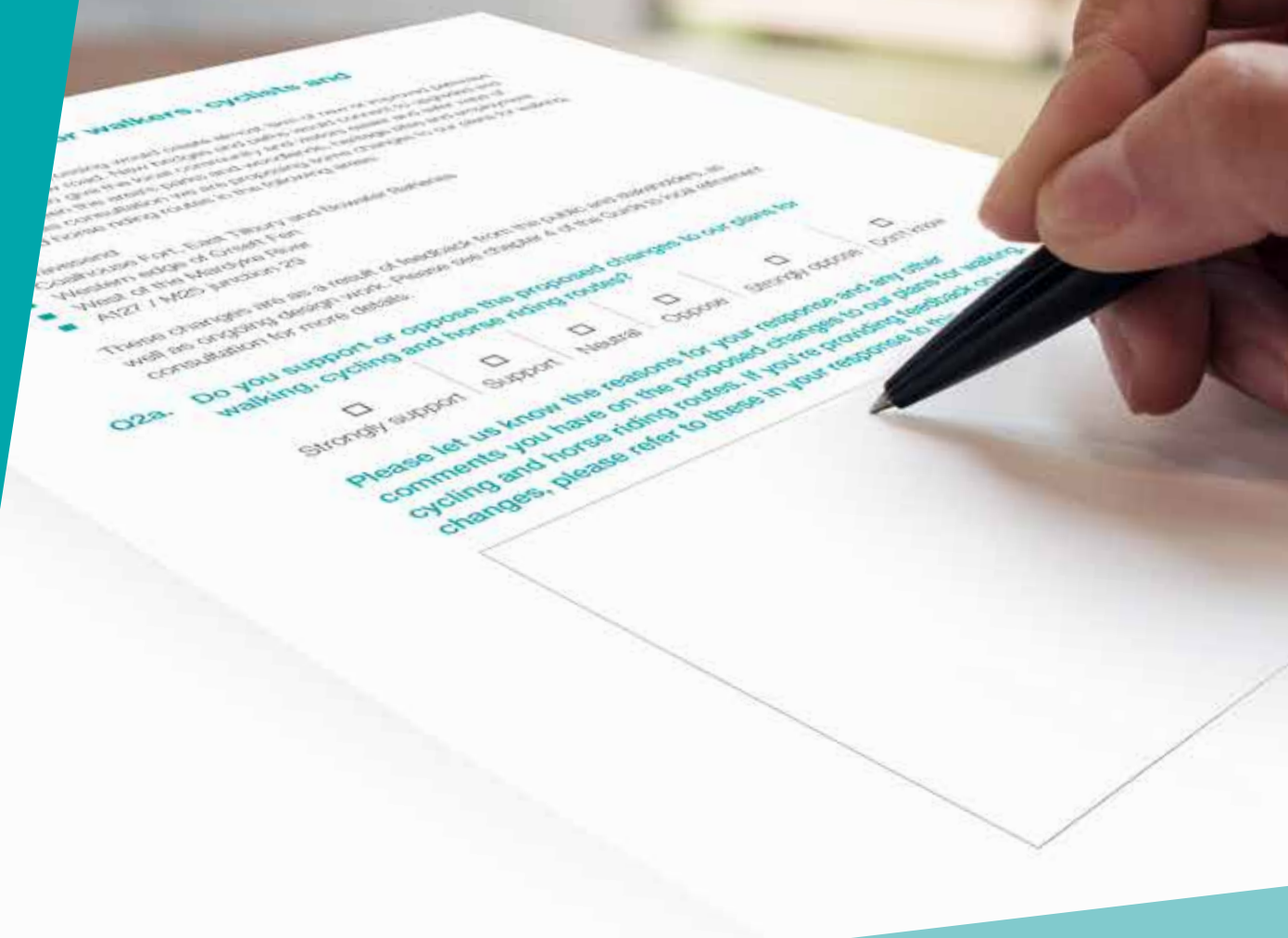
Background Paper 1: Lower Thames Crossing Local Refinement Consultation

[Lower Thames Crossing - Local refinement consultation - About the project \(nationalhighways.co.uk\)](https://www.nationalhighways.co.uk/consultation/2022/06/20/2022-06-20-lower-thames-crossing-local-refinement-consultation-about-the-project)

Background Paper 2: Lower Thames Crossing Guide to Local Refinement Consultation

[Guide to Local Refinement consultation \(nationalhighways.co.uk\)](https://www.nationalhighways.co.uk/consultation/2022/06/20/2022-06-20-lower-thames-crossing-guide-to-local-refinement-consultation)

Lower Thames Crossing Response form



May 2022

Introduction

From July to September 2021, we carried out a community impacts consultation on our proposals for the Lower Thames Crossing, which would connect Kent, Thurrock, Essex and Havering through a tunnel beneath the River Thames. Our last consultation asked for your views on our plans for building and operating the new road and on changes to our proposals presented during our design refinement consultation in 2020.

We're now holding this non-statutory local refinement consultation to seek your feedback on a small number of changes, ahead of submitting our Development Consent Order (DCO) application later this year.

We are asking you a series of questions on the changes since the community impacts consultation. You can answer all or only some of the questions in this response form, depending on the issues that are most important to you. There is also an opportunity to comment generally on the project and this consultation. We suggest you read the questions before responding, as this will help you provide feedback in the appropriate parts of the response form.

If you provided feedback during our statutory consultation in 2018, our supplementary and design refinement consultations in 2020, or our community impacts consultation in 2021, your comments will be summarised anonymously in our Consultation Report. This will include an explanation of how we have considered each point raised by respondents.

The Consultation Report will form part of our DCO application, which we plan to submit to the Planning Inspectorate later this year. If you would like to refer to points made in earlier consultations, please copy them into this response form. Any feedback we receive during this consultation will be included and responded to in the Consultation Report.

We have produced a set of documents for this consultation. They include:

- Guide to local refinement consultation
- Map books
- Response form

The documents mentioned above are available on the local refinement consultation website: <https://ltcconsultation2022.nationalhighways.co.uk>

Full details of how you can respond to this local refinement consultation can be found at the back of this form.

Please provide your feedback by 23.59 on 20 June 2022.

Any responses sent after this point may not be included in our analysis.

We have also produced a document to explain the feedback received from the community impacts consultation, which includes graphs showing the results for all the questions that we asked. This is called the 'Response to community impacts consultation' document.

In addition, we have produced a document to explain the other project changes and minor refinements following engagement with affected landowners and others with an interest in land. This is called the 'Landowner engagement and minor refinements' document.

You can view both these documents on our project website:

<https://nationalhighways.co.uk/our-work/lower-thames-crossing/contact-us-and-archive/public-presentations-and-documents/>

Data privacy notice

We are committed to protecting your personal information. Whenever you provide such information, we are legally obliged to use it in line with all applicable laws concerning the protection of personal data, including the General Data Protection Regulation (GDPR).

How will National Highways use the information we collect about you?

We will use your personal data collected via this engagement for a number of purposes, including to:

- analyse your feedback to the consultation
- produce a Consultation Report, based on our analysis of responses (individuals will not be identified in the report)
- write to you with updates about the results of the consultation and other developments
- keep up-to-date records of our communications with individuals and organisations

Any personal information you include in this form will be handled and used by (or made available to) the following recipients to record, analyse and report on the feedback we receive:

- National Highways
- Traverse (an independent company we are using to analyse feedback to the consultation)
- The Planning Inspectorate (which will consider our application for permission to build the Lower Thames Crossing)
- The Secretary of State for Transport (who will take the decision on our application)
- our legal advisers
- consultants working on the Lower Thames Crossing project

It is also possible that trusted third-party providers, for example construction companies, may later use the contact details provided in your responses to communicate with you about the project.

What rights do I have over my personal data?

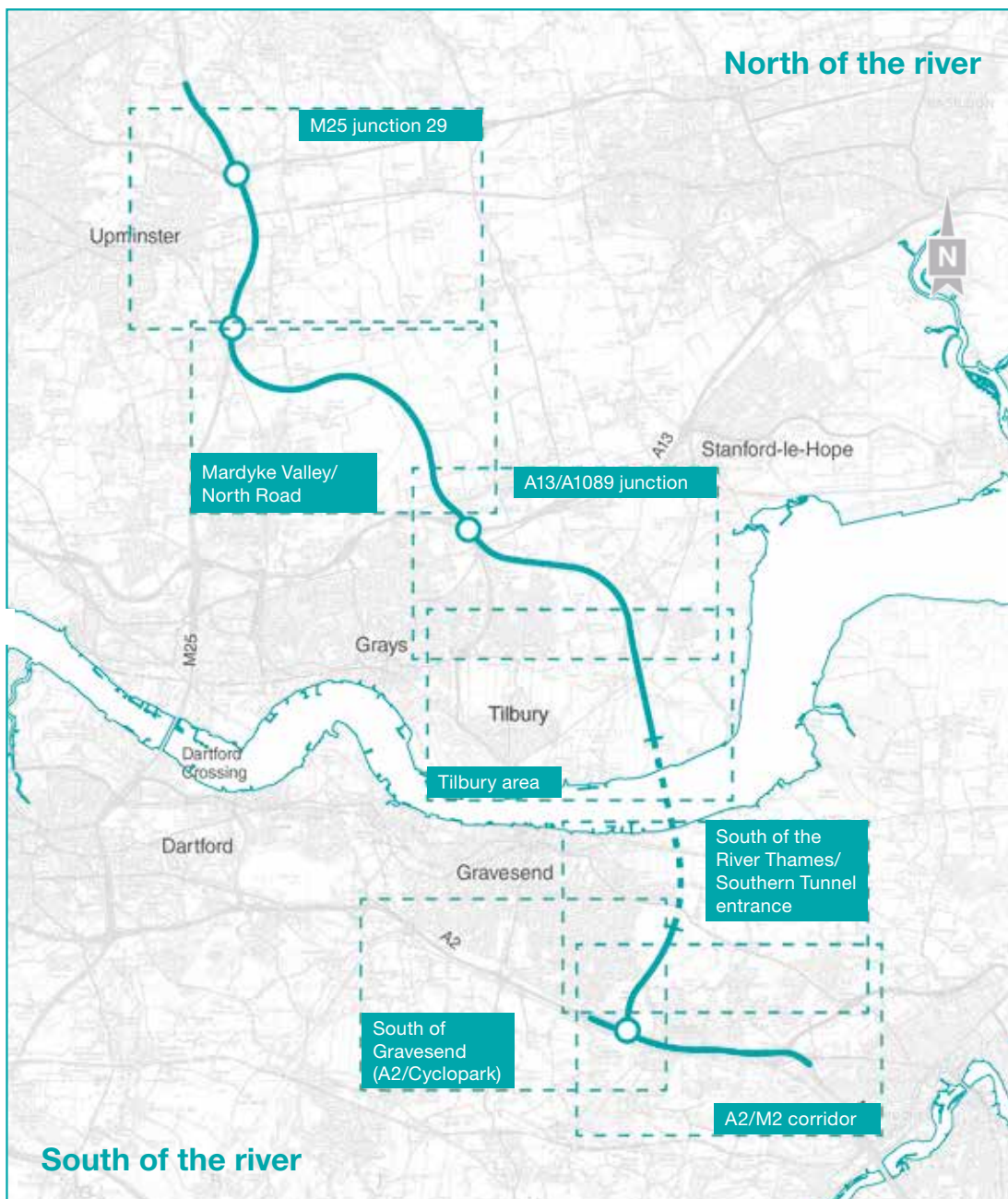
Under the terms of the GDPR, you have certain rights over how your personal data is retained and used by National Highways. For more information, see our full data privacy statement: www.nationalhighways.co.uk/about-us/privacy-notice/

1. Changes since the community impacts consultation

As a result of feedback from the public and stakeholders, as well as ongoing design work, we have made some changes to the project since our community impacts consultation.

To describe these, we have divided our proposed route for the Lower Thames Crossing into seven sections, as shown on the map below. Three of these are shown south of the river in Kent and four are to the north of the river in Thurrock, Essex and Havering.

Please refer to chapter 4 of the Guide to local refinement consultation for more details. The proposed route for the Lower Thames Crossing is also presented in the Map Books.



Changes south of the river in Kent

This refers to the section of the proposed route south of the river, including:

- the A2/M2 corridor
- south of Gravesend (A2/Cyclopark)
- south of the River Thames/southern tunnel entrance

Please see chapter 4 of the Guide to local refinement consultation for more details.

Q1a. Do you support or oppose the proposed changes to the section of the route: the A2/M2 corridor?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Q1b. Do you support or oppose the proposed changes to the section of the route: south of Gravesend (A2/Cyclopark)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Q1c. Do you support or oppose the proposed changes to the section of the route: south of the River Thames/southern tunnel entrance?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Q1d. Please let us know the reasons for your response and any other comments you have on the proposed changes south of the river. If you're providing feedback on specific changes or sections of the route, please refer to these in your response to this question.

Maidstone Borough Council has no comments to make on this question.

Changes north of the river in Thurrock, Havering and Essex

This refers to the section of the proposed route north of the river, including:

- the Tilbury area
- A13/A1089 junction
- Mardyke Valley/North Road
- M25 junction 29

Please see chapter 4 of the Guide to local refinement consultation for more details.

Q1e. Do you support or oppose the proposed changes to the section of the route: the Tilbury area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Q1f. Do you support or oppose the proposed changes to the section of the route: A13/A1089 junction?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Q1g. Do you support or oppose the proposed changes to the section of the route: Mardyke Valley/North Road?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Q1h. Do you support or oppose the proposed changes to the section of the route: M25 junction 29?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Q1i. Please let us know the reasons for your response and any other comments you have on the proposed changes north of the river. If you're providing feedback on specific changes or sections of the route, please refer to these in your response to this question.

Maidstone Borough Council has no comments to make on this question.

2. Improvements for walkers, cyclists and horse riders

The Lower Thames Crossing would create almost 3km of new or improved pathways for every 1km of new road. New bridges and paths would connect to upgraded and extended routes to give the local community and visitors easier and safer ways of travelling between the area's parks and woodlands, heritage sites and employment centres. In this consultation we are proposing some changes to our plans for walking, cycling and horse riding routes in the following areas:

- Gravesend
- Coalhouse Fort, East Tilbury and Bowaters Battery
- Western edge of Orsett Fen
- West of the Mardyke River
- A127/M25 junction 29

These changes are as a result of feedback from the public and stakeholders, as well as ongoing design work. Please see chapter 4 of the Guide to local refinement consultation for more details.

Q2a. Do you support or oppose the proposed changes to our plans for walking, cycling and horse riding routes?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Please let us know the reasons for your response and any other comments you have on the proposed changes to our plans for walking, cycling and horse riding routes. If you're providing feedback on specific changes, please refer to these in your response to this question.

Maidstone Borough Council has no comments to make on this question.

3. Nitrogen impact and compensation

As part of our assessment of the impacts of the Lower Thames Crossing on the environment, we have considered the potential effects of emissions associated with changes in traffic flows as a result of building and operating the new road. These assessments have included consideration of the nitrogen that is emitted into the atmosphere from vehicle emissions and then falls on habitats (a process known as 'nitrogen deposition'). Since our last consultation we have amended our assessments to include the ammonia (a compound formed of nitrogen) emitted by vehicle exhausts.

To offset the potential impacts of nitrogen deposition on designated ecological sites, we have selected sites for habitat creation within four compensation areas:

- M2 corridor and Blue Bell Hill
- Gravesham and Shorne Woods
- Southfields, Thurrock
- Hole Farm, Brentwood

Please see chapter 5 of the Guide to local refinement consultation for more details.

If your comments refer to the impact of our compensation package for nitrogen deposition on the overall Order Limits for the project please respond to Question 4.

Q3a. Do you support or oppose our initial proposals for compensation area: M2 corridor and Blue Bell Hill?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Please let us know the reasons for your response and any other comments you have on our initial proposals for compensation area: M2 corridor and Blue Bell Hill.

Maidstone Borough Council supports the expansion of the Order Limit to include land to the south of the M2 between junctions 3 & 4 (Blue Bell Hill) as this would provide the necessary land for nitrogen and ammonia deposition compensation. It can confirm that the present proposal does not impact upon the existing or proposed spatial strategies outlined in the Maidstone Local Plan 2011-2031 and Regulation 19 Draft for Submission Maidstone Local Plan Review 2022-2037.

The Borough Council does question if these compensatory measures are set or could be subject to change based on the forthcoming National Highways Lower Thames Crossing transport modeling work?

The Borough Council also questions if any cross boundary cooperation work has been or will be undertaken on the site to the south of the M2 at Blue Bell Hill as it falls within the authority area of: Maidstone Borough Council, Tonbridge and Malling Borough Council and Kent County Council.

Q3b. Do you support or oppose our initial proposals for compensation area: Gravesham and Shorne Woods?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Please let us know the reasons for your response and any other comments you have on our initial proposals for compensation area: Gravesham and Shorne Woods.

Maidstone Borough Council has no comments to make on this question.

Q3c. Do you support or oppose our initial proposals for compensation area: Southfields, Thurrock?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Please let us know the reasons for your response and any other comments you have on our initial proposals for compensation area: Southfields, Thurrock.

Maidstone Borough Council has no comments to make on this question.

Q3d. Do you support or oppose our initial proposals for compensation area: Hole Farm, Brentwood?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Please let us know the reasons for your response and any other comments you have on our initial proposals for compensation area: Hole Farm, Brentwood.

Maidstone Borough Council has no comments to make on this question.

Q3e. Do you support or oppose our proposed methodology for addressing the potential impacts of nitrogen?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Please let us know the reasons for your response and any other comments you have on our proposed methodology for addressing the potential impacts of nitrogen.

Maidstone Borough Council has no comments to make on this question.

4. Changes to the Order Limits, special category land and private recreational facilities

Some of the changes we are now proposing mean the area of land needed to build and operate the Lower Thames Crossing, and to provide mitigation for some of the impacts of building or operating it, has changed since the community impacts consultation. This is called the Order Limits. The changes mean that, overall, the Order limits have increased from 22.2km² to 24.35km². The main reason for this is due to the additional land we have identified as potential compensation areas for the effects of nitrogen deposition on designated ecological sites.

Please see chapters 4 and 5 of the Guide to local refinement consultation and the Map Books for more details.

Q4a. Do you support or oppose the changes to the proposed area of land that would be needed to build the Lower Thames Crossing?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Please let us know the reasons for your response and any other comments you have on the proposed changes to land that would be needed to build the Lower Thames Crossing. This includes feedback on the impact the project would have on any land that you may own or have a legal interest in or right to use.

Maidstone Borough Council supports the expansion of the Order Limit to include land to the south of the M2 between junctions 3 & 4 (Blue Bell Hill) as this would provide the necessary land for nitrogen and ammonia deposition compensation. It can confirm that the present proposal does not impact upon the existing or proposed spatial strategies outlined in the Maidstone Local Plan 2011-2031 and Regulation 19 Draft for Submission Maidstone Local Plan Review 2022-2037.

The Borough Council does question if these compensatory measures are set or could be subject to change based on the forthcoming National Highways Lower Thames Crossing transport modeling work?

The Borough Council also questions if any cross boundary cooperation work has been or will be undertaken on the site to the south of the M2 at Blue Bell Hill as it falls within the authority area of: Maidstone Borough Council, Tonbridge and Malling Borough Council and Kent County Council.

In addition, the Lower Thames Crossing would impact existing areas of special category land and private recreational facilities. We have updated our proposals in relation to special category land and private recreational facilities in some locations following our community impacts consultation. We've also provided further information on the impacts on these sites. Please see chapter 4 of the Guide to local refinement consultation for more details.

Q4b. Do you support or oppose the changes proposed regarding special category land?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Please let us know the reasons for your response and any other comments you have on the changes proposed regarding special category land. If you're providing feedback on specific sites, please refer to these in your response.

Maidstone Borough Council has no comments to make on this question.

Q4c. Do you support or oppose the changes proposed regarding private recreational facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Strongly support	Support	Neutral	Oppose	Strongly oppose	Don't know

Please let us know the reasons for your response and any other comments you have on the changes proposed and information provided regarding private recreational facilities. If you're providing feedback on specific sites, please refer to these in your response.

Maidstone Borough Council has no comments to make on this question.

5. Other comments

We would welcome any other comments you would like to make about the Lower Thames Crossing.

Maidstone Borough Council has no comments to make on this question.

6. The consultation

Please let us know your views on the quality of our local refinement consultation materials, the accessibility of our online information and events, how we have notified people about our proposals, and anything else related to this consultation.

	Very good	Good	Average	Poor	Very poor	Not applicable
Was the information presented clearly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was the website easy to navigate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were the information videos useful for understanding our latest proposals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the telephone surgery answer your questions about our latest proposals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were the physical events of good quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were the physical events suitably located?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was the consultation promoted well and to the right people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please let us know the reasons for your responses and any other comments you have on the delivery of this consultation.

About you

We would be grateful if you could answer the following identification questions, which will help us to categorise responses and organise our Consultation Report. Details and views of individuals will not be made public. You do not have to provide any personal information if you do not want to. However, postcode data can help us to better understand the views of different communities in relation to the proposals. To view our privacy statement, please see page 3 of this response form.

1. **Name:**

2. **Address:**

 Postcode:

3. **Email address:**

If you provide an email address, we will use it to let you know about important developments in our proposals.

4. **If you are responding on behalf of an organisation, business or campaign group, please include the name below.** (This helps us to understand whether respondents can be categorised as ‘prescribed consultees’, as defined by the Planning Act 2008.)

Organisation:

Type of organisation, business or campaign group:

- Academic
- Business
- Campaign group
- Elected representative
- Environment, heritage, amenity or community group
- Local government
- Statutory agency
- Transport, infrastructure or utility organisation
- Other (please state):

5. **Do you own land or hold any interests or rights, such as private rights of way or sporting rights, within or close to the proposed Order Limits?**

- Yes No

If you have ticked yes, have you received a letter to notify you of the consultation?

- Yes No

6. If you use the transport network in an area that may be affected by the Lower Thames Crossing, please tell us how you travel by ticking one or more of the following boxes:

- As a horse-rider
 As a pedestrian
 Bus
 Car
 Cycle
 Goods vehicle
 Motorcycle
 Train

Other (please state):

7. Please let us know how you heard about this consultation by ticking one or more of the following boxes:

- From our drop-in community events
 Received a letter from National Highways
 Received a leaflet from National Highways
 Received an email from National Highways
 Received information from a local authority
 Saw a Public Notice in local or national newspapers
 Saw advertisements in local media
 Saw information on the project website
 Saw social media coverage
 Saw coverage in local media
 Saw information at a deposit location or information point
 Word of mouth

Other (please state):

Equality and diversity

We would be grateful if you could answer the following equality and diversity questions. We will use the information we receive to help understand whether our consultation has been useful to people of different backgrounds and with different requirements. We may publish a summary of the results, but no information about an individual would be revealed.

The answers you provide to this question are defined as 'special category data'. If you agree to provide this information, you can withdraw your permission for us to use it at any time. To do that, please email DataProtectionAdvice@nationalhighways.co.uk

- I consent to National Highways processing my special category data for the purposes of understanding the accessibility of the Lower Thames Crossing consultation. I have read National Highways' privacy notice (found after the Introduction section in this response form) and understood how it will be processing this data.

1. How would you define your gender?

- Male Female Transgender Other Prefer not to say

2. Do you consider yourself to be disabled?

- Yes No Prefer not to say

3. Please describe your ethnic background:

- Asian or Asian British
 White
 Black, African, Caribbean or black British
 Mixed or multiple ethnic groups
 Gypsy or Irish Traveller
 Other ethnic group
 Prefer not to say

4. Age:

- Under 16
 16-24
 25-34
 35-44
 45-54
 55-64
 65+

How to submit your response form

Please only use the following official response channels. We cannot guarantee that responses sent to any other address will be included in our analysis.



Online response form

Fill in the online survey at:

<https://ltcconsultation2022.nationalhighways.co.uk>

Or scan this QR code and go straight to the consultation



Email

Email your comments to: **LTC.CONSULTATION@TRAVERSE.LTD**



Freepost

Post your response form or comments to:

FREEPOST LTC CONSULTATION

The Freepost address is the only text needed on the envelope, and no stamp is required.



Telephone

We are offering additional support to help you provide feedback over the phone. Call us on 0300 123 5000 to book an appointment.

Or visit <https://ltcconsultation2022.nationalhighways.co.uk>

How your response will be used

We will carefully consider all the responses we receive, before producing a report that explains how we have taken them into account to develop our project.



Have your say

Please send your response before
23:59 on 20 June 2022

If you need help accessing this or any other National Highways information, please call **0300 123 5000** and we will help you.

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This document is also available on our website at www.nationalhighways.co.uk

For an accessible version of this publication please call **0300 123 5000** and we will help you.

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National Highways creative job number BED22 0027

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These rules apply to calls from any type of line including mobile, BT, other fixed line or payphone. Calls may be recorded or monitored.

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Agenda Item 15

Planning and Infrastructure Policy and Advisory Committee

08 June 2022

Draft Statement of Common Ground with Medway Council

Timetable	
Meeting	Date
Planning and Infrastructure PAC	08 June 2022
Executive	27 June 2022

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	EXECUTIVE
Lead Head of Service	Phil Coyne (Interim Director, Local Plan Review), Rob Jarman (Head of Planning and Development)
Lead Officer and Report Author	Helen Garnett (Principal Planning Officer, Strategic Planning)
Classification	<p>Public Report with Exempt Appendix</p> <p>Exempt Appendix Appendix 1: Draft Statement of Common Ground between Maidstone Borough Council & Medway Council.</p> <p>The appendix contains exempt information as classified in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).</p> <p>The public interest in maintaining this exemption outweighs the public interest in its disclosure. As the Statement of Common Ground is a draft document and is currently unsigned and contains sensitive cross boundary matters. The draft document contains information affecting</p>

	the business affairs of other authorities. The Statement of Common Ground will be published once agreed and signed by both parties.
Wards affected	All

Executive Summary

The Statement of Common Ground between Maidstone Borough Council and Medway Council summarises the key strategic matters and matters of agreement and disagreement between the two councils, and outlines the work that will continue to be undertaken by both authorities on outstanding matters as the Council’s Local Plan Review is progressed. This report brings before the committee a draft Statement of Common Ground (SoCG) which has been prepared by Maidstone Borough Council and Medway Council following amendments made to the SoCG approved by the Council’s previous Strategic Planning and Infrastructure Committee. The report recommends that members agree the amendments to the Statement of Common Ground as set out in Exempt Appendix 1.

Purpose of Report

To provide background to the Statement of Common Ground between Maidstone Borough Council and Medway Council and to seek views from Planning and Infrastructure Policy Advisory Committee on the proposed changes to the SoCG as appended to this report (Exempt Appendix 1) prior to a decision being sought from the Executive.

This report makes the following recommendations to the Executive:

1. That draft Statement of Common Ground, attached at Exempt Appendix 1 to this report, be recommended to the Executive for approval.

Draft Statement of Common Ground with Medway Council

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendation will materially improve the Council's ability to achieve each of the corporate priorities</p>	Phil Coyne (Interim Local Plan Review Director)
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation supports the achievements of the cross cutting objectives by supporting the Local Plan Review.</p>	Phil Coyne (Interim Local Plan Review Director)
Risk Management	The Statement of Common Ground has been produced as part of the Local Plan Review, which takes into account the key requirements and therefore addresses associated risks.	Phil Coyne (Interim Local Plan Review Director)
Financial	Comments awaited	Mark Egerton (Strategic Planning Manager)
Staffing	We will deliver the recommendations with our current staffing.	Phil Coyne (Interim Local Plan Review Director)

Legal	Accepting the recommendations will fulfil the Council's duties (particularly evidencing the duty to co-operate) under Planning and Compulsory Purchase Act 2004 (as amended), the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the National Planning Policy Framework.	Russell Fitzpatrick (MKLS (Planning))
Information Governance	Comments awaited	Mark Egerton (Strategic Planning Manager)
Equalities	Comments awaited	Mark Egerton (Strategic Planning Manager)
Public Health	Comments awaited	Mark Egerton (Strategic Planning Manager)
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Phil Coyne (Interim Local Plan Review Director)
Procurement	N/A	Phil Coyne (Interim Local Plan Review Director)
Biodiversity and Climate Change	Comments awaited	Mark Egerton (Strategic Planning Manager)

2. INTRODUCTION AND BACKGROUND

- 2.1 Pursuant to s.33A of the Planning and Compulsory Purchase Act 2004 (as amended) Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies (as set out in regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)), on strategic matters that cross administrative boundaries. In order to demonstrate effective and on-going joint working, the National Planning Policy Framework (NPPF) requires strategic policymaking authorities to prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these
- 2.2 A statement of common ground is a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters. It documents where effective co-operation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries. In the case of local planning authorities, it also forms part of the evidence required to demonstrate that they have complied with the duty to cooperate.
- 2.3 This report brings before the committee a draft Statement of Common Ground (SoCG) that has been produced by Maidstone Borough Council in conjunction with Medway Council. It details the key cross boundary issues that have been addressed through ongoing Duty to Cooperate discussions which have been held throughout the production of the Maidstone Local Plan Review.
- 2.4 A previous draft of this SoCG was brought before the former Strategic Planning and Infrastructure Committee on the 21 March 2022, for agreement in advance of submission of the Local Plan Review to the Planning Inspectorate.
- 2.5 In March 2022 Medway Council informed MBC that the SoCG would need to be agreed at their Cabinet, rather than being signed off at officer level as had been the process with previous drafts of the SoCG. At the Medway Cabinet of the 10 May 2022, members resolved that further work needed to be done to clarify Medway's position in advance of signing.
- 2.6 Officers at Medway Council have now amended the SoCG and this has been reviewed by officers at MBC. The SoCG as appended to this report includes further amendments and points of clarifications suggested by MBC officers.
- 2.7 The amendments to the SoCG do not change the overall thrust of the document, nor do they introduce any new issues. Instead the changes largely reaffirm previous positions and points made elsewhere in the document.
- 2.8 As a previous version of this SoCG has already been agreed at the former SPI committee, this report seeks approval only for the changes that have been made to the SoCG since that committee

3. AVAILABLE OPTIONS

- 3.1 Option 1: That Planning and Infrastructure PAC recommend that the draft SOCG be approved by the Executive. This would allow the Statement of Common Ground to be finalised and signed, in accordance with the agreed protocol, in order that it may be submitted to the Inspector appointed by the Secretary of State.
 - 3.2 Option 2: That Planning and Infrastructure PAC recommend that the draft SOCG be approved by the Executive, subject to further comments and changes. This would allow the Statement of Common Ground to be finalised and signed, in accordance with the agreed protocol, in order that it may be submitted to the Inspector appointed by the Secretary of State.
 - 3.3 Option 3: That Planning and Infrastructure PAC recommend that the draft SOCG is not approved by the Executive. However, this would mean the Statement of Common Ground could not be finalised and signed, thus failing national requirements associated with the production of the Local Plan Review.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That Planning and Infrastructure PAC recommend that the draft SOCG be approved by the Executive. This would allow the Statement of Common Ground to be finalised and signed off in a timely manner and submitted to the Planning Inspector.
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5. RISK

- 5.1 The risk associated with these proposals, including the risks should the Council not act as recommended, have been considered in line with the Council's Risk management Framework.
 - 5.2 The Planning Inspector appointed to examine the Local Plan Review will consider whether a council has complied with the duty to co-operate as set out in the NPPF and relevant legislation. Should the Inspector consider that the Council has not met this duty then the Local Plan Review may fail Independent Examination.
 - 5.3 If agreement is secured, per the recommendation, then we are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy
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6. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

Exempt Appendix 1: Draft Statement of Common Ground between Maidstone Borough Council and Medway Council

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted