

Overview and Scrutiny Committee Recommended Action and Implementation Plan (SCRAIP)

The following recommended actions have arisen from the review into the Water Management Cycle This SCRAIP provides comments on the recommendations from the relevant Lead Officer/s such as its feasibility and possible method and timeline for implementation.

Recommendation & Intended Outcomes	Relevant Cabinet Member	Financial impacts (<i>'None' or explanation provided</i>)	Cabinet Response Includes Officer Comments	Lead Officer
<p>1. That £100,000 be allocated to developing feasibility studies, to be matched by external providers, to support the progression of schemes designed to improve the water management cycle.</p> <p>This would ensure that schemes were readily available for implementation, taking a proactive approach to managing the effects of the water management cycle, as much of the council's work had been reactive. Historically the Council had been successful in obtaining funding where a scheme's need had been demonstrated.¹</p> <p>Feasibility studies would need to respond to an agreed set of</p>	<p>Cabinet Member Environmental Services and/or Planning, Infrastructure and Economic Development dependent on scheme design.</p>		<p>Agreed</p> <p>The Finance Director has confirmed that there are already adequate monies set aside within the existing Capital Programme (for flood alleviation), that has previously been used in implementing such schemes. The funding available would not be additional funding, with the Council to continue its 'Business as Usual' approach in identifying opportunities and working with partners to deliver flood mitigation measures.</p>	<p>Director of Finance, Resources & Business Improvement</p>

¹ See 15 December 2022 Meeting Minutes.

Appendix 2 - Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP)

<p>objectives. These might include some or all of the following:</p> <ul style="list-style-type: none"> - Ensure that places and infrastructure are resilient and can adapt to future flooding and coastal risks in a changing climate. Traditionally this has been quantified by assessing whether a scheme gives projection to (eg) a flood event likely to occur every 50 years. - Support the Council’s carbon and sustainability ambitions. - Enhance the environment, e.g. by creating and improving habitat and rivers. - Meet statutory requirements, e.g. complying with Reservoir Act duties. <p>The Director of Finance, Resources and Business Improvement had advised that feasibility studies would assist in creating suitable schemes, and that there was a source of capital funding available within the Council’s MTFS for such works.²</p>				
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² See 5 December 2022 Meeting Minutes.

Appendix 2 - Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP)

<p>Further, conducting feasibility studies could lead to the progression of the joint working and other actions put forward by the Upper Medway Internal Drainage Board, Southeast Rivers Trust and Kent County Council. Please see relevant meeting minutes for further information.³</p>				
<p>2.To increase the number of open spaces in the Borough that enhance wetland biodiversity, flood storage and surface water infiltration.</p> <p>To bring benefits to the borough, as similar schemes had elsewhere, and build upon the Biodiversity and Climate Change Manager’s work in producing business cases for numerous schemes to be implemented on single pieces of land. If the work could be linked to the biodiversity net gain, significant biodiversity improvements could be achieved.</p>	<p>(Primary) Cabinet Member for Environmental Services for Council owned estate, and (Secondary) Cabinet Member for Planning, Infrastructure and Economic Development for planning policy work.</p>		<p>Agreed</p> <p>There is an opportunity to do this at the Heathlands Garden Community, and this requirement will be incorporated into the SPD for Heathlands. More generally, this action can also routinely be taken forward through subsequent local plan reviews.</p>	<p>Biodiversity and Climate Change Manager</p>

³ Above minutes and 27 January 2023 (external stakeholder consultation) Meeting Minutes.

Appendix 2 - Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP)

<p>3.To further explore the creation of managed wetlands, including through the D&S DPD.</p> <p>This would provide increased natural flood mitigation measures, reducing surface water run-off, and slowing water flow.</p>	<p>(Primary) Cabinet Member for Environmental Services for Council owned estate, and (Secondary) Cabinet Member for Planning, Infrastructure and Economic Development for planning policy work.</p>		<p>Agreed</p> <p>There is an opportunity to do this at the Heathlands Garden Community, and this requirement will be incorporated into the SPD for Heathlands. More generally, this action can also routinely be taken forward through subsequent local plan reviews.</p>	<p>Head of Spatial Planning and Economic Development</p>
<p>4.That a proposals map outlining the areas within the borough where the biodiversity net gain could be used to secure schemes that deliver holistic improvements to the Water Management Cycle, be attached to the D&S DPD.</p> <p>This would support the creation and delivery of improvements to the water management cycle, so that the biodiversity net gain received through new developments could be maximised quickly.</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development</p>		<p>Not Agreed, with possible future suggestion noted</p> <p>A proposals map is not appropriate as the Local Plan Review provides the strategic approach to BNG – it contains the Biodiversity Net Gain policy which requires any BNG to first be achieved on the development site itself, where this is possible. It also refers to the Biodiversity Opportunity Areas, for example, which reflect the Kent Biodiversity Strategy – this identifies the areas for focus.</p> <p>The D&S DPD then contains BNG detail, to include Heathlands, Invicta, and Lidsing potentially.</p> <p>There could however be a “call for sites” in the next LPR for BNG receptor sites, that could be the starting point for assessing and then formulating a proposals map.</p>	<p>Head of Spatial Planning and Economic Development</p>

<p>5.To promote the separation of roof water from the sewer systems in new build properties and property conversion and extensions, including through the D&S DPD.</p> <p>To reduce the burden placed on combined sewer systems and the likelihood of sewerage flooding. Through its review, the Group were informed that in some cases, the majority of liquid within the combined sewer systems is rain and surface water.⁴</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development</p>		<p>Not Agreed, with possible future suggestion note</p> <p>This matter is dealt with in Building Regulations. Realistically, the Council does not have the resources or technical expertise to start to design and then enforce its own suite of enhanced local regulations, nor the evidence suite to support making such changes. The matter could be included in theory within the Design and Sustainability DPD in theory, but realistically, the bar for technical evidence will be the same. Ultimately there should be much more engagement with the local water companies before deciding upon a course of action in this regard.</p>	<p>Head of Spatial Planning and Economic Development</p>
<p>6.To encourage developers to consider water usage reductions across development sites and within homes, such as water saving technologies and the use of 'grey water', including through the D&S DPD.</p> <p>To promote mechanisms that reduce water consumption and increase water recycling from the point of development as opposed to retrofitting.</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development</p>		<p>Not Agreed</p> <p>The LPR imposes the lower quantum of water usage at 110 litres per day per head, in the new LPR policy. This is already below the standard Building Regulations requirement. Anything beyond this, say in terms of grey water, would just be option for developers.</p>	<p>Head of Spatial Planning and Economic Development</p>

⁴ See 7 February 2023 Meeting Minutes.

Appendix 2 - Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP)

<p>The importance of making developments more water efficient was specifically raised by the Water companies consulted on the 7 February 2023.⁵</p>				
<p>7. That the policies informing the D&S DPD would be usefully informed if Kent Flood Risk Maps were made available to the Planning and Policy service areas in developing policy documents.</p> <p>To ensure that the recorded flood risk areas (as included within the maps) are considered when developing policy documents applicable to development.</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development</p>		<p>Not Agreed</p> <p>The Council prepares strategic plans in accordance with the national planning requirements which are set out for flood risk in the NPPF and NPPG and planning have access to the Environment Agency Flood Zone Maps, in order to do this.</p> <p>The Local Plan Review also sets out the flood risk assessments that planning applicants are required to undertake.</p> <p>KCC are the Lead Local Flood Authority and they are consulted on strategic plans, as they are prepared i.e. Local Plan Review.</p>	<p>Head of Spatial Planning and Economic Development</p>

⁵ As Above.

<p>8.To explore further the use and range of policy mechanisms to promote recycling of water and reduce water usage, both in newly built houses and as retrofit in existing properties.</p> <p>To promote these mechanisms for use across small- and large-scale developments; At the 22 December 2022 group meeting, the group were informed that further information on water recycling would likely be provided in the D&S DPD, with the group expressing that promoting these mechanisms would prevent costly, time-consuming retrofitting measures (where possible).⁶</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development</p>		<p>Not Agreed, with possible suggestion noted</p> <p>Is this really the role of the Council, and would it be an effective use of our finite resources, especially given that the various water companies are required to perform this task.</p> <p>This could be promoted through the Council’s various media channels, but all we could do is signpost to the other agencies.</p>	<p>Head of Spatial Planning and Economic Development & Biodiversity and Climate Change Manager</p>
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⁶ See 22 December 2022 Meeting Minutes.

Appendix 2 - Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP)

<p>9.To increase the Council’s control over the implementation of planning conditions relating to Sustainable Drainage Schemes (SuDS), through the spatial policy and development management service areas.</p> <p>Through the review, the mismanagement of SuD schemes was highlighted, and this action would support the ongoing discussions being had between the Head of Development Management and the Chairman and Vice-Chair of the Planning Committee on how this could be addressed.</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development</p>		<p>Agreed</p> <p>Management of SuD schemes can be further reviewed and considered through future local plan reviews.</p>	<p>Head of Spatial Planning and Economic Development & Head of Development Management</p>
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<p>10. That the following requests be made to the Development Management Service area, via the Head of Development Management</p> <p>a) To review how water companies can be consulted and/or more effectively involved in the planning process.</p> <p>To involve water companies in the planning process for a range of reasons including; to promote water efficiency, water recycling and reduced water usage within new developments, as developers may not prioritise this themselves, to improve the water management cycle generally.</p> <p>The group recognised that any comments would carry less weight than those of statutory consultees. The water companies spoke of having greater involvement in the planning process at the 7 February 2023 meeting.⁷</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development</p>		<p>B & C – Agreed A & D – Not Agreed</p> <p>A) The water companies are consulted during preparation of strategic plans e.g. Local Plan Review at each consultation stage and can comment on any planning applications that they wish to review. The responses tend to be rather generic rather than site specific, and are quite limited.</p> <p>B) The Upper Medway Internal Drainage Board (UMIDB) is a non-statutory consultee on water and flood related planning applications within Maidstone. The Upper Medway Internal Drainage Board (UMIDB) can comment on any planning application they wish to review – members can be circulated with a weblink to the UMIDB website which provides their area map if they wish to review the UMIDB’s information. It is not appropriate to provide other bodies maps alongside a planning application. UMIDB’s role should not be confused with the main statutory consultees like Kent County Council or the Environment Agency. When a new development will be discharging into or affecting UMIDB adopted watercourses, they will need to apply for IDB’s Land Drainage Consent.</p> <p>C) Yes</p>	<p>Head of Development Management</p>
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⁷ See 7 February 2023 Meeting Minutes.

<p>b) To include the Upper Medway Internal Drainage Board (UMIDB) district area within the maps provided with major planning applications.</p> <p>To highlight if the UMIDB district area overlapped with a proposed development, and if it is in a sensitive area for drainage, as Members have greater knowledge of their ward and any water management cycle related concerns, e.g., flooding.</p> <p>c) To advise on whether Surface Water Management Plans can be used as material planning considerations.</p> <p>To inform Members of the document's weight, if any, when considering planning applications.</p> <p>d) To review opportunities to the building regulations for water saving, in a similar way to recent updates on</p>			<p>D) Building Regulations are required to undertake their work in line with the national requirements.</p> <p>General point for information:</p> <p>KCC are the Lead Local Flood Authority and they are consulted on surface water drainage on the following:</p> <p>10 or more houses Site is over 0.5ha and the number of houses isn't known Floorspace over 1000m2 Site is over 1ha (whatever the development)</p>	
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<p>the conservation of fuel and power.</p> <p>The group felt that the opportunities available should be reviewed as part of best practice, with any gaps to be actioned as and when they arise through the building control service. In part, this can be linked to the feedback given by the water companies on the 7 February 2023.⁸</p>				
<p>11. That when developments come forward in the town centre and adjoining areas, obstacles should either be removed or alleviated, to remove unnecessary restrictions on water courses, which reduce the flow rate, nutrient enrichment and wildlife corridors.</p> <p>As outlined in the recommendation, to remove unnecessary restrictions on water courses, which reduce the flow rate, nutrient enrichment and wildlife corridors that may impact the area local to the development.</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development</p>		<p>Not Agreed</p> <p>This is a matter for the Environment Agency, and they can make these points through their role as a statutory consultee on such applications, if they are in agreement with them. The Council could in theory explore a pilot project at a relevant site where we have an interest, for example the Mill Pond in the town centre.</p>	<p>Head of Development Management</p>

⁸ See 7 February 2023 Meeting Minutes.

<p>12. That an annual 'roundtable' meeting be established between Parish, District and County Members and Officers (from both authorities), to discuss local issues and knowledge relating to the Water Management Cycle, by geographical area (North, Central & Southern Maidstone)</p> <p>To ensure that local knowledge is maintained and 'passed down' to prevent negative impacts to the area, such as flooding and property damage, through the water management cycle. This knowledge is often lost over time, particularly when there are no written records of historic mitigation measures.</p>	<p>Cabinet Member for Environmental Services, Cabinet Member for Planning, Infrastructure and Economic Development and Cabinet Member for Communities, Leisure and Arts.</p>		<p>Agreed</p> <p>To be led by the Planning Policy team.</p>	<p>Director of Finance, Resources and Business Improvement; Emergency Planning and Resilience Manager Head of Spatial Planning and Economic Development Head of Development Management Biodiversity and Climate Change Manager</p>
<p>13. That local 'highway and surface water flooding hotspots' be identified with the Borough and County Members, and meetings organised with Kent County Council, National Highways, and the relevant Water Companies as applicable.</p>	<p>Cabinet Member for Environmental Services, Cabinet Member for Planning, Infrastructure and Economic Development and Cabinet Member for Communities, Leisure and Arts.</p>		<p>Agreed</p> <p>This is already occurring through the work undertaken by Mark Green, who leads on flood resilience for MBC.</p>	<p>Director of Finance, Resources and Business Improvement; Emergency Planning and Resilience Manager Head of Spatial</p>

Appendix 2 - Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP)

<p>To proactively manage any impacts from flooding and/or water management cycle related matters, by consulting the relevant parties to seek improvements.</p>				<p>Planning and Economic Development Head of Development Management Biodiversity and Climate Change Manager</p>
<p>14. That the Community Protection Team contact local care home providers to remind them of the ability to register as 'priority customers' with the relevant water utilities.</p> <p>To ensure that local care homes are able to access water supplies during times of disruption, and that vulnerable residents are suitably supported and prioritised.</p>	<p>Cabinet Member for Housing and Health</p>		<p>Agreed</p>	<p>Community and Strategic Partnerships Manager</p>
<p>15. That the Council proactively identify water management cycle related matters for inclusion at events such as the Local Government Association Conference and Rural Urban Commission</p>	<p>(Primary) Cabinet Member for Environmental Services for Council owned estate, and (Secondary) Cabinet Member for Planning, Infrastructure and Economic</p>		<p>Agreed</p>	

Appendix 2 - Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP)

<p>To increase the attention given to the Water Management Cycle nationally as well as locally.</p>	<p>Development for planning policy work.</p>			
<p>16. That the contents of the documents provided by Southern Water be endorsed, with the synergy between the company and the group noted.</p> <p>To formally note and draw attention to the synergy between Southern Water and the Group during the review.</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development</p>		<p>Agreed</p>	
<p>17. That the support expressed from both Southeast and Southern Water to use the Heathlands Garden Community, if agreed, as a showcase to demonstrate innovative and efficient water usage, be supported and noted.</p> <p>The group felt that this was important to note formally as part of the review, arising from the group's ambitions to introduce new and innovative measures in the future.</p>	<p>Leader of the Council</p>		<p>Agreed</p>	

<p>18. That any development and/or improvement schemes to the Former Royal Mail Sorting Office demonstrate innovative and efficient water usage mechanisms, be noted.</p> <p>As above, particularly as the site is a brownfield site which could lead to alternative mechanisms being used to demonstrate innovative and efficient water usage mechanisms.</p>	<p>To the Cabinet (relevant Cabinet Member would be identified depending on the type of development and/or improvement scheme being implemented)</p> <p>Kent County Council</p>		<p>Noted, further action to take place</p> <p>The planning application for this site has been submitted prior to Cabinet approving this SCRAIP. However, the application does contain a water strategy document that will be considered by the Planning Committee in due course.</p>	
<p>19. That Kent County Council be requested to update the Surface Water Management Plans for Maidstone, including local plans where these have been produced for wards, as a matter of urgency.</p> <p>Surface Water Management Plans (SWMP) are studies that aim to understand flood risks arising from local flooding. As this has likely changed since 2013 when the existing Maidstone SWMP was produced, the group felt it was imperative for an updated version to be produced.</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development.</p>		<p>Agreed</p> <p>To be taken forward by Mark Green through his ongoing lead role on this topic.</p>	

<p>20. That the Water Companies (Southeast and Southern Water) be consulted on:</p> <p>a. Whether they would conduct an information campaign, and provide funding for commercial and household schemes, to minimise roof run-off into the sewer system; and</p> <p>b. Obtaining accurate information on [commercial and household] water consumption, to be linked to educational campaigns to reduce water usage.</p> <p>c. Investigation of the potential for creation of a new reedbed/wetland at Harrietsham Water Treatment Works to reduce ingress of Phosphates and Nitrates into the River Len.</p>	<p>Cabinet Member for Planning, Infrastructure and Economic Development.</p>		<p>Agreed</p>	
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<p>d. Reconsidering the emerging proposal to increase abstraction rates, for example at Hockers Lane Detling and other sites within the borough, to mitigate likely resultant harm to downstream wetlands and to water courses. Where this does take place, monitoring the abstraction increase to take place to ensure the effects are properly understood and can be mitigated if necessary.</p> <p>The provision of funding would encourage individual households to implement schemes to minimise roof run-off and reduce the likelihood of combined sewer flooding. The use of accurate water usage data would enable educational campaigns to be better targeted to achieve results. This was discussed by those companies during the 7 February 2023 meeting, and with Council Officers at the 22 December 2022 meeting.</p>				
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