

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
committee.services@tmbc.gov.uk

23 May 2014

To: MEMBERS OF THE PLANNING AND TRANSPORTATION ADVISORY BOARD

(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Planning and Transportation Advisory Board to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Wednesday, 4th June, 2014 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

1. Apologies for absence
2. Declarations of interest
3. Minutes

To confirm as a correct record the Notes of the meeting of the Planning and Transportation Advisory Board held on 11 March 2014

Matters for Recommendation to the Cabinet

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| 4. | Building Control - Proposed Service Arrangements | 5 - 10 |
| 5. | Consultation on the Further Alterations to the London Plan | 11 - 18 |
| 6. | Maidstone Borough Council Local Plan Consultations | 19 - 30 |
| 7. | CCTV Annual Report | 31 - 54 |

Matters submitted for Information

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| 8. | Local Plan Progress | 55 - 60 |
| 9. | Planning Reforms - Final Planning Practice Guidance (PPG) March 2014 | 61 - 66 |
| 10. | Transportation Update | 67 - 70 |
| 11. | Flood Recovery | 71 - 82 |
| 12. | Urgent Items | |

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive

Matters for consideration in Private

13. Exclusion of Press and Public

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

PART 2 - PRIVATE

14. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr D A S Davis (Chairman)
Cllr M Parry-Waller (Vice-Chairman)

Cllr J Atkins
Cllr Mrs J M Bellamy
Cllr Ms V M C Branson
Cllr F R D Chartres
Cllr D J Cure
Cllr M O Davis

Cllr Mrs F A Kemp
Cllr R D Lancaster
Cllr D W Smith
Cllr A K Sullivan
Cllr M Taylor

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

4 June 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 BUILDING CONTROL - PROPOSED SHARED SERVICE ARRANGEMENTS

Background

This report describes progress towards a proposed shared Building Control function between Sevenoaks District Council and ourselves and recommends that detailed joint working arrangements be developed. The consideration of such a model reflects the Council's transformation agenda and will deliver a number of service and efficiency benefits as outlined below.

1.1 Summary of the Building Control Service

1.1.1 Building Control is a front line activity, providing services to external and internal customers whilst fulfilling several statutory functions as well as providing a number of consultancy services.

1.1.2 A significant proportion of the statutory element of this work is subject to a fee which includes plan checking and site inspections. This is administered through the checking of submitted plans and undertaking site visits to ensure that buildings are constructed in accordance with the requirements of the Building Regulations.

1.1.3 A range of non-chargeable Statutory functions must also be delivered by the Service and these include:

- Control of unauthorised works and enforcement proceedings;
- Disabled adaptation applications;
- Temporary structures and grandstands – requiring representation on Safety Advisory Groups;
- Dangerous Structures;
- Demolition Notice procedures;

- Competent person notifications, for example in respect of electrical installations and other specialist areas; and
- Maintaining the Initial Notice Register in respect of building control functions carried out by Approved Inspectors.

1.1.4 The Service provides technical support to a number of other Council Services such as Development Control, Environmental Health, Private Sector Housing, Licensing and Land Charges.

1.1.5 Consultancy Services are an additional aspect of the Service for which fee income is received and includes work involving the Code for Sustainable Homes, Domestic Energy Assessments and Fire Risk Assessments.

1.2 Rationale for considering a shared service

1.2.1 Unusually, local authority building control is a public service in that is in day to day competition with the private sector. In the past private sector competition has concentrated primarily on servicing volume builders and high value projects. However, it is apparent that competition from Approved Inspectors is now extending to a wider range of the work of local authority building control services. There is a greater need for the service to be agile in responding to changing conditions and to be resilient in the level of service and the range of specialisms it can offer. With that in mind it is my view that the time has come to look afresh at how we can best deliver the range of services described above.

1.2.2 As Members may recall we have benefitted from sharing a Chief Building Control Officer with Sevenoaks District Council (SDC) between September 2011 and September 2013. This arrangement ended when the post holder was promoted to a Head of Service role at Sevenoaks. That period of shared management served us well and has provided a firm platform to consider how we next arrange our Building Control service. In the meantime the Chief Environmental Health Officer is providing the strategic management of the Service supported by the Principal Building Control Surveyor on day to day operational matters.

1.2.3 We have explored various options for the future arrangement of our Building Control Service and have concluded that a full joint working arrangement with SDC would deliver a number of desirable outcomes, including:

- increasing the capacity and resilience for both Authorities;
- broadening the range of expertise available to both authorities;
- the ability to enhance service standards;
- the ability for customers to access services at the same standard or better, than arrangements in the two areas currently provide;

- the ability to strengthen market position against competitors;
- efficiency savings delivered for both Authorities;
- a single professional Building Control Manager reporting to Head of Service for each Authority;
- the ability to expand Consultancy Services across both Authorities and increase potential for income generation;
- the ability to attract appropriate professionally qualified staff; and
- A new staff structure to provide career opportunities and succession planning.

1.3 Progress to date

- 1.3.1 A steering group has been established to consider the wider strategic and operational implications of this proposal. Through this group fundamental issues such as staffing and resource management, financial arrangements and IT and telephony are being explored in detail, with support from specialist colleagues in the relevant services of both authorities.
- 1.3.2 A formal consultation process has commenced with staff with the involvement of Unison. Importantly, surveyors from both authorities are being involved in a number of engagement workshops to develop detailed proposals for a shared service, which are proving to be positively received. This is vital because the 'design' of the new service arrangements must be entirely based on very practical considerations about how it will work on the ground. I am very pleased to say that the contribution from the teams is proving positive in this respect.

1.4 Legal Implications

- 1.4.1 A legal agreement between the two Council's will be drawn up and will include all financial and governance arrangements for the proposed partnership. There will also need to be some revision to other practical matters such as delegated authority to officers to put measures in place to ensure the service is able to continue to be responsive.

1.5 Financial and Value for Money Considerations

- 1.5.1 Work is currently being undertaken to agree the financial model for the proposed new service and precise details will be provided to the Finance, Property and Innovation Advisory Board on 23 July. That will also include details of expected savings from to be generated from the proposed new arrangements. It is likely that the accounting arrangements will be set up as a Building Control hub with the contribution to the hub taking into account income from Building Control Services and expenditure e.g. staffing costs, accommodation etc. within each authority's

area. Similar models have been used successfully with existing District Council partnerships.

1.6 Risk Assessment

- 1.6.1 The risks associated with our current arrangements include lack of service resilience and the threat of losing market share and income. Implementing a shared service will minimise these risks, and provide a secure shared service environment controlled through the governance arrangements and agreements between the two authorities.

1.7 Equality Impact Assessment

- 1.7.1 See 'Screening for equality impacts' table at end of report

1.8 Recommendations

- 1.8.1 It is **RECOMMENDED** that Cabinet **APPROVE** in principle the establishment of a Shared Building Control Service between Tonbridge and Malling Borough Council and Sevenoaks District Council subject to a further report on costs being considered by the Finance, Innovation and Property Advisory Board.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Nil

contact: Steve Humphrey
Jane Heeley

Steve Humphrey
Director of Planning, Housing and Environmental Health

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The report relates to internal service arrangements rather than delivery.

Screening for equality impacts:		
Question	Answer	Explanation of impacts
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	As above
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

4 June 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 CONSULTATION ON THE FURTHER ALTERATIONS TO THE LONDON PLAN

This report advises Members of the recent consultations on the Further Alterations to the London Plan and seeks endorsement of the officer level comments returned by the deadline in April.

1.1 Introduction

- 1.1.1 In January this year the Greater London Authority launched a public consultation on draft further alterations to the London Plan (FALP), which was adopted in 2011. The purpose of the alterations is primarily to address key housing and employment issues arising from the release of 2011 census data, which indicate a significantly higher population increase.
- 1.1.2 The consultation ran from 15th January to 10th April and over 300 responses were received. Given the influence of London within the city/region the estimates of future needs and how these will be met will be an important consideration for Local Planning Authorities across the south east. An Examination in Public is scheduled to begin on 1st September 2014.

1.2 Key Issues

- 1.2.1 The revised population projections suggest that London may fail to meet all of its future housing needs, potentially up to between 7,000 to 20,000 per annum. Under the Duty to Cooperate local authorities close to London may be asked to take some of this unmet need in their Plans. In February this year the GLA responded to a Local Plan consultation by Bedford Borough Council suggesting that this should be taken into consideration. Bedford argued that there are local authorities nearer to London that should take such matters into consideration and that the evidence on the shortfall was incomplete. The effect of this exchange was to raise awareness of this issue across much of the south east outside London.

- 1.2.2 The officer's response noted that as the recently completed Strategic Housing Market Assessment for Tonbridge and Malling takes account of inward migration from London and that, as these figures are derived from the revised Census data the London Plan is now addressing, then arguably we have already taken into account any uplift in the figures.
- 1.2.3 Some of the other responses made in respect of the further alterations have requested that the GLA and the London Boroughs do more to try and accommodate the projected growth within Greater London, for example, by reviewing the inner edge of the Green Belt, which currently has been excluded from their considerations. The officer level response reiterates this point and recommends a coordinated approach to such a review.
- 1.2.4 The response also highlights recent changes in national planning guidance that may contribute to meeting London's housing need, such as the ability to use a windfall allowance beyond the first five years of the plan period and also the fact that institutional accommodation (use class C2) can count towards meeting housing needs. It is suggested that these two factors alone could reduce London's housing need significantly.
- 1.2.5 An opportunity has also been taken to flag up the importance of investment in infrastructure to accompany future growth and to invite discussions at the appropriate time with the GLA and the Local Enterprise Partnership.

1.3 Conclusions

- 1.3.1 This report summarises some of the key issues arising from the recent consultations into the draft further alterations to the London Plan and seeks endorsement of the officer level comments submitted in April that are appended to this report.

1.4 Legal Implications

- 1.4.1 There are no legal implications arising from these comments in respect of the draft further alterations to the London Plan, although the responses will help to demonstrate the Council's ongoing constructive liaison over strategic planning matters in accordance with the Duty to Cooperate

1.5 Financial and Value for Money Considerations

- 1.5.1 There are no direct financial and value for money considerations arising from this report.

1.6 Risk Assessment

- 1.6.1 Not taking the opportunity to respond could present a risk that the Borough Council's concerns are not taken into consideration and that the Duty to Cooperate has not been adhered to.

1.7 Equality Impact Assessment

1.7.1 See 'Screening for equality impacts' table at end of report

1.8 Policy Considerations

1.8.1 Any Strategic Planning issues will be addressed in the Tonbridge and Malling Local Plan and these will be informed by the emerging London Plan.

1.9 Recommendations

1.9.1 That the officer level responses appended to this report **[Annex 1]** are **ENDORSED**.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Ian Bailey

Nil

Steve Humphrey

Director of Planning, Housing and Environmental Health

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	Comments are in respect of the draft alterations to the London Plan.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	Comments are in respect of the draft alterations to the London Plan.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

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Response to the Further Alterations to the London Plan

To Boris Johnson, Mayor of London

Dear Mr Johnson,

Draft Further Alterations to the London Plan (FALP) January 2014

Thank you for this opportunity to comment on the FALP, which clearly has become necessary in the light of new information becoming available, particularly in respect of revised population projections based on the latest data from the 2011 Census. As you will be aware there have been more recent events since the publication of the Draft FALP, which will also need to be taken into consideration, in particular the publication of the final version of the Planning Practice Guidance on 7th March and also various Ministerial statements and recent Inspector's reports relating to Green Belt policy.

The focus of many Local Planning Authorities within the London City Region will of course be in respect of the implications of the Greater London area not meeting the revised housing need for the Plan period and I am sure the concerns of Bedford Borough Council set out in Paul Rowland's letter of the 5th March will be reiterated many times.

Tonbridge and Malling have recently received a new Strategic Housing Market Assessment prepared by GL Hearn and Partners, which uses the same 2011 Census data that underpins the FALP. It utilises a methodology that reflects the National Planning Policy Framework (NPPF) and new Planning Practice Guidance (PPG) and has identified an Objectively Assessed Need for new housing that takes into account inward migration, including that from London. Therefore, in our opinion the evidence base for Tonbridge and Malling's new Local Plan already takes into account the most up to date population movements that have a bearing on our Local Plan. There should therefore be no further expectation that any additional housing need should be addressed in Tonbridge and Malling, beyond the level we have identified, which in itself will be very challenging locally.

However, for other Local Planning Authorities that might not be at the same stage of plan making, the uncertainty that the FALP introduces in terms of future unmet need is very disconcerting and efforts should be made to minimise this. Failure to do so could potentially undermine Local Plans at Examination, particularly when demonstrating how they have met the Duty to Cooperate.

The new PPG published in March reinforced the Duty to Cooperate and how it should apply in respect of London and those authorities adjacent:

Cooperation between the Mayor, boroughs and local planning authorities bordering London will be vital to ensure that important strategic issues, such as housing delivery and economic growth, are planned effectively.

This will be a key test of soundness at future Examinations and evidence will be needed to demonstrate that positive cooperation has taken place in respect of these important cross boundary issues, not least of which is the future extent of the Metropolitan Green Belt.

The NPPF and PPG allow Local Planning Authorities to review their Green Belt designations as they prepare or review Local Plans. This has recently been reiterated in correspondence between the Planning Minister Nick Boles and Sir Michael Pitt of the Planning Inspectorate.

This provides an opportunity to balance selective Green Belt releases against meeting other Local Plan objectives, such as unmet housing need. Tonbridge and Malling will be reviewing its Green Belt as part of the Local Plan process and other Local Planning Authorities have recently done the same, for example, Reigate and Banstead. It seems inconsistent and unfair, therefore, that the inner edge of the Metropolitan Green Belt in Greater London will be exempt from such a review, particularly in a context where the unmet housing needs for London will be considerable.

The implication is that the GLA, in asking Local Planning Authorities bordering London to accept some of its unmet housing need, is using a different set of constraints as the latter will almost certainly be required to review their Green Belt to meet not only their own need but also the unmet need of London and potentially other Authorities within the same Housing Market Areas.

This Council would therefore strongly urge a reconsideration of the review of the inner edge of the Green Belt as part of the FALP. Ideally this would involve collaboration with other Green Belt Authorities around London to ensure that the review and any amendments to the Green Belt were carried out in a coordinated way resulting in a defensible and permanent Green Belt for the Plan period.

Turning to the recent publication of the PPG, the FALP could now usefully incorporate at least two new measures to increase potential housing supply within Greater London that may reduce the potential for unmet need. The first relates to windfall allowances and the second to recognising institutional accommodation (Use Class C2 e.g. student accommodation and care homes) as counting towards meeting housing need.

Para 3.19a of the FALP refers to a windfall allowance forming part of the 5 year supply, but does not extend this beyond the first five years. The PPG on Housing and Economic Land Availability Assessments now states:

Local planning authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance based on a geographical area (using the same criteria as set out in paragraph 48 of the National Planning Policy Framework).

If not already in hand, this should now be incorporated into the FALP.

Para 3.50b of the FALP refers to a need for 400-500 new care home bed spaces per annum. If these were to be counted as meeting housing need, this alone could represent a reduction of up to 10,000 units to 2025. Para 3.52 notes that increased student accommodation could take pressure off housing supply as students would not be occupying other housing options. It suggests there could be up to 20,000 student bed spaces over the plan period 2015-25. These two C2 components alone could reduce the unmet need by 30,000 units.

Finally, in respect of planning for strategic infrastructure to accompany the planned growth in the FALP this will clearly be an important consideration for Local Planning

Authorities outside London and their Local Plans especially if there is an anticipated decentralisation of employment uses. At the appropriate time this Council would welcome a discussion with the GLA and the South East Local Enterprise Partnership about future investment proposals, particularly in respect of improvements to junctions off the M25, M20 and M2 as they relate to Tonbridge and Malling.

I hope these brief comments have been of assistance.

Yours sincerely,

Steve Humphrey

Tonbridge and Malling Borough Council

Director of Planning, Housing and Environmental Health

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

4 June 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 MAIDSTONE BOROUGH COUNCIL LOCAL PLAN CONSULTATIONS (REGULATION 18)

This report advises Members of the recent consultations by Maidstone Borough Council and seeks endorsement of the officer level comments sent by the deadline in May.

1.1 Introduction and Background

1.1.1 Maidstone Borough Council has recently invited comments on a draft Local Plan under Regulation 18 of the Town and Country Planning (Local Plan) Regulations 2012 and also on a draft charging schedule for a Community Infrastructure Levy. Comments were invited up to 2 May and officer level responses were made by the deadline.

1.1.2 This report highlights some of the key issues arising from Maidstone's Local Plan and seeks endorsement of the Officer level responses, copies of which are appended to this report.

1.2 Key Issues

1.2.1 Members will recall that in accordance with the Duty to Cooperate, we have been working closely with colleagues in Maidstone as we prepare our respective Local Plans and in particular in jointly commissioning new Strategic Housing Market Assessments (SHMA) with consultants GL Hearn and Partners. The SHMA reports have now been finalised and reflect the Government's priority that Objectively Assessed Needs for future housing and other land uses are the starting point for Local Plans.

1.2.2 The draft Local Plan for Maidstone acknowledges the Objectively Assessed Need for new housing for the plan period as 19,600 additional units and the officer comments in response recognise the integrity of the approach.

- 1.2.3 The draft Local Plan goes on to identify a lower housing target of 17,100 new dwellings. The officer comments reserve a position on this approach pending the results of additional work that the Maidstone Borough Council has yet to complete, for example in respect of the latest Call for Sites exercise they have promoted. However, the importance of presenting a robust case for planning to meet a lower figure has been highlighted.
- 1.2.4 In previous consultation exercises the potential impacts arising from strategic housing allocations in the vicinity of Hermitage Lane and how these might be mitigated have been identified, particularly those affecting the junction of Hermitage Lane and the A26 and on air quality in Watringbury. These have been reiterated in the latest responses and a future opportunity to respond to the anticipated revision of the Integrated Transport Strategy (prepared jointly with KCC) highlighted.
- 1.2.5 Parts of the draft Local Plan that could now be updated in the light of the finalised Planning Practice Guidance (published in March) have also been identified in the comments.
- 1.2.6 An opportunity was also taken to make similar points in respect of the draft Community Infrastructure Levy Charging Schedule in respect of using the most up to date evidence base and Government advice and guidance.

1.3 Conclusions

- 1.3.1 This report summarises and seeks endorsement of the officer level responses to the Maidstone Borough Council draft Local Plan and CIL Charging Schedule consultations that concluded in May. Further reports will be made to update Members of Maidstone Borough Council's progress towards a new Local Plan and Community Infrastructure Levy in due course.

1.4 Legal Implications

- 1.4.1 There are no legal implications arising from these comments in respect of Maidstone Borough Council's recent consultations although the responses will help to demonstrate the two Council's ongoing constructive liaison over strategic planning matters in accordance with the Duty to Cooperate.

1.5 Financial and Value for Money Considerations

- 1.5.1 There are no direct financial and value for money considerations arising from this report.

1.6 Risk Assessment

- 1.6.1 Not taking the opportunity to respond could present a risk that the Borough Council's concerns are not taken into consideration and that the Duty to Cooperate has not been adhered to.

1.7 Equality Impact Assessment

1.7.1 See 'Screening for equality impacts' table at end of report

1.8 Policy Considerations

1.8.1 Strategic Planning issues will be addressed in the Tonbridge and Malling Local Plan and these will be informed by the emerging Maidstone Local Plan.

1.9 Recommendations

1.9.1 That the officer level responses appended to this report are **ENDORSED**.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Ian Bailey

Nil

Steve Humphrey

Director of Planning, Housing and Environmental Services

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The comments made in respect of Maidstone's emerging Local Plan seek to ensure that any potential impacts on communities in Tonbridge & Malling are taken fully into account.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	The comments relate to a neighbouring authority's Local Plan.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

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Your ref
Our ref
Date 7th May 2014

Annex 1

Dear Spatial Policy Team,

**Re. Maidstone Borough Local Plan Regulation 18 Public Consultations
21st March to 7th May 2014.**

Thank you for this opportunity to respond to the above consultation. As you will be aware our two authorities have been working closely in accordance with the Duty to Cooperate, not least in respect of the joint commissioning of consultants to prepare our Strategic Housing Market Assessments (SHMA). These assessments are a key piece of Local Plan evidence for establishing our objectively assessed housing needs and are based on a robust methodology that reflects the most up to date Government guidance. This Council recognises the approach adopted in the emerging Local Plan identifying an objectively assessed need (OAN) of 19,600 new dwelling over the plan period supported by the outturn of the SHMA.

These responses build on the constructive discussions between our authorities on Local Plan matters and the earlier comments we have made in respect of previous consultations on the emerging Local Plan. As you will be aware some of those comments raised some concerns over the potential impacts associated with the strategic housing allocations to the north west of Maidstone and specifically on Hermitage Lane and the junctions with the A26 and A20 and on air quality in Watlingbury and on A20. In responding to these concerns significant weight was placed on the then Integrated Transport Strategy (ITS) and future investment in the transport infrastructure to accompany the proposed growth in this area.

As the revised ITS and other key pieces of supporting evidence are yet to be finalised (for example the results of the latest Call for Sites exercise, the emerging Sustainability Appraisal, the additional work to identify additional office floor space and preparing the Community Infrastructure Levy), this Council reserves its position on commenting on the housing target of 17,100 dwellings over the Plan period.



Planning Policy is a Division of Planning, Housing and Environmental Health Services
Director of Planning, Housing & Environmental Health: Steve Humphrey MRTPI
Planning Policy Manager: Ian Bailey BA(Hons) MA PG DipTP MRTPI



INVESTOR IN PEOPLE

Clearly a robust position will be needed to justify a lower housing target than OAN and a clear demonstration as to how Maidstone Borough Council has sought to address this OAN. We look forward to being able to comment further as that position emerges.

If the intention is to move to the publication stage (Regulation 19) after the current consultations (para 1.6) it will of course be important to ensure that the whole Plan is updated to reflect the new evidence. This will also be an opportunity to refresh certain parts to reflect recent changes in national planning policy guidance, particularly in the light of the Planning Practice Guidance published in March and the Ministerial statement on 13th March in relation to the Housing Standards review, which suggests in respect of the Code for Sustainable Homes that the requirement to achieve Code Level 4 (set out in Policy DM2) may be relaxed.

In view of the cross boundary issues between our two authorities, the shared Housing Market Area and in light of the Duty to Cooperate, I would be grateful if you could alert us to any other representations or key issues arising in relation to policies or sites to the north west of Maidstone.

In addition to these general points, please find attached some detailed responses for consideration.

Yours sincerely,



Ian Bailey
Planning Policy Manager

Officer Level Responses in Respect of Maidstone Local Plan Regulation 18 Public Consultation

Reference	Issue	Response	Comment
2.2	National Plans and Strategies	Could now be updated to reflect the new Planning Practice Guidance March 2014.	Updating
2.5	Regional Plans and Strategies	Could make reference to emerging Kent Waste and Minerals Local Plan	Updating
2.8	Evidence Base	See general comments in respect of the emerging Integrated Transport Strategy. Also the Strategic Flood Risk Assessment dates from 2008 and may be in need of updating now?	Updating
4.3/4.4	Meeting Objectively Assessed Housing Needs	The 19,600 OAN is recognised. Comment is reserved on the Local Plan provision of 17,100 pending the final outcome of the most recent Call for Sites. It is agreed that any unmet need will have to be supported by a very strong case of constraint on development. TMBC look forward to being involved in the further consultations on any additional sites arising from the Call for Sites.	Further consultations to follow.
4.6	Office based requirement – further work to meet 15,583sq.m shortfall	There is a degree of inconsistency with the housing target. Although the unmet housing need of 2,500 units may be reduced by the latest Call for Sites exercise, the implication in 4.3/4.4 is that the Plan may go forward with a shortfall. In the case of unmet office floor space it is assumed this will be resolved following further work.	Inconsistency point.
4.21/4.22	Sustainability Appraisal (SA) of the Housing Strategy options. The SA work seems to favour a dispersed pattern of growth for the 17,100 provision explained in	Since the ‘very strong case’ for justifying the lower housing target referred to in 4.3/4.4 relies heavily on the SA work, this section could be expanded to add further weight to the justification. For example, to explain why the under supply of jobs is an issue, particularly in the light of 4.6 above.	Strengthening the supporting text in respect of the SA work.

	4.3/4.4. The options for the full OAN of 19,600 score less well due to potential environmental impacts and an over supply of housing relative to jobs.	Also, the SA concludes that the option for a new settlement is uncertain and therefore scores less than a dispersed option. It is unclear how this assessment has been weighted bearing in mind that such an option could help meet the unmet housing need and deliver new infrastructure thus alleviating some of the potential environmental impacts associated with the other growth options, for example, additional pressure on the local highway network in Maidstone itself?	
Policy SS1	9. In other locations, protection will be given to the rural character of the borough avoiding coalescence between settlements, including Maidstone and surrounding villages, and Maidstone and the Medway Gap/Medway Towns conurbation.	In Policy SS1 and the sections dealing with the strategic sites in the north west of the borough there is an aspiration to protect the coalescence of the Maidstone and the built up areas in Tonbridge and Malling. This reflects the Strategic Gap policies in the Maidstone Local Plan (2000) and the TMBC LDF. However, the new NPPF no longer provides the basis for such policies and the emerging Maidstone Local Plan reflects this by allocating sites up to the joint borough boundary.	Amend wording.
6.6	North west strategic housing location 6.6 At this location the council is keen to retain the separation between the edges of Barming and Allington and the edge of the Medway Gap settlements in Tonbridge and Malling Borough i.e. Aylesford, Ditton and Larkfield.	The policy aspiration to retain the separation of the built up areas listed in paragraph 6.6 is acknowledged, however, it should be recognised that this Plan can only influence future development proposals and/or development restraint policy within Maidstone Borough.	Clarification.
Policy H3 and 6.15	Broad Locations for Growth Post 2026 up to 600 extra dwellings	See comment above in relation to 4.6 under supply of office floor space.	Need for additional office floor space to be identified over

	are anticipated in the Town Centre 'broad location' possibly as a result of the conversion of poor quality office accommodation.	While appreciating that the intention is to review the plan by 2021 when the situation might be much clearer regarding the broad areas of search, doesn't the implication that existing office floor space will be lost from the town centre mean that in fact even more office capacity will need to be identified in addition to the 15,583sq.m shortfall?	the plan period.
Policy DM2	Minimum requirement for level 4 Code for Sustainable Homes	Could be updated in the light of the recent Housing Standards Review. No longer required.	Update
Policy DM16 and 11.90	The Council will review the significance of the air quality impacts from new proposals in line with national guidance.	The impacts on air quality arising from new development in Maidstone on areas beyond the borough boundary should also be taken into account, for example in relation to Wateringbury and the Hermitage Lane allocations.	Clarification
Appendix A	North West Strategic Housing Allocations	See earlier comments in respect of mitigating impacts along Hermitage Lane and particularly the junctions with the A26 and A20.	Reiteration of earlier responses.
Appendix A	Sites H1(2) Land East of Hermitage Lane and H1(3) Land West of Hermitage Lane Appropriate air quality mitigation measures will be implemented as part of the development.	Further to the comment in relation to DM16 above, will this extend to Wateringbury?	Clarification
Appendix A	Site H1(4) Oakapple Lane, Barming Site for up to 240 dwellings with main access through Land West of Hermitage Lane Site	TMBC have not been invited to or commented on this allocation previously. The same concerns apply as to those already made in relation to sites H1(2 and 3).	See comments above in relation to Appendix A.

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ANNEX 2

Officer level responses in respect of Maidstone Borough Council's draft Charging Schedule for the Community Infrastructure Levy (CIL)

Thank you for the opportunity to comment on the preliminary draft Charging Schedule for the Community Infrastructure Levy (CIL). These officer-level comments on behalf of Tonbridge and Malling Borough Council complement those already made in respect of the Local Plan Regulation 18 consultation.

As a neighbouring Local Authority that will experience the impacts from growth planned for the areas north west of Maidstone, the importance of ensuring a satisfactory level of infrastructure provision is recognised and the proposals for introducing new ways of collecting developer contributions welcomed.

As noted in the comments made in respect of the draft Local Plan, the soundness of the charging schedule, like the Plan itself, depends on the robustness of the evidence upon which it is based. The Local Plan has been through several iterations and evidence has been prepared and updated to reflect changing targets for growth, but it is not always clear which growth target is being incorporated. It will be important therefore that the next iteration of the CIL Charging Schedule is based upon the most up-to-date growth target set out in the Local Plan and that the viability testing reflects this.

Government guidance on CIL suggests that proposed rates should include some flexibility rather than exactly reflect the viability assessment to allow for some contingency. The Borough Council may wish to explore this as the Schedule is progressed.

For information, the references to the introduction of pooling restrictions on Section 106 agreements now coming into effect on the 6th April 2015 could now be updated since the CIL (Amendment) Regulations 2014 came into force on the 24th February this year.

We trust that the preliminary draft Charging Schedule and the evidence that underpins it will be read in light of the Planning Practice Guidance published in March - in particular the section on viability including the desirability to promote the re-use of brownfield land - and updated accordingly.

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

4 June 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 CCTV ANNUAL REPORT

This report presents and seeks endorsement of the draft CCTV Annual Report for 2013/14.

1.1 Context

- 1.1.1 The current CCTV service is provided in partnership with Tunbridge Well Borough Council (TWBC). Members will be aware that, with a few exceptions, our town centre and car park CCTV cameras are monitored in the Joint CCTV Control Room in the Town Hall in Tunbridge Wells.
- 1.1.2 All cameras from our town centre systems are fed through fibre optic cables to a collection hub in Tonbridge where the signals are sent through a 'trunk fibre' cable to the Control Room in Tunbridge Wells.
- 1.1.3 This time last year I was able to report that the new technical equipment and furniture in the CCTV Control Room was in place and I am pleased to report that this new state-of-the-art digital system has provided everything we were looking for in providing a technically sound and useful system.
- 1.1.4 Eight Borough Councillors have visited the CCTV Control Room in the last 12 months and if any other Member who has not been there recently would like to see how the operation works I would be happy to arrange a visit.
- 1.1.5 **[Annex 1]** contains a copy of the draft Annual Report covering the CCTV service during 2013/14 and includes a report prepared by an independent auditor. It outlines the CCTV operation and includes some statistics relating to the number and type of incidents that have been monitored by our CCTV operators. It also includes a number of reasonable recommendations that I intend to take on board.
- 1.1.6 It is important to say that the use of the CCTV system is under fairly constant review. I believe the value of the system demonstrated by the annual report is significant but it is always important to consider on an ongoing basis how we use

CCTV and how it contributes to our objectives, particularly around community safety. It is also worth noting here that within the proper constraints on its use the system can be used in a versatile way to prepare for and respond to particular events. Working with partners, especially the Police, this can be a helpful deterrent and source of intelligence. The forthcoming activity around the World Cup might be a good example of such an approach.

1.2 Legal Implications

- 1.2.1 The CCTV scheme operates fairly, within applicable law and with proper regard for the privacy of the individual. We and our partner TWBC subscribe closely to the CCTV Code of Practice

1.3 Financial and Value for Money Considerations

- 1.3.1 These are covered within existing established budgets.

1.4 Risk Assessment

- 1.4.1 CCTV continues to be an effective tool in reducing crime, anti-social behaviour and the fear of crime and plays a key role in managing our urban areas.

1.5 Equality Impact Assessment

- 1.5.1 See 'Screening for equality impacts' table at end of report

1.6 Policy Considerations

- 1.6.1 Reduction of crime, anti-social behaviour and the fear of crime.

1.7 Recommendations

- 1.7.1 That the CCTV Report for 2013/14 **BE ENDORSED** for publication.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Andy Edwards

Nil

Steve Humphrey

Director of Planning, Housing and Environmental Health

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	CCTV makes a positive contribution to ensuring the safety of all people in the public realm by providing professional, well managed systems to provide high levels of public reassurance.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	N/A	
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

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CLOSED CIRCUIT TELEVISION SYSTEM

ANNUAL REPORT 2013/14



CCTV Control Room

1 Introduction

Tonbridge and Malling Borough Council has been operating a CCTV system since 1995. In 1998 we commissioned the joint (with Tunbridge Wells Borough Council) CCTV Control Room and commenced live monitoring of the CCTV systems for the two boroughs.

CCTV is an important tool when used to assist law enforcement agencies. It provides public reassurance, a deterrent to offenders, and valuable evidence linking perpetrators of crime to a specific location and time.

2 Objectives

The objectives of the joint system which form the lawful basis for the processing of data are:

- To help reduce the fear of crime
- To help deter crime
- To help detect crime and provide evidential material for court proceedings
- To provide assistance in the overall management of public health and safety
- To enhance community safety, assist in developing the economic wellbeing of Tunbridge Wells and Tonbridge & Malling Boroughs and to encourage greater use of the Town Centres, shopping areas, car parks and similar locations within the two Boroughs
- To assist the Local Authorities in their enforcement and regulatory functions within the Boroughs of Tunbridge Wells and Tonbridge & Malling
- To assist in Traffic Management

3 Context

We started off CCTV as a standalone, mainly car park, security tool. Since opening the CCTV Control Room we have continued to develop the system to cover further locations across the borough in response to changing crime patterns and direction from the Community Safety Partnership.

The Community Safety Partnership was set up to make the Borough an even safer place for residents, visitors and businesses. It consists of the staff from various services from the Borough Council, Kent County Council, the Police and other relevant agencies.

We now provide comprehensive CCTV systems in the public areas and car parks in central Tonbridge, Snodland and West Malling. We also provide

coverage in the Blue Bell Hill commuter car park, the public car parks in Aylesford and at a number of recreational areas in Tonbridge. In each of these areas the lighting has been improved where necessary and signs provided to make it clear to the public that they are in an area monitored by our CCTV systems.

CCTV provides a stable deterrent to those intending to commit crime and helps to reduce the fear of crime for residents. In a previous survey by the Community Safety Partnership, 95% of residents stated that they felt safe when walking alone at night and some credit must surely come from the pro-active effective monitoring of public areas with CCTV, particularly within the town centres. Of course in addition to this the CCTV operators provide professional support and assistance to the Police when they are dealing with live incidents.

The use of CCTV cameras across the Borough is in line with the Council's key corporate priorities in so far as the CCTV operators and cameras assist and promote '*Low levels of crime, anti-social behaviour and the fear of crime*' (TMBC Key Priorities 2012/15)

4 System description (Tonbridge & Malling only)

The current CCTV system consists of 152 cameras primarily linked by fibre-optic cable to the central joint CCTV Control Room in Tunbridge Wells. The locations of the cameras are as follows.

Tonbridge High Street, car parks and surrounding areas – 49 cameras

Snodland High Street area and car park – 11 cameras

Aylesford car parks – 13 cameras

West Malling High Street and car parks – 22 cameras

Blue Bell Hill car park – 6 cameras

Kings Hill Council Offices – 27

Castle Offices – 19

Mobile cameras – 5 cameras

All the images from these cameras are recorded 24 hours a day, 7 days a week on to high quality digital storage system. The mobile cameras only record when they are deployed.

5 Systems controlling principles

There are two key documents that set out both the operational guidance and general principles.

The Code of Practice sets out the objectives of the CCTV system along with the guiding principles in its operation especially considering the key pieces of

legislation that impact upon its operation. The Code of Practice can be viewed on the TMBC website.

The Procedural Manual translates the Code of Practice into practical day-to-day operational practice and we have it as a working document to give guidance to operators. They use it as a reference document and it is also a manual for new operators. The Procedural Manual is kept in the Control Room.

6 Communications – Airwave/Shopwatch/Pubwatch

The CCTV Control Room also acts as a key information hub. The CCTV Operators have the ability to talk directly with local police officers and the Kent Police centralised Force Control Room (FCC) via the police ‘Airwave’ radio system.

The Tonbridge town centre ‘Shopwatch’ and ‘Pubwatch’ radio schemes are operating well and allow shop keepers and publicans to talk via radio links to the operators in the CCTV Control Room and the town centre police officers. Retailers and publicans benefit by receiving a dedicated and visible crime/ASB deterrent with enhanced links and a greater working partnership with CCTV Control Room and the local police. Staff in the shops and pubs have been police trained bringing with it extra skills in dealing with customers and criminals. These radio links allow vital current information to be relayed directly to the CCTV Operators which in turn allows us to monitor via nearby cameras and alert the police to current and emerging problems.

7 CCTV Monitoring contract - Staffing review

The control room is manned with 2 or more operators at key times 365 days a year. Tunbridge Wells Borough Council is responsible for providing the CCTV Operators and currently achieves this through a 2 year contract that ends in April 2015 with the option to extend it by a further 2 years. OCS currently undertakes this service.

8 Maintenance contract - review

To keep the system functioning efficiently, we carry out routine maintenance and repairs as necessary. This is currently undertaken by Chroma Vision Ltd., a company which specialises in CCTV systems and provides a 24 hour call out service as required.

9 CCTV Performance Evaluation

These statistics are taken from data held within the CCTV Control Room and provide a simple and clear indication as to the types and numbers of incidents dealt with throughout the year (Annex A).

Some important statistics to note are that during the 2013/14 year the CCTV Control Room responded to 332 requests from the Police for assistance, 393 incidents identified by Shopsafe and Pubwatch and pro-actively identified a further 91 incidents, resulting in 286 known arrests. Over the year the control room has monitored and recorded a total of 824 incidents in the Borough.

The CCTV operational analysis provides a detailed review of the type of incidents monitored. In addition to this there is a substantial amount of routine monitoring to pick up things such as ongoing concerns relating to the inappropriate evening use of car parks, particularly in Tonbridge, by some motorists.

10 Targeted Operations

The CCTV system is operated in accordance with the principals and requirements of the Human Rights Act 1998 but inevitably there may on occasions be a need for 'directed' (targeted) surveillance. Authorisations can be made in accordance with the Regulation of Investigatory Powers Act (RIPA) 2000 subject to obtaining judicial approval prior to using covert CCTV techniques. Between April 2013 and March 2014 we have had 0 TMBC RIPA authorisations.

11 Mobile Cameras

The mobile cameras are CCTV cameras that can be fitted to existing street lighting columns predominantly in locations where there are hot-spots of anti-social behaviour (ASB) or other concerns. These cameras are a vital tool and can easily be moved to another location at the direction of the Community Safety Partnership to assist with issues of immediate concern but which are unlikely to need a permanent camera positioned. They are versatile in tackling ASB as they can be installed in almost any location where there are street lights. These cameras would normally be deployed for any period between 2 weeks and 6 months, depending on local need and competing concerns elsewhere in the borough. Between April 2013 and March 2014 we have pro-actively operated 5 mobile CCTV cameras.

12 Complaints

No complaints were received about the CCTV service between April 2013 and March 2014.

13 Independent Audit

An independent audit was carried out by Mrs Dianne Hopper in March 2014 to assess compliance with the Council's CCTV Code of Practice. (Mrs Hopper recently retired from Dover District Council where she held the role of CCTV manager for many years. She has extensive experience in carrying out audits

on various CCTV systems and since her retirement has been undertaking independent audits of CCTV systems across Kent.)

The report also evaluated the CCTV system and found it to be running efficiently with cameras and equipment working to a very good standard (Annex B). This report raised no areas of concern in relation to our systems, but did make three recommendations (Page 10). Consideration will be given to these during the coming months.

Tonbridge & Malling CCTV Operational Analysis - April 2013 to March 2014

Annex A

	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Total
Total Incidents Monitored	59	81	65	56	55	71	74	85	77	59	65	77	824
CCTV Instigated Incidents	8	12	6	6	4	8	7	13	12	6	5	4	91
WKP Instigated Incidents	26	33	19	27	22	27	33	32	22	25	31	35	332
Pubwatch Instigated Incidents	3	4	9	5	2	3	10	7	6	7	6	5	67
Shopsafe Instigated Incidents	22	31	31	17	25	33	23	33	36	20	23	32	326
TMBC Instigated	0	1	0	1	2	0	1	0	1	1	0	1	8
Incidents Monitored 0800 - 1900	40	56	44	34	39	48	45	51	57	30	37	46	527
Incidents Monitored 1900 - 0500	19	25	21	22	16	23	29	34	20	29	28	31	297
Police Attended incidents	42	57	50	41	41	46	50	67	59	43	51	58	605
Sec 59's Issued	1	0	0	0	0	0	0	0	1	1	0	1	4
Sec 27's Issued	2	0	0	0	0	0	0	1	0	0	0	0	3
Known RJ's	3	2	6	3	2	1	1	3	1	1	1	0	24
Known PND's	2	2	0	1	1	2	0	1	1	0	0	1	11
Known Arrests	13	31	24	22	16	23	16	45	26	16	21	33	286
Known Arrests Instigated:	0	9	1	2	2	1	1	9	3	2	1	4	35
Known Arrests Assisted:	12	18	19	18	12	19	14	34	21	10	17	28	222
Known Arrests Monitored:	1	4	4	2	2	3	1	2	2	4	3	1	29
Number of Footage Reviews	24	31	21	22	16	20	40	22	31	20	25	30	302
Footage Review Man Hours	12	15	12	14	11	8	24	7	12	9	10	16	150
Number of Discs Seized	15	22	11	16	28	9	29	15	21	19	13	15	213
Police Visits to Control Room	45	41	44	62	47	31	56	46	57	37	49	54	569
Complaints Received	0	0	0	0	0	0	0	0	0	0	0	0	0
Written Thanks/Commendations	0	0	0	0	1	0	0	0	0	0	1	3	5

Notes

- 1 These figures are lower than then total incidents monitored. However not every incident recorded requires police attendance. The Police responses will depend on the availability of officers on duty, however the live images are sent to the Kent Force Communications Centre to enable them to actively monitor and prioritise their response.
- 2 These arrests have been made with the assistance of the CCTV Operators.

Tonbridge & Malling Yearly Analysis of Incidents Monitored - April 2013 to March 2014

Annex A

	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Total
Alarms	0	0	0	0	0	0	1	0	0	0	0	0	1
Arson	0	1	0	0	0	0	0	0	0	0	0	0	1
Alcohol Related	4	6	5	3	2	3	6	3	6	10	6	6	60
Assault	3	7	3	5	5	3	1	6	2	1	6	2	44
Break in/Attempted Break In	0	0	0	0	0	0	0	0	1	0	0	0	1
Burglary/Attempted Burglary	1	0	0	0	1	0	1	0	2	1	0	0	6
Criminal Damage	2	1	1	3	1	1	2	4	1	0	3	2	21
Domestic Violence	1	0	0	0	0	0	0	0	4	0	1	3	9
Drug Related	1	3	1	2	0	1	0	3	3	1	0	3	18
Fraud/Deception/Scam	0	3	0	1	3	1	0	1	1	0	1	3	14
Misper/Concern for Welfare	12	12	12	6	6	11	15	11	6	8	11	13	123
Nuisance Youths	0	0	0	0	1	1	1	2	2	4	5	7	23
Offensive Weapons	1	1	1	1	1	0	2	1	1	0	2	0	11
Public Order	1	4	2	4	2	3	10	5	1	1	3	0	36
Racial Incidents	0	0	0	1	0	1	1	1	1	0	0	0	5
Theft - From Persons	1	2	1	0	1	6	0	1	2	1	1	1	17
Theft - Shoplifting	20	25	27	14	20	22	19	28	30	17	18	20	260
Theft - Other	4	3	3	0	1	3	4	1	1	5	1	4	30
Vehicle Incident/Traffic Violation	3	8	5	7	4	8	1	4	5	7	1	6	59
Wanted Persons	2	1	3	2	2	1	1	5	1	0	4	1	23
Other	3	4	1	7	5	6	9	9	7	3	2	6	62
Total	59	81	65	56	55	71	74	85	77	59	65	77	824

CCTV Audit

ANNEX 1
Annex B

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12 March 2014

[

AUDIT REPORT

CLOSED CIRCUIT TELEVISION (CCTV)

TUNBRIDGE WELLS BOROUGH COUNCIL

TONBRIDGE AND MALLING BOROUGH COUNCIL

]

Audit Report
Closed Circuit Television (CCTV)

TUNBRIDGE WELLS BOROUGH COUNCIL
AND
TONBRIDGE AND MALLING BOROUGH COUNCIL

1 Terms of Reference

1.1 Full Systems review denoting all procedures and operational protocols to ensure compliance with current legislation, Procedure Manual and Code of Practice.

2 Scope

2.1 Review Procedure Manual and Code of Practice to ensure they are accurate and up to date.

2.2 Undertake testing to ensure compliance with Procedure Manual and Code of Practice.

2.3 Review procedure and test compliance with Subject Access Request under the Data Protection Act 1998 (DPA)

2.4 Review procedure and test compliance for applications under the Regulation of Investigatory Powers Act 2000(RIPA)

3 Introduction

3.1 Tunbridge Wells Borough Council and Tonbridge and Malling Borough Council have implemented a CCTV system into the towns of Tunbridge Wells, Knight's Park, North Farm, Paddock Wood, Southborough, Rusthall, Cranbrook, Lamberhurst, Hawkshurst, Pembury, Tonbridge, West Malling and Bluebell Hill. The system is jointly owned and managed by both Councils, who work in partnership in the interests of economies of scale and cost effectiveness.

3.2 The provision of CCTV monitoring is a non-statutory function. Although the original system, which was installed in 1997, was part funded by Government grants, there is no funding available for the on-going maintenance and provision of the CCTV Service, and this expenditure is completely met by the two Authorities.

3.3 The system comprises of a mixture of 104 fixed, pan tilt and zoom cameras that are strategically placed primarily in town centres and car parks. 67 of these cameras are monitored on behalf of Tonbridge & Malling Borough Council, and 37 on behalf of Tunbridge Wells Borough Council. Transportable or mobile cameras may also be temporarily sited where there is a requirement, and these cameras are governed by the same Code of Practice and Procedure Manual as the fixed system. All images can be relayed to Kent Police Head Quarters at Maidstone. The recording facilities are located in the CCTV Control Room situated in Tunbridge Wells Borough Council's Town Hall and the secure hub in Tonbridge. A second review suite is located at Tonbridge & Malling Borough Council's offices at King's Hill. Live data feeds from the Kent Police Control Centre from the Tunbridge Wells CCTV Control Room are available in Police vehicles and various Police Stations.

3.4 The main objectives of the scheme are those of crime prevention and detection, community safety, traffic management and the enforcement of regulatory functions.

3.5 The Partnership has produced a statement that is available within the Code of Practice, and can be accessed via www.tmbc.gov.uk

3.6 The CCTV Control Room has access to the Police "Airwaves" radio system, and, in association with Tonbridge and Malling Community Safety Partnership and the Tunbridge Wells Safe Town Partnership, uses the radio links with the local Shopwatch and Pubwatch Schemes.

3.7 The CCTV service is represented at daily tasking meetings with the Community Safety Unit in order to share information and harmonise partnership working.

3.8 The CCTV installation contains an integral clock, which ensures that the correct date and time are always displayed correctly. In addition to this, the operators test the system against the speaking clock on a daily basis, to ensure continuity within the system.

3.9 The scheme is managed effectively and efficiently by a Partnership CCTV Manager, who is responsible for the Control Rooms at both Tunbridge Wells and Sevenoaks. The innovative use of a professional CCTV Manager taking responsibility for multiple sites and installations appears to work extremely effectively. This partnership proves to be financially advantageous to both Councils at a time when savings must be demonstrated.

3.10 New Legislation covering the use of Surveillance Cameras was introduced by the Home Office in 2013 (Section 29 of the Protection of Freedoms Act 2012) (Surveillance Camera Code of Practice). This document can be accessed at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/204775/Surveillance_Camera_Code_of_Practice_WEB.pdf

There **are twelve** guiding principles contained within this document, namely:

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim and a pressing need, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

A Surveillance Camera Commissioner has been appointed, and will take up this post in March 2014. The statutory functions of the commissioner are to encourage compliance with the code, review the operation of the code and provide advice about the code (including changes to it, or breaches of it)

3.11 OCS Legion took over the monitoring contract from Remploy on 1 April 2013, and performance of their duties in accordance with the contract.

3.12 A schedule of the testing undertaken and subsequent results is contained within this report.

4. Observations

4.1 Procedure Manual and Code of Practice

4.1.1 A comprehensive procedure manual and code of practice exist for the provision of the service, which has been formally agreed and entered into by TMBC, TWBC and Kent Police. These documents reflect current responsibilities, and are up to date. The CCTV code of practice is available on the Tunbridge Wells website: <http://www.tunbridgewells.gov.uk>

4.2 Compliance Testing

4.2.1 Testing was undertaken to ensure compliance with the Procedure Manual and associated Code of Practice, and to ensure that these document and practices complied with the guiding principles as outlined in 3.10. A schedule of the tests is contained within this report, and details the testing undertaken, cross referenced to the Procedure Manual and/or Code(s) of Practice, the objective of the testing and the results.

4.2.2 Visitors

Access to the Control Room is strictly controlled to ensure that the confidentiality of information is maintained. All visitors are required to sign a Visitors Book, and in doing so confirm a declaration of confidentiality.

4.2.3 Operational/Shift Event Log

Operators are responsible for recording all activities and events while operating the system in the Operational/Shift Event Log.

4.3 Data Protection Act

4.3.1 Compliance with the Data Protection Act 1998 (DPA) is fundamental to the Service, which collects and records significant amounts of personal data. An assessment of this compliance was undertaken as part of the audit review.

4.3.2 The scheme forms part of the Council's data protection notification to the Information Commissioner. Section 163 of the Criminal Justice and Public Order Act 1994 creates powers for Local Authorities to provide Closed Circuit Television coverage of any land within their area for the purpose of crime prevention or victim welfare thus providing a lawful process for the collection of CCTV images.

4.3.3 Subject Access requirements

Under the DPA, individuals have a right of subject access to information held about them.

Three subject Access Requests were received this year. Documentation relating to these requests were inspected and found to comply under the Act.

4.3.4 Signage

Four sample sites were inspected at random to ensure that adequate and appropriate signage was displayed in compliance with the fair processing requirement of the DPA 1998.

All sites visited displayed correct and adequate signage.

5 Regulation of Investigatory Powers Act

5.1 The Regulation of Investigatory Powers Act (RIPA) enables Public Authorities and Police to undertake covert surveillance under certain conditions without breaching individual's rights under Article 8 of the Human Rights Act 1998.

5.2 The use of the CCTV system by the Councils and third parties, namely the Police, for directed surveillance would require an authorised application under RIPA for the information to be obtained lawfully. Directed surveillance, through the use of CCTV has not been undertaken between January 2013 and December 2013. An annual reporting mechanism to the Information Commissioner is in place via the Internal Audit Section.

6 Performance Monitoring

6.1 The operation undertakes performance monitoring using a comprehensive set of benchmarks on a monthly basis. These statistics are compared against two other Kent Authorities, and the information used to improve and report upon performance. The information resulting from these records forms the basis of an Annual Report, which is available on the Tunbridge Wells website:

<http://www.tunbridgewells.gov.uk>

The fact that this report is made readily available to the public demonstrates transparency in the service, in line with the guiding principles of the Surveillance Camera Code of Practice.

6.2 Staff use a new automated system to record incidents, alongside a paper system. This automated system greatly enhances the reporting and control mechanisms within the monitoring room. Time constraints have meant the system is not used to its full potential at present.

7 Maintenance Contract

7.1 The maintenance contract is put out to tender on a regular basis, and includes all parts and labour. The current Contractor provides a satisfactory service and gives no cause for concern.

8 Complaints and Thanks

8.1 One complaint was received by the Unit during 2013. This was investigated by the Council Complaints Officer, and was subsequently declared to be unfounded.

8.2 Kent Police have found the Monitoring Unit to have produced work of such high quality that they have recorded their thanks to the Council, including the Serious Crime Directorate from Essex Police, commending the CCTV service for their excellent and professional assistance in cross border operations, resulting in brilliant arrests.

9 Partnership working

9.1 The Unit has a good working relationship with all partnerships including the Emergency Services, the “Safe Town” Partnership and internal clients within the Borough Council.

9.2 A representative from the CCTV Unit meets on a daily basis with the Community Safety Unit in order to assist with current safety concerns.

10 Statistics

10.1 The Unit monitored a total of 889 Incidents throughout the year. These figures do not include incidents where a Police presence was not required, e.g. stray dogs etc. Statistics are contained within the Annual CCTV Report, which is available on the Council Website.

8. Testing

Schedule of Tests- Procedure Manual and Code of Practice

Test	Objective	Result
<p>Check random footage to ensure the Operators do not:</p> <ul style="list-style-type: none"> -Attempt to look into rooms of a property or in particular living areas -Attempt to look into gardens of residential premises without due cause - Attempt to gain a close up of a person's anatomy - Monitor, and therefore record, the activities of courting couples 	To ensure that restricted activities are not undertaken by Operators during monitoring	<p>A review of recordings was undertaken to ensure all incidents, including monitoring that picked up more than 50% of a person's anatomy or features was recorded as such that all other monitoring was considered routine.</p> <p>The testing covered various time periods on 2 March 2014 and 4 March 2014 for cameras numbered 507,516 and 508. The footage reviewed did not include any restricted activities</p>
Sample check requests for information by the Police	To ensure that the authorisation of the Police Supervisory Officer including their name and warrant number along with the details of the recipient of the information are recorded in the appropriate log	Reviewed as part of a main sample testing. Operators download the file and only burn the disc when the Police Officer is present. All documentation inspected complied with the Code of Practice.
Review Visitor Books and Security Log. Test that each entry contains name, company, date, time of arrival and departure, authorisation and reason for visit. Test that the book includes a declaration of confidentiality.	To ensure that access to the Control Room is secure	Reviewed as part of the main sample testing. A general review of the documentation showed that entries are comprehensive.
Review records management procedures. Determine how retention Policy is managed.	To ensure that records are not retained longer than necessary in accordance with the Data Protection Act.	Recordings are kept for 31 days before being automatically overwritten. Paperwork is destroyed on a regular basis as and when file space is needed.
Inspect SIA registrations	To comply with current legislation regarding contracted-out operations.	This documentation was inspected and found to be compliant. A register is held by the CCTV Manager to ensure all certificates are current. The CCTV Manger is at present an SIA authorised mentor. This gives her direct access to check on any SIA licence.
Test	Objective	Result

<p>Incident Log</p> <p>Select a random sample of incidents and check that the following are recorded in the Incident Log</p> <ul style="list-style-type: none"> - Serial number - Time, date and operator completing the entry - Consecutive serial number for the incident - Camera ID - Incident type - Police notified time - Incident originated by - Police report number - Description of incident - Location of incident - Police arrest? - View images of these incidents to ensure accuracy of log entry 	<p>To ensure compliance with Procedure Manual</p>	<p>A random sample of an incident was reviewed to ensure that the necessary entries were made in the log book.</p> <p>The results of this testing were satisfactory, and it was noted that the Operator used the camera to its full advantage. All images demonstrated clarity.</p>
<p>Media Management Log</p> <p>Review the operation of the media management log to ensure that the use and whereabouts of all media is recorded from delivery to the monitoring room to disposal, where applicable</p>	<p>To ensure compliance with the Procedure Manual</p>	<p>All paperwork inspected complied with the Code of Practice and the Procedure Manual.</p>
<p>Image Viewing/ Stills Log</p> <p>Where images have been viewed, check that this has been properly authorised and that a record of the viewing has been entered into the log including</p> <ul style="list-style-type: none"> - Serial number - Time/date - Operator completing the entry - Media ID reference/serial number - Name of person carrying out the review - Camera ID 	<p>To ensure appropriate authority exists to review images</p>	<p>In each case, the viewing log had been correctly completed</p>
<p>Check that any covert surveillance is only undertaken with an authority under RIPA</p>	<p>To ensure legislative compliance is met</p>	<p>Directed surveillance was not requested during 2013.</p>
<p>Test</p>	<p>Objective</p>	<p>Result</p>
<p>Inspect sample number of signs to ensure that they include</p> <ul style="list-style-type: none"> - The presence and purpose of CCTV 	<p>To ensure that legislative compliance is met</p>	<p>Three signs were inspected at random, and complied with current legislation.</p>

<p>monitoring</p> <ul style="list-style-type: none"> - The ownership of the system - Contact details of the Data Controller of the system 		
<p>Test all Subject Access Requests received during 2013 to ensure that:</p> <ul style="list-style-type: none"> - All requests are directed to the Systems Manager - Third Party data is not disclosed - Identity of the data subject has been verified - The appropriate logs have been completed 	<p>To ensure that legislative compliance is met</p>	<p>Subject access requests were examined and found to comply in each case.</p>
<p>Shift/Operational Log</p> <p>Sample test that the following details are recorded in the Log:</p> <ul style="list-style-type: none"> - Serial number for entry - Time/date and Operator completing entry - Camera ID where applicable <p>Check that, where applicable, log contains:</p> <ul style="list-style-type: none"> - Operator booking on/off - Periods away from the room - Visitors to the room including reason and duration - System faults - Operator instructions/requests - Handover notes at shift changes 	<p>To ensure compliance with Procedure Manual</p>	<p>Logs reviewed for 4 and 10 March 2014 and were found to comply in all cases</p>
<p>Inspect Police vetting forms for all persons employed in the CCTV Operation</p> <p>Test</p>	<p>To comply with the Code of Practice</p> <p>Objective</p>	<p>All certificates were current, and automatic renewal is undertaken by Kent Police</p> <p>Result</p>
<p>Ensure that Operators check at the change of shift that :</p> <ul style="list-style-type: none"> - All cameras are operating correctly and providing usable images - Time control system is 	<p>To ensure compliance with the Procedure Manual</p>	<p>Procedures verified as correct, and documented in log. The clock automatically updates as and when necessary, but the speaking clock is also contacted on a weekly basis to ensure correct times are being</p>

operating correctly		automatically shown.
Evidence that specific key objectives are reviewed and published	To comply with the Code of Practice	The CSU and the police in partnership are currently looking at this year's priorities. Key objectives are set based on crime data in the Districts on an annual basis. This year will include violence (including NTE and Domestic), acquisitive crime of all varieties, and Anti-Social Behaviour. These priorities are then entered into the Partnership Plan, which is available on the Councils' websites.

9 Audit Summary

9.1 The overall operation of the service is good, with highly professional Operators complying with the Code of Practice and Procedural Manual as made out.

10 Recommendations

10.1 There is currently no requirement under the Code of Practice to provide for a Lay Visitor Scheme. It is recognised that recruiting for this role is difficult, not least of all because there is no tangible reward. However, it is also recognised as good practice to demonstrate that an "outsider" has the ability to monitor the images recorded by the CCTV Operation. It may be prudent to include this requirement in any future Code of Practice, which will demonstrate transparency, and further instil public confidence in the Service.

10.2 It is recommended that all CCTV signage is inspected on an annual basis to ensure compliance, and to document this inspection. This would have the additional benefit of ensuring that no signs had been removed or defaced.

10.3 Investigations should be undertaken into expanding the Benchmarking Group to include those outside the County, to give a more comprehensive set of statistics.

Dianne Hopper
13 March 2014

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

4 June 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Information

1 LOCAL PLAN PROGRESS

This report updates Members in respect of progress made in preparing the Local Plan.

1.1 Introduction

- 1.1.1 Since the last Board meeting in March officers have continued to make progress on preparing the evidence base for the Local Plan; the meetings with all the Parish and Town Councils have been concluded; and officers have monitored strategic planning matters in neighbouring authorities and the Government's ongoing planning reforms, which are the subject of other reports on tonight's agenda.
- 1.1.2 The Local Plan is proceeding steadily in accordance with the revised timetable presented at the March meeting. There will be a further update report to the Board meeting in July, which will also receive a revised Statement of Community Involvement (SCI) and Local Development Scheme (LDS) for approval.
- 1.1.3 These documents, introduced as part of Local Development Frameworks, are still a requirement for Local Plans. The SCI sets out how the Local Planning Authority intends to consult and engage with local communities and others with an interest in the Local Plan and development management in general. The LDS is a more formal form of the Local Plan timetable already familiar to the Board.
- 1.1.4 Members are also advised that there will be an additional Board meeting on the 25th September 2014. The purpose of this meeting will be to seek approval of the documentation forming part of the first major public consultation stage for the Local Plan known as the Issues and Options stage, which is anticipated to take place during the autumn. The meeting in September will enable officers to begin consultations in the autumn as timetabled rather than wait for the next scheduled Board meeting in November, which would mean the consultation period would extend over the Christmas period. This period of consultation will focus on high level options for the future development strategy for the Borough. It is envisaged

that a more detailed consultation stage, dealing with site specific matters, will follow in the late spring/early summer of next year.

- 1.1.5 There will also be an opportunity at the next meeting to explain the Issues and Options exercise in some more detail.

1.2 Local Plan Evidence Base

1.2.1 Objectively Assessed Needs and the SHMA

- 1.2.2 The evidence base underpinning a Local Plan is crucial to demonstrating to an independent Inspector at Examination that the Plan has been prepared on robust, relevant and up to date information. It is a key test of soundness.

- 1.2.3 The Government has made very clear that a key starting point for an Local Plan is to establish the Objectively Assessed Needs (OAN) for new development over the Plan period. This has been illustrated through numerous Inspector's reports and withdrawn or unsound Plans across the country. Therefore the Strategic Housing Market Assessment (SHMA) is arguably the most significant piece of evidence for this Plan. The SHMA was completed in March and the Board advised of the main conclusions at the last meeting. Members will recall that our challenge will be to address an OAN figure of 650 homes per annum throughout the Plan period.

- 1.2.4 At about the same time in March the Government published the final version of its Planning Practice Guidance, which is the subject of a separate report on this agenda. The SHMA has been checked against the new guidance and is almost entirely in accordance. There is one new addition to the guidance relating to the treatment of residential institutions, which have not formed part of housing needs assessments or supply in the past. The guidance now allows residential institutions (including care homes and student accommodation) to count towards meeting housing targets.

- 1.2.5 This is a positive step, but to count such accommodation against housing needs, a needs assessment of this type of accommodation over the Plan period will be necessary. The consultants have been approached by the three original commissioning authorities (TMBC, Maidstone and Ashford) to prepare an addendum to the SHMAs to ensure they are compliant with the latest guidance. An opportunity has also been taken to review new population projections expected to be released by the end of May. These updates are not expected to change the housing need significantly, but they will ensure that the SHMA is as up to date as possible going into the Issues and Options stage.

1.2.6 The Call for Sites and the SHLAA

- 1.2.7 The identification of future land supply to meet the OAN is another key piece of evidence and known as a Strategic Housing Land Availability Assessment (SHLAA). This is being prepared in-house and officers have been reviewing existing commitments and allocations as part of a desk study. At the last Board

meeting members were advised that a 'Call for Sites' exercise was about to be launched. This is now a requirement of Plan making and provides an opportunity for sites to be promoted by landowners, developers and other parties (including, for example, Parish Councils) early in the Plan making process. The exercise began in early April for a period for 8 weeks concluding on the 30th May.

1.2.8 At the time of writing this report approximately 30 submissions had been received, but more are expected up to the deadline. A verbal update on the number of submissions received will be made at the meeting. Officers will consider all of the proposals over the summer and a report explaining the outcome of the assessment will be prepared for the September Board meeting. At that time, officers' own consideration of other areas and sites will be included.

1.2.9 Employment Land Review

1.2.10 The consultants Nathaniel Lichfield and Partners have already prepared some economic futures work that has fed into the SHMA. They have been retained to build on this work to prepare a new Employment Land Review, which will assess the current stock of employment land and future allocations for their suitability and deliverability in meeting the OAN for employment uses over the Plan period.

1.2.11 A first draft of this review has been recently received and a meeting with the consultants arranged for the 19th June to discuss feedback and amendments. Further updates will be provided to this Board as information emerges.

1.2.12 Retail Studies

1.2.13 The same consultants have also been retained to prepare a retail study for the whole borough, building on the work that has already been prepared in respect of Tonbridge Town Centre and the Botany redevelopment.

1.2.14 Green Belt Review

1.2.15 Officers are reviewing the extent of the Metropolitan Green Belt designations to ensure that the reasons for including those areas are still relevant and up to date and in accordance with the National Planning Policy Framework and the Planning Policy Guidance. This is normal procedure when a Plan is prepared or reviewed.

1.2.16 Depending on the outcome of the Call for Sites exercise and the SHLAA process in general there may be a second stage to this exercise to meet other Local Plan objectives.

1.2.17 Sustainability Appraisal

1.2.18 A scoping exercise into a Sustainability Appraisal of the Local Plan has also begun in-house. Further updates will be provided to the next meeting of the Board.

1.3 Community Engagement

- 1.3.1 The meetings with all 27 of the Parish and Town Councils have been successfully concluded. The feedback was generally positive in respect of raising awareness of the new Local Plan, an opportunity to ask some questions about the process and the challenges ahead and a willingness to work proactively with the Borough Council.
- 1.3.2 Lines of communication have remained open between officers and the local councils. Offers to attend public meetings alongside the Issues and Options consultations in the autumn will be taken up, resources permitting.
- 1.3.3 The valuable lessons we have learned from the 1-1 meetings with the Parish and Town Councils will be incorporated into a similar exercise to raise awareness of the Local Plan with the unparished communities of Tonbridge. There are a number of key stakeholder groups already in existence, such as the Town Forum, Tonbridge Civic Society, resident's associations and the Town Team. A similar format to the parish 1-1 presentations explaining the Local Plan process and challenges, with a Q&A session will be invited to this group either as a single round table event or as a series of 1-1s over the summer.

1.4 Responding to Ongoing Planning Reforms

- 1.4.1 This matter is addressed in more detail in another report on this agenda, but needless to say, officers are monitoring this situation very carefully along with other emerging Local Plans, particularly how Inspector's reports interpret Government guidance. Any significant changes, such as the introduction of residential institutions being able to contribute to meeting future housing need, will be taken on board as illustrated earlier in this report in respect of the SHMA.

1.5 Duty to Cooperate

- 1.5.1 Meetings have been held with officers from Maidstone, Tunbridge Wells and Sevenoaks since the last Board meeting to share the results of the SHMA and other relevant strategic planning matters. Officer comments were recently returned to Maidstone Borough Council in respect of their recent Local Plan consultations and these are the subject of another report on this agenda seeking member endorsement.
- 1.5.2 These meetings, consultation responses and other example of working proactively to address strategic planning matters will contribute to meeting the Duty to Cooperate, which is another test of soundness in preparing Local Plans.

1.6 Local Plan Timetable and Next Stages

- 1.6.1 As noted in the Introduction to this report, there is one significant change to the timetable to incorporate an additional meeting of this Board on 25th September to

allow Members to consider the content of the Issues and Options stage consultations.

- 1.6.2 The meeting in July will receive further updates on progress and also copies of a SCI and LDS for approval. More details on what the Issues and Options exercise in the autumn will comprise will also be provided.

1.7 Legal Implications

- 1.7.1 The Council as Local Planning Authority is required to prepare a Local Plan for its area.

1.8 Financial and Value for Money Considerations

- 1.8.1 Ensuring that the Local Plan is prepared in accordance with national planning policy and guidance and based on a robust, up to date and proportionate evidence base will reduce the risks associated with submitting an unsound Plan for examination.
- 1.8.2 In house resources will continue to be focused on parts of the evidence base and process where local knowledge, experience and skills are available and also to ensure a proactive liaison with communities, local councils and other key stakeholders.

1.9 Risk Assessment

- 1.9.1 Failure to maintain an up to date Development Plan runs the risk of a lack of control in managing future development in the Borough and potentially increasing appeal costs.

1.10 Policy Considerations

- 1.10.1 The Local Plan will be the Council's primary land use planning policy document.

1.11 Conclusions

- 1.11.1 This report provides Members with an update of progress on the preparation of the Local Plan, advises of next steps and future meetings.

Background papers:

contact: Ian Bailey

Nil

Steve Humphrey
Director of Planning, Housing and Environmental Services

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

4 June 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Information

1 PLANNING REFORMS – FINAL PLANNING PRACTICE GUIDANCE (PPG) MARCH 2014

This report summarises the main changes and key issues arising from the final version of the National Planning Guidance published in March and also updates Members on other relevant planning reform proposals since the last meeting.

1.1 Background

1.1.1 The Board meeting of 19th November received an update report on the Government's Planning Reforms, including a new draft National Planning Practice Guidance note series that was being trialled since August. In March this year a final version of, what is now referred to as Planning Practice Guidance (PPG) was uploaded onto the DCLG website and is now fully functioning. The following sections of this report highlight some of the more important elements for preparing the new Local Plan and determining planning applications.

1.1.2 There have also been some more recent announcements relating to the Planning Reform agenda and this report briefly discusses these for awareness. The Planning Performance and Planning Contributions consultations invited by DCLG that closed on the 4th May proposes a change to the way affordable housing contributions as sought in rural locations and there has also been recent press coverage regarding the 'Right to build your own home' initiative, first mooted in the Budget statements this year and recently referred to by the Planning Minister at a public event resulting in some press coverage, although it is early days from this initiative.

1.2 Final Planning Practice Guidance

1.2.1 One of the recommendations of the Taylor review last year was to establish a web based set of guidance notes to replace the lengthy, confusing and sometimes out of date series of national planning guidance notes. In August last year a draft set

of notes were made available in 'Beta' mode (a term of testing computer software before general release) and comments invited.

- 1.2.2 On 6th March this year a final set of notes was published on the Government's Planning Portal website (<http://planningguidance.planningportal.gov.uk/>) alongside the National Planning Policy Framework (NPPF). There are 41 separate notes covering planning policy and development management topics.
- 1.2.3 In previous reports officers noted that it was anticipated that the NPPF may be reviewed on its second anniversary and that an opportunity taken to clarify some of the aspects of preparing Local Plans. More recent information now suggests that such a review will not take place until at least after the General Elections in 2015, although it would appear that some of the revisions to the PPG may have had the same effect.
- 1.2.4 The general thrust of the guidance is unchanged and the importance of identifying and planning to meet objectively assessed needs over the plan period remains.
- 1.2.5 The new PPG provides some further assistance for Local Planning Authorities in planning to meet those needs. For example, the PPG now explains that a windfall allowance can be used as part of the first five years housing land supply, if there is compelling evidence to support it. Also, for years 6-15 of a Plan period, where there may be less certainty over specific sites, 'broad locations' for growth may be identified and these could also include a windfall allowance, again if there is evidence to support this. Previous guidance ruled out using a windfall allowance over the whole plan period.
- 1.2.6 Another change relates to how residential institutions are counted towards meeting housing needs. In the Use Classes Order, residential institutions, such as care homes and student accommodation are classified as C2 use, which is different to dwelling houses, which are classified as C3. Consequently, C2 uses have not counted towards meeting housing needs in the past, although, arguably, a room or rooms occupied by an elderly person in a care home or a student living in student flats is their dwelling space or home.
- 1.2.7 The PPG now says that C2 uses can count towards meeting housing requirements. This may help some local planning authorities which have seen an increase in proposals for this kind of accommodation but have not, thus far, been able to count the units against their housing targets.
- 1.2.8 This will however require an additional piece of work to update Strategic Housing Market Assessments. Currently these assessments do not include an assessment for institutional accommodation. This will need to be rectified if C2 completions are to count towards meeting housing targets.
- 1.2.9 Members will recall from the last Board meeting in March that the Tonbridge and Malling Strategic Housing Market Assessment (SHMA) had been recently completed by the consultants G L Hearn and Partners at about the same time as

the PPG was published. Officers and the consultants have reviewed the SHMA in the light of the PPG and have concluded that it still accords with the guidance, with the exception of the way in which C2 uses are now addressed.

- 1.2.10 Consequently, the consultants have been asked to prepare an additional piece of work to reflect this change. This is not expected to significantly change the level of objectively assessed need for housing already set out in the SHMA, but it will mean that we will have a more comprehensive assessment of all housing needs and the ability to count C2 completions towards future housing targets.
- 1.2.11 An opportunity has also been taken as part of this commission to consider the new Sub-National Population Projections expected to be published by the end of May to ensure the evidence in the SHMA is up to date. For information, the two other authorities that jointly commissioned G L Hearn to prepare SHMAs at the same time as Tonbridge and Malling (Ashford and Maidstone) have also requested this additional work.

1.3 Planning Performance and Planning Contributions consultations

- 1.3.1 The DCLG consulted on proposed changes to planning performance and planning contributions earlier this year concluding on 4th May. One important proposal relates to the introduction of a threshold for seeking Section 106 agreements for affordable housing of 10 units or 1,000 sq.m gross floor space or more, to aid the delivery of small scale housing sites. However, rural exception sites will be exempt.
- 1.3.2 The current affordable housing policy in the adopted Local Development Framework Core Strategy (Policy CP17) has a threshold of 15 units or 0.5Ha in the urban area and a threshold of 5 units or 0.16Ha in rural areas. The rural threshold would be affected by this proposed change, but the impact in terms of the number of schemes affected and the affordable housing contributions is likely to be small. Most rural affordable housing schemes are delivered through the rural exceptions site policy and this is proposed to be exempt from the change.
- 1.3.3 The Government is currently considering the responses received.

1.4 'Right to build your own home' initiative

- 1.4.1 In the Budget statements in April this year the Chancellor announced that the Government would be looking to introduce further planning reforms to assist people to build their own homes.
- 1.4.2 *'For people who want to build their own home, the government will consult on creating a new Right to Build, giving custom builders a right to a plot from councils, and a £150 million repayable fund to help provide up to 10,000 serviced plots for custom build. The government will also look to make the Help to Buy: equity loan scheme available for custom build.'* (Taken from the 2014 Budget paragraph 1.142)

- 1.4.3 Those consultations are now expected to take place in the summer; however, at a Grand Designs Live Roadshow event on 7th May the Planning Minister Nick Boles revealed some more detail on the proposals and this resulted in some press coverage recently. Although nothing has been agreed so far, the Planning Minister explained how he envisaged the scheme taking shape.
- 1.4.4 Initially, eligible people (it is proposed that living in an area for 2 or 3 years and having means to build your own property might be criteria used), would register for a new building plot with their local authority. The local authority would be required to assess the level of demand and 'facilitate' suitable building plots to meet local demand.
- 1.4.5 The Government is considering introducing a legal duty on local authorities to provide the plots and funding will be made available to acquire land if the authority does not own land
- 1.4.6 There is no further detail at the present time, but the proposals raise a number of important questions, such as how the eligibility criteria will work in practice, how to manage expectations in areas like the south east where interest is likely to be very high and whether local authorities have the in house resources to procure suitable sites?
- 1.4.7 The Council will wish to make representations when the detailed proposals are consulted on later this year.

1.5 Conclusions

- 1.5.1 This report updates Members in respect of the Government's ongoing planning reforms. Further reports will be made in due course.

1.6 Legal Implications

- 1.6.1 The Government's planning reforms will have a bearing on how the Local Plan is prepared and how planning applications are determined.

1.7 Financial and Value for Money Considerations

- 1.7.1 Preparing a Local Plan in accordance with the most up to date Government planning policy and guidance will reduce the risk of an unsound Plan and the associated costs.

1.8 Risk Assessment

- 1.8.1 See 1.7.1 above.

1.9 Policy Considerations

- 1.9.1 The Local Plan will reflect the most up to date national planning policy and guidance available.

Background papers:

contact: Ian Bailey

Nil

Steve Humphrey
Director of Planning, Housing and Environmental Services

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

4 June 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Information

1 TRANSPORTATION UPDATE

Summary

This report provides an update on two current transportation issues affecting the Borough.

1.1 A21 Public Inquiry

- 1.1.1 The Department for Transport (DfT) has recently announced that the much-needed scheme to provide additional capacity on the A21 between Tonbridge and Pembury will now go ahead following the Public Inquiry held last year.
- 1.1.2 The scheme relates to a 2.5 mile section of the A21 between Tonbridge and Pembury which will be upgraded from single to dual carriageway, adding a lane in each direction, upgrading junctions and improving the road layout. This major road scheme should make journeys on the A21 safer and more reliable. There are further legal formalities to complete but we understand advance work could start in autumn 2014 with main construction as early as spring 2015.

1.2 KCC Rail Summit

KCC held their 6th annual Rail Summit at the end of April with speakers from KCC, Southeastern, the DfT and Eurostar.

- 1.2.1 **Ashford to Gatwick Link** - KCC confirmed that the potential Ashford to Gatwick link was not viable and "no longer on the table". The idea of an hourly service to Gatwick airport was publicised in Kent County Council's Rail Action for Kent, published in 2011. However consultants brought in to test the viability of the service have found that it would cost five times as much as it would bring in. This is regrettable as the idea was for trains to run from Ashford through Paddock Wood, Tonbridge, Edenbridge and Redhill to Gatwick.
- 1.2.2 **Thameslink** - On a positive note the Thameslink Programme, which finishes in 2018, should improve journeys from Maidstone East to Blackfriars and St Pancras with more spacious trains. The £6.5bn government-sponsored programme also includes the rebuild of London Bridge station to create more space, with great

facilities, making it easier to use. Inevitably there will be disruption at London Bridge for commuters during construction and full details can be found on the Transport for London website <https://www.tfl.gov.uk/travel-information/improvements-and-projects/london-bridge-rail-station>

- 1.2.3 **Direct-Award contract** - The DfT confirmed that they were looking to see improvements in sustainability and customer satisfaction in the new Direct-Award contract with Southeastern which will run from October 2014 until September 2018. Southeastern advised that they had submitted their proposal; the details of which will remain confidential until the contract is signed.
- 1.2.4 **Eurostar** – We were advised that their services are becoming more popular with 10.1m passengers during 2013. They are looking to introduce new routes and are currently considering a year round service to Provence and in 2016 a daily direct route to Amsterdam will be in place. There is a programme of refurbishing existing trains and new replacement Siemens trains are currently being track tested.
- 1.2.5 **High Speed Service** - In response to a question from County Councillor Mrs Hohler, Southeastern advised that they are drawing up plans to re-open the ticket office at Snodland Station with the view to stopping the High-Speed trains there. Concerns remain over car parking availability and we will be proposing a partnership approach with Southeastern and land owners to see what opportunity there is for more provision locally.
- 1.2.6 **Aviation Issues** - Members will be aware from my last report to the Board that the Davis Commission is currently appraising the short listed options for addressing airport runway capacity in the south east. A further period of consultation is due to be held in the Autumn regarding the assessment of the options and that will present an important time for the Borough Council and many others to express a balanced view on the Commission's findings and conclusions.
- 1.2.7 There are three short listed options under consideration by the Commission; two variants for a third runway at Heathrow and an option for a second runway at Gatwick. Clearly the implications of the latter will be of keen interest to the Borough Council and to some of our communities and businesses.
- 1.2.8 The Commission has also not yet ruled out the prospect of a new 'Inner Thames Estuary hub airport'. Although this is not a shortlisted option the Commission has stated that further studies, to be completed by September, will determine whether this is a "credible" option. The Borough Council has taken the view previously that it is not a credible option for a range of significant practical reasons. This is generally a quite common view held amongst Council's in Kent and Medway. Recently the Leaders of Kent and Medway have been working collectively on a submission to the Commission to draw attention to the many disadvantages and the detrimental effect that a Thames Estuary airport would cause. I suggest that it would be prudent for the Borough Council to also submit a concise view to the Commission on this subject to draw attention to the impact that such a proposal

would have on our Borough particularly concerning the significant infrastructure inadequacies and major development pressures such a proposal would cause.

- 1.2.9 In the meantime I have been in liaison with the County Council on other matters, such as the recent consultation on flight paths by the National Air Traffic Service (NATS) and night flight restrictions by the DfT, in order to assist our understanding of any local impact of these matters.

1.3 Legal Implications

- 1.3.1 None

1.4 Financial and Value for Money Considerations

- 1.4.1 None directly for the Borough Council

1.5 Risk Assessment

- 1.5.1 Not required.

Background papers:

contact: Mike O'Brien

Nil

Steve Humphrey
Director of Planning, Housing and Environmental Health

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TONBRIDGE & MALLING BOROUGH COUNCIL
PLANNING and TRANSPORTATION ADVISORY BOARD

4 June 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Information

1 FLOOD RECOVERY

This is a progress report on and the process of flood recovery within our borough following the events over the Christmas/New Year period and focussed primarily on the technical matters that have been put in place and that are emerging.

1.1 Introduction

- 1.1.1 Recovering from a major flood is not a quick or easy process. Five months on from the worst of the events, many of our residents are still not back in their homes. Even those that were flooded but did not evacuate may still be carrying out repairs or looking for ways to make their homes more resilient to future flooding.
- 1.1.2 The Borough Council's role is to support the recovery of homeowners and businesses by the means available to us; administering the government flood support grants and working with the other agencies involved in emergency planning and flood risk management to reduce the risk of flooding where possible and improving preparedness and resilience where it is not.
- 1.1.3 This report therefore provides an update on the aspects and issues relevant to our involvement in the flood recovery.

1.2 Multi-Agency Recovery Strategy

- 1.2.1 The Borough Council is participating in the county-wide Strategic and Tactical Recovery Coordinating Groups chaired by Kent County Council. The aim of these groups is to work in partnership to support affected individuals, communities and organisations to recover from the floods and to return to a state of normality.

1.3 The Multi-Agency Technical Working Group

1.3.1 The Technical Working Group was set up in February following the various public engagement meetings across the Borough. It consists of representatives from the organisations with an involvement in flood risk management:

- Tonbridge & Malling Borough Council
- The Environment Agency
- Southern Water
- Upper Medway Internal Drainage Board
- KCC Highways and KCC Flood Risk Management

The meetings of the group are also attended by community representatives from Tonbridge, Hildenborough and East Peckham.

1.3.2 The Group's workload to date includes the following:

- Maintaining an overview of local recovery and resilience issues
- Investigating flood events and collecting data on flooded properties
- Promoting and assisting Flood Warden Schemes and Flood Plans
- Asset inspection and maintenance
- Sandbag provision and locations
- Improved Flood Warnings
- Emergency Road Closures
- Promoting and progressing appropriate flood risk management schemes

1.3.3 An action plan is currently being produced to illustrate the work and timetable of the group which is intended for general dissemination.

1.4 Potential Flood Risk Management Schemes

1.4.1 The Borough Council has been engaged in significant lobbying in order to raise the profile of the need for major capital investment in flood risk schemes in the area. Letters from the Leader and Chief Executive were sent to five Government Ministers and the Chairman of the Environment Agency in April seeking commitment in this respect. At **[Annex 1]** is a copy of the letter from the Leader and Chief Executive and also a letter from Sir John Stanley that supports the Council's efforts.

1.4.2 Also in April, the Leader and Chief Executive also wrote, on behalf of the Council and local committees, to members of the Southern Regional Flood and Coastal Committee (RFCC) in support of future flood defence work in the Borough. Subsequently, the RFCC, at its meeting on 30 April, allocated funding to the following schemes (**Annex 2**):

- Hildenborough flood defence £200,000
- Tonbridge, Avebury Avenue flood defence £ 80,000
- Leigh Flood Storage improvement feasibility £100,000

1.4.3 It is important to note that this is purely an allocation of available funding rather than a green light to start work. Economically and technically sound schemes will still need to be produced by the Environment Agency for the funding to be released.

1.4.4 In addition, the Environment Agency, in conjunction with the Technical Working Group, where appropriate, is also investigating:

- Tonbridge, Racecourse Sports Ground – improved flood drainage
- East Peckham, Coult Stream Dam enhancement
- East Peckham, Hatches Lane & Addlestead Road drainage improvements
- East Peckham, River Medway Flood Defence Scheme

1.5 Flood Fairs

1.5.1 Two flood fairs have been held in the Borough organised by the Borough Council in conjunction with the local flood groups and parish councils. The fairs were held at East Peckham Village Hall on 5 April and at Hildenborough Village Hall on 12 April.

1.5.2 The core of the fairs was provided by The National Flood Forum who had large displays of information and flood products and were able to offer impartial advice on many aspects of flood resilience. Also present were several manufacturers and suppliers of flood resilience products. The Borough Council was very busy advising on 'Repair & Renew grants' as were the Environment Agency discussing flood warnings, flood risk and potential defence schemes. The events were supported by the Tonbridge Area Flood Support Group, East Peckham Flood Group and Hildenborough Parish Council.

1.5.3 The flood fairs were well attended and were a valuable and effective way of informing residents how homes can be made more flood resilient particularly with the advantage of the government grants.

- 1.5.4 The Rt. Hon. Greg Clark MP visited the East Peckham flood fair in his role as Flood Envoy for Kent reporting directly to the Prime Minister. He also visited Hildenborough on 23 April and was able to visit a flood damaged home and talk to the owners about their experiences during and after the floods.

1.6 Flood Warden Schemes & Parish Flood Plans

- 1.6.1 The appeal for Flood Wardens has generally had a good response and we now have sufficient volunteers for separate schemes in East Peckham and in Hildenborough. To date we have had one volunteer for Tonbridge but hopefully more will come forward when more people are able to return to normal home life.
- 1.6.2 The Wardens for Hildenborough and East Peckham will operate under the parish flood/emergency plans and these are being updated with assistance from the Environment Agency and the Kent Resilience Team as necessary. For Tonbridge, a flood plan or procedure will be developed by the Borough Council.
- 1.6.3 Flood Warden Training is being made available and will cover issues such as roles, before, during and after a flood, emergency planning and water safety. The first training day will be held at Kings Hill on Saturday 12 July. A new flood warden handbook is being prepared by the Environment Agency and this will be issued on the training day together with a kit of basic equipment appropriate for the role.

1.7 Flood Support Schemes

- 1.7.1 The details of the government's flood support schemes being administered by the Borough Council were reported to Cabinet at the meeting of 25 March and an update reported to the Finance, Innovation and Property Advisory Board on 14 May:
<https://democracy.tmbc.gov.uk/documents/g290/Public%20reports%20pack%2014thMay2014%2019.30%20Finance%20Innovation%20and%20Property%20Advisory%20Board.pdf?T=10>.
- 1.7.2 I have, however, listed below for completeness of the report a concise status of the implementation and uptake of the grants at the time of writing:
- 1.7.3 In respect of support for businesses,
- 86 businesses granted rate relief for 3 months
 - 63 businesses receiving the flat rate business support grant
 - 2 applications for Repair and Renew Grant
- 1.7.4 In respect of homeowners,
- 111 homes granted council tax rebate for the period home is uninhabitable
 - 168 homes granted council tax rebate for 3 months

- 12 applications for Repair and Renew Grant

1.8 Legal Implications

1.8.1 None arising from the report

1.9 Financial and Value for Money Considerations

1.9.1 None arising from the report

1.10 Risk Assessment

1.10.1 Not required.

Background papers:

contact: Steve Medlock

Nil

Steve Humphrey
Director of Planning, Housing and Environmental Health

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HOUSE OF COMMONS

LONDON SW1A 0AA

7 May 2014

Councillor Nicolas Heslop, Leader
Ms Julie Beilby, Chief Executive
Tonbridge and Malling Borough Council
Gibson Building, Gibson Drive
Kings Hill, West Malling
Kent, ME19 4LZ

Dear Nicolas and My Beilby,

I am grateful to you for sending me copies of your joint letter of April 17 to the Chief Secretary to The Treasury, Danny Alexander, the Secretary of State for Environment, Food and Rural Affairs, Owen Paterson, the Parliamentary Under Secretary of State at the Department for Environment, Food and Rural Affairs, Dan Rogerson, the Parliamentary Under Secretary of State at the Department for Communities and Local Government, Brandon Lewis, the Minister of State at the Cabinet Office, Greg Clark, and the Chairman of The Environment Agency, Lord Smith.

Your letters are extremely helpful and, in my view, target the top flood protection priorities in the Tonbridge and Malling part of my constituency.

I have now written myself giving my very strong support to your letter and I attach copies of the letters that I have now sent to the 5 Ministers concerned and to the Chairman of The Environment Agency.

I shall be writing to you again when I receive the replies.

*Yours sincerely
John Stanley*



**TONBRIDGE & MALLING
BOROUGH COUNCIL**

Nicolas Heslop

**Borough Councillor for Cage
Green, Tonbridge**

Leader of The Council

17 April 2014

Rt Hon Danny Alexander MP
Chief Secretary to the Treasury
HM Treasury
1 Horseguards Road
London
SW1A 2HQ

Dear Chief Secretary

Future Flood Defence Works – Tonbridge and Malling, Kent

We are sure that you will be familiar with the extent of flooding that occurred during the winter and especially over the Christmas and New Year period, when many families and businesses in our local communities in Tonbridge and Malling were devastated by severe flooding of property. Some 350 homes and 100 businesses in our Borough were directly affected with many more disrupted by the flood events.

The worst hit communities were in parts of Tonbridge, Hildenborough and East Peckham with properties in other areas in the River Medway catchment also affected, such as in the villages of Hadlow and Watringbury. You will also appreciate that communities are still recovering from the floods and in many cases repairs to properties will take a considerable time. The Borough Council, working with other agencies, has been committed to assisting those communities, both in responding to the emergency at the time and in helping the ongoing recovery process.

Of longer lasting affect is the distress that the flooding has caused and the fear of further such incidents. That is why our efforts must now turn to planning and implementing works to prevent a recurrence of the awful events that we have seen recently. To that end we have been working closely with colleagues at the Environment Agency and Kent County Council to promote a package of measures to provide flood defence for our most vulnerable communities. Such a programme must be clearly thought out and its elements complementary. The following are schemes that we strongly believe should receive high priority for the earliest possible funding and implementation:

- Works to substantially increase in the Leigh Flood Storage Area.
- Extensions and alterations to the river walls in Tonbridge.
- Flood prevention measures around the Hawden Stream, Hildenborough.
- Schemes to mitigate flooding from the Rivers Medway and Bourne in East Peckham.

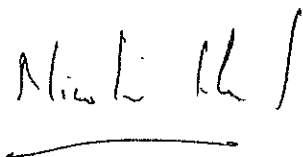
We believe that as a package of measures the above will form a very significant improvement to flood prevention in this part of west Kent. The Leigh storage area scheme, in particular, will also have positive influences on other currently vulnerable locations lower in the Medway catchment area, within our Borough and in locations such as Yalding and Maidstone town centre.

In addition to the relief for local communities that would be provided, the financial case for investment is compelling. We estimate that for the Tonbridge and Malling area alone expenditure through various Government subsidy and recovery and compensation schemes during the recent flood events to be in the order of £4m. Other areas in the locality will also have drawn on significant public expenditure in this way. This demonstrates that it makes sustainable economic sense to invest capital on projects now that can prevent such potentially recurring levels of public expenditure in the future.

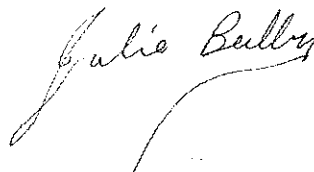
We would ask you to indicate your clear and strong support for the schemes and approach mentioned above as priority matters for funding.

We have of course copied this letter to Sir John Stanley who has been a key supporter of the efforts to address flood matters in this part of Kent.

Yours sincerely



Nicolas Heslop
Leader



Julie Beilby
Chief Executive

A similar letter has been sent to:

Rt Hon Owen Paterson MP, Secretary of State for Environment, Food and Rural Affairs;
Dan Rogerson MP, Parliamentary Under-Secretary (Department for Environment, Food and Rural Affairs);

Brandon Lewis MP, Parliamentary Under-Secretary (Department for Communities and Local Government);

Rt Hon Greg Clark MP, Minister of State (Cabinet Office); and

Rt Hon, the Lord Smith of Finsbury, Chairman, The Environment Agency

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creating a better place



Environment
Agency

Nicolas Heslop and Julie Beilby
Tonbridge and Malling Borough Council
Gibson Building
Gibson Drive
Kings Hill
West Malling
Kent
ME19 4LZ

Our ref: LB/AP/SH

Your ref:

Date: 15 May 2014

CHIEF EXECUTIVE	
PASS TO	FOR INFO FOR ACTION
19 MAY 2014	
COPY SENT TO	
COPY TO BE SENT TO	
ACKNOWLEDGED	YES/NO

Dear Nicolas and Julie

Future Flood Defence Works – Tonbridge and Malling, Kent

Thank you for your letter of 17 April. Our Chairman, Lord Chris Smith, replied to the same letter on 30 April, and I enclose a copy of Chris' response. We now have further updates on the funding situation that was mentioned in his letter, which I am happy to confirm for you.

As you are aware, the Regional Flood and Coastal Risk Management Committee have allocated funding for this financial year to the following capital projects, which are designed to reduce the risk of flooding in Tonbridge and Hildenborough:

- £80,000 to reinstate high ground in the Danvers Road/Avebury Avenue area.
- £200,000 to investigate and construct a bund to reduce flood risk in Hildenborough.
- £100,000 to progress investigations into potential improvements to the Leigh Flood Storage Area (FSA), which were previously programmed for 2035. Kent County Council (KCC) contributed a further £50,000 towards these investigations.

In March we submitted funding bids for our six-year Flood Defence Grant in Aid (FDGiA) Capital Programme, which included the Leigh FSA improvements. Without significant third party contributions this scheme would not attract FDGiA, however, we are confident that the proposed contribution from KCC will help secure the funding required. The bids for FDGiA are currently being assessed against other projects nationally and we will find out whether we have been successful in October. If successful we plan to start the detailed design next year, with construction likely to be completed in 2018.

We were in the process of updating our modelling for the River Medway through East Peckham before the Christmas floods and expect to complete this work by November this year. This will inform the design for improved flood defences for the village. We have secured £50,000 of FDGiA funding for 2014-2015 to design and plan the scheme

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Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk

with a further £400,000 for 2015-2016 for construction. This will begin soon after the remodelling is finished and we plan to complete the works by the end of 2016.

I hope this information is useful.

I am sure Andrew Pearce will keep you up to date as the schemes progress. Andrew can be contacted on 01732 223210 or at andrew.pearce@environment-agency.gov.uk.

Or if you would like to discuss this further please contact me on 01590 673172 or at lorraine-brown@live.co.uk

Yours sincerely



Lorraine Brown

Chair of the Southern Regional Flood and Coastal Committee (SRFCC)