



## **Rutland County Council**

Catmose, Oakham, Rutland, LE15 6HP.

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**Meeting: CABINET**

**Date and Time: Tuesday, 17 April 2018 at 10.00 am**

**Venue: COUNCIL CHAMBER, CATMOSE, OAKHAM,  
RUTLAND, LE15 6HP**

**Corporate support Natasha Taylor 01572 720991**  
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### **A G E N D A**

**1) APOLOGIES FOR ABSENCE**

**2) ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE**

**3) DECLARATIONS OF INTEREST**

In accordance with the Regulations, Members are required to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

**4) RECORD OF DECISIONS**

To confirm the Record of Decisions made at the meeting of the Cabinet held on 20 March 2018.

**5) ITEMS RAISED BY SCRUTINY**

To receive items raised by members of scrutiny which have been submitted to

the Leader (copied to Chief Executive and Governance Officer) by 4.30pm on Friday 13 April 2018.

## **REPORT OF THE DIRECTOR FOR PEOPLE**

### **6) HOMECARE RECOMMISSIONING**

Report No. 69/2018  
(Pages 5 - 10)

## **REPORT OF THE DIRECTOR OF PLACES**

### **7) SIGNS GUIDANCE & STREET FURNITURE POLICY**

Report No. 67/2018  
(Pages 11 - 44)

### **8) LOCAL FLOOD RISK MANAGEMENT STRATEGY**

Report No. 68/2018  
(Pages 45 - 86)

### **9) PARKING REVIEW**

Report No. 64/2018  
(Pages 87 - 102)

## **REPORT OF THE CHIEF EXECUTIVE**

### **10) RUTLAND LOCAL PLAN PRE-SUBMISSION**

Report No. 71/2018  
(Pages 103 - 124)

### **11) ANY ITEMS OF URGENT BUSINESS**

To receive items of urgent business which have previously been notified to the person presiding.

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**MEMBERS OF THE CABINET:** Mr O Hemsley Chairman

Mr N Begy  
Mr G Brown  
Mr R Foster  
Mr A Walters  
Mr D Wilby

## **SCRUTINY COMMISSION:**

**Note: Scrutiny Members may attend Cabinet meetings but may only speak at the prior invitation of the person presiding at the meeting.**

**ALL CHIEF OFFICERS  
PUBLIC NOTICEBOARD AT CATMOSE  
GOVERNANCE TEAM**

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## **CABINET**

**17<sup>th</sup> April 2018**

## **HEMECARE RECOMMISSIONING**

### **Report of the Director for Peoples Services**

Strategic Aim:	Meeting the health and wellbeing needs of the community	
Key Decision: Yes	Forward Plan Reference:	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr A Walters, Portfolio Holder for Health and Adult Social Care	
Contact Officer(s):	Mark Andrews, Deputy Director for People	01572 758339 mandrews@rutland.gov.uk
	Karen Kibblewhite, Head of Commissioning	01572 758127 kkibblewhite@rutland.gov.uk

### **DECISION RECOMMENDATIONS**

That Cabinet:

1. Approves the extension of the current homecare contracts to 31<sup>st</sup> March 2019 as set out in Section 3.5.

## **1 PURPOSE OF THE REPORT**

- 1.1 To seek approval from Cabinet to extend the current homecare services until 31<sup>st</sup> March 2019.

## **2 BACKGROUND AND MAIN CONSIDERATIONS**

- 2.1 Cabinet received a report in May 2016 in which Members agreed the review and re-commissioning of homecare services in Rutland.
- 2.2 The Council tendered homecare provision in 2013 and currently has a framework agreement in place with 5 homecare agencies to provide care packages to older people. The framework contract is in place until May 2018 and allows the Council to directly commission individual care packages from providers as and when the need arises.
- 2.3 Although there were 8 providers initially on the Framework, over the life of the Framework 3 have withdrawn due to the low volume of work or to difficulties of staffing calls in Rutland.
- 2.4 In order to ensure sufficient carers available to meet packages, a number of additional providers have been awarded contracts. These are known as 'second tier' providers and are used where those on the Framework have no capacity. There are 7 such providers currently. The issue of capacity is one which has been recurrent through the framework life.
- 2.5 This two tier approach to providers makes the process of commissioning individual care packages more complex, but as the current contracts are structured is necessary to meet need.
- 2.6 Currently the Council commissions 72,000 hours of homecare support per year to approximately 89 people. This figure is set to rise in the future due to an ageing population, people living with more complex conditions and people having the choice to remain living at home with appropriate support in place. The Council need to ensure that homecare services are able to meet future demands and are fit for purpose; the review and recommissioning exercise was therefore designed to look at alternative models for commissioning these services.

## **3 PROPOSED MODEL FOR FUTURE PROVISION**

- 3.1 Various options were considered to determine a model of homecare which can meet the needs of Rutland residents both now and in the future, and to address the issues raised during the consultations undertaken as part of the recommissioning (see Section 4 below).
- 3.2 A twofold approach has been developed based on the learning from the current provision and from the consultation. It will enable Rutland to develop a more effective and responsive service for those with complex care needs, whilst retaining homecare support by external providers as set out below:

### **3.3 In-house Complex Care Support Service**

- 3.3.1 This service is being developed in-house. It is based on the Netherlands' Buurtzorg model and enables a person-centred approach to care delivered by a

multi-disciplinary team.

- 3.3.2 It provides care for those service users with the most complex care needs, including those with health needs funded by Continuing Healthcare (CHC) and those whose needs would not fit with traditional homecare services but would benefit from additional support.
- 3.3.3 The approach is being trialled within a small area of the county currently to enable it to be shaped as it is developed. The viability and sustainability of the model is being tested to ensure that it would work long-term and be able to meet needs across the whole county.

### **3.4 Externally commissioned Homecare Provision**

- 3.4.1 The current model of spot-purchasing homecare from external providers within the county will continue for those service users who have a lower level or more straightforward care needs.
- 3.4.2 Under the Care Act 2014, the Council have a duty to support the provider market locally. By continuing to commission a level of care from external providers, the Council will be supporting the sustainability of care providers to ensure that there remains provision for self-funders.
- 3.4.3 The development of this two-fold delivery model has taken some time – officers need to ensure that the in-house service would be sustainable longer-term and meet service users' needs, and be financially viable. Consequently, the planned reprourement of the framework homecare provision has been held back.
- 3.4.4 In addition, talks have begun with East Leicestershire and Rutland CCG (ELRCCG) concerning the opportunity to jointly commission homecare for Rutland, to ensure a coordinated and consistent approach. Currently ELRCCG hold separate contracts for Rutland service users and these are due to expire on 31<sup>st</sup> March 2019.

### **3.5 Re-procurement**

- 3.5.1 In order to enable the reprourement of homecare to take place, the current contracts need to be extended. It is proposed that the extension is implemented for a period of ten months to 31<sup>st</sup> March 2019. This will allow sufficient time for a reprourement to take place, and for implementation of any provider changes post-contract award. The implementation and lead-in time is especially important as any changes to care provider will require consultation with individual service users.
- 3.5.2 It is intended to use the reprourement to address the issues raised with the current model of homecare support through the service specification requirements, and to shift the model of service delivery from 'time and task' to a person-centred approach.
- 3.5.3 The request for the procurement, the timetable and the proposed award criteria will be tabled at Cabinet for approval in June 2018.
- 3.5.4 At the point that officers request the procurement from Cabinet, they will also formally request either:

- i. permission to roll-out the complex care support service alongside the externally commissioned homecare; or
- ii. will end the trial if the complex care service is not viable and add the requirements for meeting of the needs of those service users with more complex care into the homecare service procurement.

## **4 CONSULTATION**

- 4.1 As part of the commissioning process, various consultation has been undertaken to understand current delivery and issues, and to look at potential models:
- i. Service user feedback including a survey, open event and telephone contact.
  - ii. Provider event.
  - iii. Carer feedback including a questionnaire and telephone contact.
- 4.2 The consultation highlighted 5 specific areas:
- i. Standard of care: The quality of care and support provided.
  - ii. Consistency of call times: The times required to support and whether these are at a regular time each day, to which the service user has agreed.
  - iii. Consistency of carers: Carers who are regularly visiting the same service user, and having an understanding of their support needs.
  - iv. Rate of pay: The fees paid to the provider and the pay received by a carer.
  - v. Communication: How relevant information is shared between carers, providers and social care to ensure services provided are effective and ensure the safety and wellbeing of the service user is maintained.

## **5 ALTERNATIVE OPTIONS**

- 5.1 To not extend the current contracts would leave insufficient time to re-procure homecare services thus leaving vulnerable people without appropriate care and support in the community.

## **6 FINANCIAL IMPLICATIONS**

- 6.1 The extension to homecare contracts will be met through the existing homecare budget, paid for on a case by case basis at a fixed fee as it is currently. The rate of homecare per hour paid during the extension does not include any uplift. Any uplift requests will be responded to as per current provider contracts.
- 6.2 The complex care model trial is being funded through the Adult Social Care grant and the Better Care Fund. As care packages are moved from the external homecare provision to the complex care support service, the funding will be moved across accordingly to enable any future roll-out to be funded from the budget allocation set within the MTFP.

## **7 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 7.1 The current framework contracts were procured for 3 years from May 2013 with the option to extend for 2 years- these have been extended in line with the contract until May 2018.
- 7.2 Since May 2013 several spot purchase contracts have been issued which are due



to expire on the same date.

- 7.3 As there is no option in the current contracts to extend beyond May 2018, an out of contract extension is required to ensure that provision for care packages remains whilst a reprocurement takes place to award new contracts to commence from 1<sup>st</sup> April 2019.

## **8 EQUALITY IMPACT ASSESSMENT**

- 8.1 An equality impact assessment screening has been undertaken and there are no adverse impact effects due to a continuation of homecare services with current providers.

## **9 COMMUNITY SAFETY IMPLICATIONS**

- 9.1 The Council is required by Section 17 of the Crime & Disorder Act 1998 to take into account community safety implications. The procurement of quality homecare will contribute to the safety and reduction of risk of vulnerable people.

## **10 HEALTH AND WELLBEING IMPLICATIONS**

- 10.1 The delivery of homecare services enables people to receive care and support services at home and in the community, which support their wellbeing and improve their health outcomes.

## **11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 11.1 The Council requires homecare services to support people to remain independent in the community and in their own home. The contract with the existing providers is due to expire and a contract is required whilst procurement is undertaken.
- 11.2 Alternative options are not deemed suitable at this point in time, as this would risk leaving a gap in service provision.
- 11.3 It is recommended therefore that Cabinet approves the extension of the current contracts to allow for a full reprocurement to take place for the provision of homecare services.

## **12 BACKGROUND PAPERS**

- 12.1 Report No: 106/2016 Residential and Domiciliary Care Fees and Future Planning.

## **13 APPENDICES**

- 13.1 No Appendices

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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## CABINET

17<sup>th</sup> April 2018

### SIGNS GUIDANCE & STREET FURNITURE POLICY

#### Report of the Director for Places (Environment, Planning & Transport)

Strategic Aim:	Safeguard the most vulnerable and support the health & well-being needs of our community	
Key Decision: Yes	Forward Plan Reference: FP/040817	
Cabinet Member(s) Responsible:	Mr N Begy, Deputy Leader and Portfolio Holder for Planning Policy and Planning Operational, Highways & Transportation, Communications	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning & Transport)	01572 758461 dbrown@rutland.gov.uk
	Neil Tomlinson, Senior Highways Manager	01572 758342 ntomlinson@rutland.gov.uk
Ward Councillors	Not applicable	

#### DECISION RECOMMENDATIONS

That Cabinet:

1. Approve the Rutland Signs Guidance & Street Furniture Policy in Appendix 1.

## 1 PURPOSE OF THE REPORT

- 1.1 To consider a revised signs guidance and street furniture policy for Rutland.

## 2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Rutland County Council originally approved a highways signs policy in June 2009. The main changes in this update are:

- Additional details on the provision of Brown Tourism signs;
- Controls for advertising boards (A-boards); and
- Controls for street furniture (e.g. table and chairs).

- 2.2 The overall aims of the policy are to:

- To minimise sign clutter;
- To regulate the installation and provision of signs and formalising the process for removal and the cost recovery process for signs placed without consent;

- To make the town centres attractive to visitors and residents; and
- To ensure the highway remains safe and free from unacceptable obstructions.

### **3 BROWN TOURISM SIGNS**

- 3.1 All facilities utilising brown tourism signs will be contacted to ensure that they comply with the current policy, and agree to pay ongoing cleaning and maintenance costs in accordance with the policy. The review period will be reduced from 5 years to 2 years.

### **4 A-BOARDS**

- 4.1 The policy seeks to formalise and regularise the placement of A-boards, in particular around the centres of Oakham and Uppingham where pedestrian usage is highest. This will avoid ambiguity and afford a more useable environment for all highway users. A licence fee is proposed (see finance section below).

### **5 STREET FURNITURE**

- 5.1 There are no current policies to guide the licensing of street furniture. Alfresco eating is becoming a more widespread aspect of urban life and the presence of tables and chairs on the pavement can make a positive contribution by adding vitality, colour, life and interest to an area.
- 5.2 There has been a steady rise in the interest from restaurants, cafés, and bars within the county to seek permission to place tables and chairs, associated with their operation, in the highway.
- 5.3 The Council appreciates the general appeal of this concept, recognises the economic benefits and welcomes the potential visual and amenity rewards such schemes can give if they are developed and implemented sympathetically.
- 5.4 The Council is mindful that uncontrolled and inconsiderately sited tables and chairs on the pavement can be unsightly, cause a nuisance, obstruct the passage of pedestrians, prams, and wheelchairs and create a danger to people with impaired vision or mobility difficulties.
- 5.5 The Council is seeking to introduce a policy and licensing process for the placing of street furniture within the highway. This policy seeks to provide an element of control to the introduction of a café culture.

### **6 CONSULTATION**

- 6.1 Consultation was carried out with the following organisations, and their comments addressed where practicable:
- All town and parish councils;
  - Oakham Town Partnership; and
  - Rutland Access Group.

### **7 FINANCIAL**

- 7.1 The costs for the licences will be included for approval within the Council's approved fees and charges schedule for 2019/20. The proposed charges are as follows:

<b>Licence Type</b>	<b>Initial Fee</b>	<b>Renewal Fee</b>	<b>Total/year</b>	<b>Total Income</b>
A-Board	£50	£25	100	£5,000
Street Café	£250	£125	10	£2,500

7.2 These are approximate figures based on assumed take up of the licences. Several premises in Oakham and Uppingham will no longer be eligible for A-board placement due to the narrow width of footway adjacent to their premises.

7.3 There are currently only around 5 licences for tables and chairs in operation throughout the County. These would be renewed under the new policy.

## **8 LEGAL AND GOVERNANCE CONSIDERATIONS**

8.1 The proposed fees and charges will be approved by Council as part of the annual budget setting process.

8.2 In order to place street furniture onto the highway, a licence must be issued by the Council pursuant to Section 115 A-K of the Highways Act 1980.

## **9 EQUALITY IMPACT ASSESSMENT**

9.1 Equality impact assessment screening has been carried out. No negative impacts have been identified. Controlling A boards would have a positive impact on pedestrians with disabilities.

## **10 COMMUNITY SAFETY IMPLICATIONS**

10.1 None identified.

## **11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

11.1 That the Draft policy (Appendix 1) is approved to minimise sign clutter, control unauthorised signs, ensure highway safety and make the town centres more attractive.

## **12 BACKGROUND PAPERS**

12.1 There are no background papers

## **13 APPENDICES**

13.1 Appendix 1 – Draft Signs Guidance & Street Furniture Policy

**A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.**

# Rutland Signs Guidance & Street Furniture Policies

<b>Version &amp; Policy Number</b>	Version 2.0
<b>Guardian</b>	Neil Tomlinson 01572 758342 ntomlinson@rutland.gov.uk
<b>Date Produced</b>	5 <sup>th</sup> September 2017
<b>Next Review Date</b>	

Approved by Cabinet	
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## Summary of document

This Policy aims to formalise the placement of signage within the highway, including the regulation of advertising signs and street furniture.

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## 1.0 HIGHWAY SIGNAGE

### 1.1 Introduction

- 1.1.1 The type, size and location of highway signs are prescribed by the Traffic Sign Regulations and General Directions 2002 (TSRDG) with additional guidance contained in the Traffic Signs Manual (TSM), with the explicit aim of ensuring the uniformity of highway signage across the country. The aim of this document is to provide guidance on how these documents will be interpreted and applied to highway signage in Rutland.

### 1.2 General Principles

- 1.2.1 Signage shall be kept to absolute minimum for the following reasons:
- To enhance the environment by reducing the amount of roadside clutter;
  - To reduce the cost of new signage;
  - To reduce the cost of maintaining existing signs;
  - To increase the impact of important signs;
  - To minimise the chances of signs being obstructed by other signs;
  - To minimise electricity consumption;
  - To minimise the number of obstructions within the highway.
  - To encourage a café culture
  - To increase tourism and socialisation within urban environments
  - To ensure that street furniture is safe for all highway users

### 1.3 Regulatory Signs

- 1.3.1 Regulatory signs shall be the minimum size prescribed by the TSRDG and only be used where there is a reasonable prospect of enforcement (eg speed limits). The following signs shall only be used in exceptional circumstances with the approval of the Director for Places (Environment, Planning & Transport), Places:

- Diag.619 – Motor vehicles prohibited;
- Diag.642 – no stopping on main carriageway (clearway);
- Diag.956 - route used by pedal cycles and pedestrians, and associated signs. Road markings to diag.1057 and 1058 should be used instead.



Diag 619



Diag 642



Diag 956

## 1.4 Warning Signs

- 1.4.1 Warning signs shall only be used where there is a significant hazard that requires advanced warning due to a lack of forward visibility. The size shall be the minimum prescribed by TSRDG, however vehicle speed should be taken into account, in accordance with the TSM. The following signs shall only be used in exceptional circumstances with the approval of the Director for Places (Environment, Planning & Transport), Places:

- Diag.950 – Cycle route ahead;
- Diag.506 – Side road ahead;
- Diag.510 – Roundabout ahead;
- Diag.543 – Traffic signals ahead.



Diag 950



Diag 506



Diag 510



Diag 543

## 1.5 Tourist Destination Signs

- 1.5.1 Tourist destination signs (brown signs) shall only be erected where there is a demonstrable public interest. The attraction must be open for at least 150 days a year without prior booking and have a minimum of 10,000 visitors per year. Adequate off street parking must be provided. The guidelines, and criteria for tourist attractions and facilities are included in Appendices A and B.

## 1.6 Temporary Road Signs

- 1.6.1 Temporary signs for road works and new road layouts shall be signed in accordance with Chapter 8 of the TSM and the code of practice for Safety at Street Works and Road Works. All temporary signs shall be removed as soon as reasonably practicable. Signs to diag.7014 – permanent changes to the road layout, shall be removed after 3 months

## 1.7 Traditional Signs

- 1.7.1 Traditional signs, such as finger posts, shall be retained wherever practicable. All maintenance or replacement shall be carried out sympathetically. Timber posts may be used on low speed roads. On high speed roads posts shall comply with BS EN 12899-1.

## **1.8 Sign Placement & Specifications**

- 1.8.1 Signs shall be placed in accordance with the TSM and take account of visibility requirements and the need to minimise the risk of vehicle collisions. Where signs provide information for vehicles turning from a major road to a minor road they shall be positioned in line with the highway boundary of the major road (i.e. on the hedge line or fence line of the major road). Signs shall be placed so as not to obstruct other signs. Where possible new signs shall be mounted on existing poles or lighting columns (see also section 10).
- 1.8.2 Signs shall be mounted in accordance with the following:
- Where there are no pedestrians the base of the sign shall be between 900mm and 1500mm above the height of the adjacent carriageway, taking account of summer verge growth and additional sign cleaning requirement due to vehicle spray;
  - Where pedestrians may be present the base of the sign shall be a minimum of 2100mm above the footway;
  - No part of the post shall project above the top of the sign.

## **1.9 Grouping of Signs**

- 1.9.1 Where multiple signs are essential they shall be mounted on a single post (or set of post if signs are large). The restrictions specified in Chapter 1 of the TSM shall apply.

## **1.10 Illumination**

- 1.10.1 Signs shall only be illuminated where required under Schedule 17 of TSRGD.
- 1.10.2 Where signs no longer require illumination, the lighting equipment will be removed when the sign reaches the end of serviceable life.

## **1.11 Convex Mirrors**

- 1.11.1 Convex mirrors are not permitted in the highway as there is no evidence that they reduce accident rates.
- 1.11.2 Whilst approval from the highway authority is not required for mirrors erected on private land, planning permission may be required.

## **1.12 Signs to Developments**

- 1.12.1 Developers may be permitted to put up signs advertising the location of a development if they meet the conditions listed below. A developer who wishes to put up a sign must apply to the Authority to do so.
- 1.12.2 Details of the location, number, wording and method of fixing of the signs, along with proof of the developer's public liability insurance must be provided to the council for approval prior to permission being granted. Only the minimum number of signs necessary will be approved. In most cases, this is likely to be the minimum number of signs required to direct from the nearest classified road.
- 1.12.3 The developers or their contractor's public liability insurance shall indemnify the council against all claims for injury accident or damage which may arise due to the presence of the signs on or adjacent to the highway.
- 1.12.4 The development includes a minimum of 30 bedrooms.
- 1.12.5 Signs must conform to the Traffic Signs Regulations and General Directions diagram 2701 or 2071.1 (house symbol in black on a yellow background).
- 1.12.6 Each sign is mounted a minimum of 2.1m above the carriageway/footway/verge or 2.4m above a cycle route. Each sign is to be at least 0.45m from the edge of the carriageway and at least 600mm where there is a cross fall. On high-speed dual carriageway roads the clearance should be at least 1200mm
- 1.12.7 No costs associated with removal or maintenance of the signs shall be borne by the council.
- 1.12.8 The signs shall be removed within six months of erection or on completion of the sale of 80% of the properties, whichever is sooner.
- 1.12.9 Any damage to existing street furniture arising from the erection of the temporary signs will be repaired and the costs recharged to the developer.
- 1.12.10 A charge in accordance with RCC fees and charges is made to cover a site visit to assess feasibility at the proposed sites.
- 1.12.11 No direction sign is to be mounted adjacent to a "warning" or "regulatory order" traffic sign.

## **1.13 Signs for Special Events**

- 1.13.1 Direction signs for special events will be considered if substantial vehicular flows are likely to be generated, causing congestion or a road safety hazard. Substantial flow is considered to be in excess of 400 vehicles attending the event. Event organisers should clearly demonstrate that their car parking provision would accommodate the expected visitor numbers.

Parking should be on site and closely associated with the venue to reduce pedestrian movements.

- 1.13.2 All signs on the highway must be approved by the Council.
- 1.13.3 A charge in accordance with RCC fees and charges is made to cover the cost of assessing and approving the design
- 1.13.4 Details of the location, number, wording and method of fixing of the signs, along with of the event organisers or contractor's public liability insurance which shall indemnify the council against all claims for injury accident or damage arising due to the presence of the signs on or adjacent to the highway must be submitted for approval.
- 1.13.5 Only the minimum number of signs necessary will be approved. In most cases, this is likely to be the minimum number of signs required to direct from the nearest classified road.
- 1.13.6 Following approval in writing by the Council signs are to be erected no more than 48 hours before the event. Any signs found erected in advance of this will be removed and the applicant charged the cost of removal and an administrative fee of 10% of the costs.
- 1.13.7 Signs are to be removed within 24 hours of the event. Any signs found consequently will be removed and the applicant charged the cost of removal and an administrative fee of 10% of the costs.
- 1.13.8 When applications are made for a series of events the signs must be removed and re-erected for each event. The above charges will be incurred for deviations from this.
- 1.13.9 Signs must be of an appropriate size in accordance with TSRGD, for the approach speeds of the road on which they are to be placed and must not interfere with any existing highway signage.
- 1.13.10 In the case of badly presented / designed applications where staff time is required to correct mistakes and check locations the applicant will be charged the cost of rectification.
- 1.13.11 Where signs are erected without permission, they will be removed and the cost of doing so charged to the organising body of the event named on the sign. The cost of sign removal shall be in accordance with Rutland County Council's fees and charges and reviewed annually.
- 1.13.12 No costs associated with removal or maintenance of the signs shall be borne by the council
- 1.13.13 Any damage to existing street furniture arising from the erection of temporary signs will be repaired and the costs recharged to the promoter.
- 1.13.14 No direction sign is to be mounted adjacent to a "warning" or "regulatory order" traffic sign.

## **1.14 Community and Charity Events**

- 1.14.1 For community and charitable events and other non-commercial activities, signing may be permitted within the highway provided that they comply with the document; Outdoor advertisements and signs: a guide for advertiser's document ([Click here for link](#)). These signs would be classed as advertising benefitting from deemed consent and would be deemed as Class 3 (D).
- 1.14.2 The signs are put up no more than 28 days before the event and are removed a maximum 14 days after it ends.
- 1.14.3 The signs do not confuse drivers, obstruct visibility or block footways.
- 1.14.4 The signs are not attached to other highways signs (attachment to other street furniture may be allowed and further advice should be obtained from the Highways Department).
- 1.14.5 Each sign does not exceed 0.6 of a square metre in area.
- 1.14.6 Permission in advance is sought and received from the Highways Department.
- 1.14.7 Any signs found to be breaching this condition may be removed and disposed of.

## **1.15 Advertising Signs**

- 1.15.1 An outdoor advertisement is permitted without the planning consent if:
  - It is one of the 9 different classes of advertisement which are specifically excluded from the direct control of the planning authority; or
  - It comes within the provision of one of the 14 classes of deemed consent

[\(see Outdoor advertisements and signs; a guide for advertisers\).](#)
- 1.15.2 All other signs require advertisement consent and a planning application must be made.

## **1.16 Implementation**

- 1.16.1 This guidance applies to the erection of all new highway signs in Rutland. Existing signs will be modified as part of a rolling programme or whenever improvement schemes are carried out. The rate of change will be dependent on available funding. When signs are damaged or have reached the end of their life, this guidance will be used to determine whether they should be replaced.

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## **2.0 ADVERTISING BOARDS & GOODS ON DISPLAY**

### **2.1 Introduction**

- 2.1.1 Advertising signs are controlled through planning regulations. The Government provides a guidance document for advertisers with clear advice on the placement of any advertising signs ([Click here for link](#)).
- 2.1.2 Advertising Boards (A-boards), and goods on the highway are an effective way for businesses to promote their business in and around the towns and villages of Rutland, adding to the colour and atmosphere of the street scene for residents and visitors alike.
- 2.1.3 This section of the policy establishes Rutland County Council's position with regards to the placement on the public highway of A-Boards, and other comparable objects.
- 2.1.4 A-boards and goods within the highway must be appropriate for the area and properly set up so that they benefit the business, enhance the shopping area and do not cause a problem for other users of the street.
- 2.1.5 Unlicensed A-boards shall not be permitted within the highway, either on freestanding structures, attached to street furniture, or adjacent structures. Any signs found to be breaching this condition will be removed to our contractors' depot, stored for 4 weeks, disposed of, if not collected, and the applicant charged the cost of removal and an administrative fee of 10% of the costs.
- 2.1.6 The Council is prepared to allow A-boards and Goods for Display to be placed on the highway on the strict understanding that the businesses that place them adhere to the terms of Rutland Signs Guidance Policy (including Advertising Signs & A-boards), and all such installations are licensed in accordance with this policy.

### **2.2 A-Board Locations**

- 2.2.1 Permission must be sought and received from the Highways Department at least 4 weeks in advance of installation date and a licence obtained in accordance with 2.5.
- 2.2.2 The A-board should be located immediately outside the front of the business premises and not on highway fronting adjacent businesses or properties. The sign must be touching the front of the building, making sure that there is an unobstructed passage at least 1.8m wide for people using the footway.
- 2.2.3 A-boards or displays will only be allowed on pavements where sufficient width of footway can be left clear and unobstructed for pedestrian usage of the area. An unobstructed footway width of 1.8 metres must be maintained between the edge of the carriageway and the A-board. In pedestrianised areas a minimum width of 3.5 metres shall be provided.



- 2.2.4 If within a short distance a proliferation of A-boards results in pedestrians finding it difficult to navigate, all owners will be asked to remove boards until agreement can be reached.
- 2.2.5 A-boards must not be placed in the way of vehicle movements.
- 2.2.6 All A-boards must be temporary in their nature so that they can be easily removed i.e. they require no excavation to be installed or removed. They are to be totally removed from the highway at the end of each day's trading.
- 2.2.7 A-boards must not be located within 1.2 metres of any other permanent or temporary sign, pillar, post, item of street furniture, other display or the edge of the carriageway.
- 2.2.8 A-boards must not cause a visual distraction or obstruction to vehicle sight lines or block visibility for footway users, and must not impede vehicular emergency access.
- 2.2.9 A-boards must be such that they can easily be detected by blind or visually impaired people and negotiated by people with limited mobility.
- 2.2.10 On footways, an A-board or display must not be placed within 2.0 metres of any tactile paving.
- 2.2.11 A-boards must not be fixed to lamp posts, bollards, seats, highway trees or other items of street furniture by means of chains, rope, etc. Any that are so fixed may be removed by the Council at any time without any reference to the owner.
- 2.2.12 Only one A-board will be permitted per business.
- 2.2.13 A-boards leant against walls etc will not be acceptable
- 2.2.14 All signs and displays shall be removed prior to and during events likely to result in significant increase in level of footfall (i.e. carnivals, races, religious services and other public events).
- 2.2.15 No protruding elements that could cause a trip or fall shall be permitted
- 2.2.16 No elements that could cause injury to passers-by i.e. splinters, snagging of clothes shall be permitted
- 2.2.17 Any signs found to be in breach of any of these conditions will be removed to our contractors' depot, stored for 4 weeks, disposed of, if not collected, and the applicant charged the reasonable cost of removal and an administrative fee of 10% of the costs.

## **2.3 A-board Sign Requirements**

- 2.3.1 A-boards and displays must be such that they can easily be detected by blind or visually impaired people and negotiated by people with limited mobility.
- 2.3.2 A-boards and displays must be stable and not represent a potential danger to any highway users. In particular, the structure must be of sufficient weight and/or design to prevent it being blown over in the wind.
- 2.3.3 A-boards or displays must not have a detrimental effect on the fabric of the highway.
- 2.3.4 A-boards should be no greater than A1 Maximum (841x594) plus a frame.
- 2.3.5 Rotating or swinging A-boards will not be permitted.
- 2.3.6 A-boards cannot be illuminated.
- 2.3.7 A-boards must not contain any visual or written material that could be construed as inappropriate or offensive. Any breach of this condition will result in the immediate removal of any such signs.

## **2.4 Display Specific Requirements**

- 2.4.1 Displays of goods may only be located immediately outside the frontage of the premises so that staff and customers do not have to cross the normal flow of pedestrians.
- 2.4.2 The items on display may only relate to the business or trade normally carried out and in any event the display of alcohol and gas bottles/canisters or other dangerous goods is not permitted.
- 2.4.3 The display must not obstruct fire door exits and statutory undertakers' plant and equipment.
- 2.4.4 The display must be entirely within the frontage of the trading establishment and be no wider than a third of the available highway footway up to a maximum of 2.5m. An unobstructed footway width of 1.8 metres must be maintained between the edge of the carriageway and the goods on display. In pedestrianised areas a minimum width of 3.5 metres shall be provided.
- 2.4.5 No selling or trading on the highway is permitted. All transactions must take place on the business premises.

## **2.5 Licence Fees**

- 2.5.1 The applicant shall agree to reimburse Rutland County Council the costs involved in the processing of the application, the investigation of and location of the signs, and the provision of the licence by the Council. The cost of determining the application shall be in accordance with Rutland

County Council's fees and charges and reviewed annually, payable at the time of submitting a formal application and will not be reimbursed if the application is not successful.

- 2.5.2 Provided there are no breaches of the licence, the licence would be renewed annually, for an administrative fee determined in accordance with Rutland County Council's fees and charges and reviewed annually.

## **2.6 General**

- 2.6.1 The business/trader must ensure that they have public liability Insurance to a value of £5 million and an original policy certificate provided to the Council where requested. The business/trader shall indemnify the Council as the Highway Authority against all claims that may arise in connection with the placing of an A-board or display on the highway.
- 2.6.2 The Council, as highway authority and statutory undertakers (gas, electricity and water) have the right to carry out works within the highway. If required the A-board or display shall be removed to allow access for the highway authority or statutory undertakers to undertake works.
- 2.6.3 The Council has powers under the Highways Act 1980 to take enforcement action in respect of obstructions to the highway where appropriate and to recover any expenses incurred. The Council is less likely to take enforcement action for obstructing the highway if the A-boards and goods on the highway are displayed in compliance with the terms and conditions of this policy and the licence.
- 2.6.4 The A-board or display will be expected to enhance the local area. Any business or trader who places an A-board or display on the highway without meeting the requirements of the Council's policy will be instructed by the Council to remove the offending A-board or display.
- 2.6.5 Any signs found to be breaching these conditions will be removed to our contractors' depot, stored for 4 weeks, disposed of, if not collected, and the applicant charged the reasonable cost of removal and an administrative fee of 10% of the costs.

## **3.0 STREET FURNITURE**

### **3.1 Introduction**

- 3.1.1 Alfresco eating is becoming a more widespread aspect of urban life and the presence of tables and chairs on the pavement can make a positive contribution by adding vitality, colour, life and interest to an area.
- 3.1.2 There has been a steady rise in the interest from restaurants, cafés, and bars within the county to seek permission to place tables and chairs, associated with their operation, in the highway.
- 3.1.3 Rutland County Council appreciates the general appeal of this concept, recognises the economic benefits and welcomes the potential visual and amenity rewards such schemes can give if they are developed and implemented sympathetically.
- 3.1.4 The Council is mindful that uncontrolled and inconsiderately sited tables and chairs on the pavement can be unsightly, cause a nuisance, obstruct the passage of pedestrians, prams, and wheelchairs and create a danger to people with impaired vision or mobility difficulties.

### **3.2 Legal Situation**

- 3.2.1 For the purposes of this policy pavement cafes are considered to be tables and chairs placed on the highway where food and drink is consumed by customers.
- 3.2.2 Before agreeing to grant permission for a pavement café on the highway, the Council must ensure that the public's rights to use the highway are not detrimentally affected.
- 3.2.3 This power was written into the Highways Act 1980 sections 115A to 115K, and allows the Council (as the Highway Authority) to provide and operate facilities for recreation and refreshment within the boundaries of the highway. It also allows the Council to grant permission to third parties to locate and operate such services in the highway.

### **3.3 Permissions Required**

#### **3.3.1 Highway Authority**

- 3.3.1.1 A permission to use the highway for pavement cafés is issued by the Council under section 115E Highways Act 1980.
- 3.3.1.2 Tables and chairs placed on the highway without permission are an illegal obstruction and the Council will take enforcement action in such cases.

### **3.3.2 Planning Permission**

- 3.3.2.1 Planning permission may be required for pavement cafes on the public highway, but the Council may not necessarily pursue this if it is satisfactory from a highways perspective. It should be noted that relevant planning permission or a lawful use for your existing premises must be in place before consent for a pavement café will be considered.

### **3.3.3 Premises Licence**

- 3.3.3.1 If it is intended to serve alcohol at the table within the public highway, it will be necessary to apply separately for alcohol permission under the Licensing Act 2003. Early consultation with the Council licensing section/ department is recommended to ascertain the requirements for any particular proposal.

- 3.3.3.2 If you do not have a premises licence or your current licence expires or is revoked for any reason, you will not be able to serve any alcohol within the public highway.

### **3.3.4 Environmental Health registration**

- 3.3.4.1 Food businesses are required by law to be registered with the Council. This is an entirely separate consideration to granting a pavement café licence. An application form can be obtained from the Environmental Services department of the Council.

## **3.4 Designing the Pavement Café**

- 3.4.1 The size and layout of your proposed pavement café will be dependent upon the characteristics of the site outside your premises, the space available, the street furniture and the type of premises. However, there are a few fundamental principles to follow with the design. It is suggested that preliminary discussions take place with the Council.

## **3.5 Size And Layout**

- 3.5.1 The pavement café should normally occupy an area directly in front of and be visible from your existing premises. It should not extend beyond the width of your frontage but if you propose to extend beyond your frontage you will need to obtain your neighbours agreement.
- 3.5.2 Emergency exits from your own premises or adjacent buildings must not be obstructed by the pavement café and emergency services vehicles must have access along all streets at all times, even in pedestrianised areas.
- 3.5.3 The needs of other users of the highway should be taken into account e.g. pedestrians, trades people, adjacent businesses etc.

- 3.5.4 On normal street pavements or narrow footways the tables and chairs should be placed against the building. The presence of tables and chairs should never discourage pedestrians from using the footway.
- 3.5.5 Where a café lies outside a pedestrianised area, a minimum width of footway of 1.8m is required between the boundary of the seating area and any space used by vehicles or the kerb face.
- 3.5.6 It is not appropriate to set a standard size for pavement cafés. Each application will be evaluated on its merits taking into account the site characteristics, the space available and the proposed layout.
- 3.5.7 The layout of the café's furniture, access points and means of enclosure must provide adequate access and circulation space for all customers including wheelchair users and those with pushchairs, buggies etc.
- 3.5.8 Tables and chairs should not be located where they will impede drivers' sight lines or obscure highways signs.
- 3.5.9 When designing the pavement café you should consider whether or not your existing toilet and washing facilities are adequate to accommodate increased customer numbers. If toilet facilities do not meet the requirements necessary for wheelchair access, a sign should be displayed to ensure people are aware of this.
- 3.5.10 The pavement café should not adversely affect the architecture or historic character of a Listed Building or its setting or the Conservation Area in which it is located.

## **3.6 Boundaries**

- 3.6.1 The County Council will not allow any fixtures to or any excavation of any kind to the surface of the highway.
- 3.6.2 Every effort should be made to avoid causing damage to the highway or adjacent property. The cost of rectifying any damage to the highway surface or to the street furniture caused by any activity connected with the pavement café operation may be recharged to the licensee.
- 3.6.3 Once the size and the layout of the pavement café are agreed it is important that it is adhered to at all times. All activities associated with the café must be contained within the agreed boundary including all tables, chairs, parasols, planters, barriers/fencing etc.
- 3.6.4 When the pavement café is in use, a form of enclosure will be required to demarcate and contain the area. Good quality and well-designed materials should be used. Waist-high post and ropes are suggested as one method and it is also advised that the enclosure includes solid elements near to ground level which are detectable by stick to give a clear warning to people with visual impairment.

- 3.6.5 The colour and materials of the enclosure should be considered carefully to ensure that in the longer view it is not too visually dominant, but at close range contains key elements which stand out against the background. In some circumstances a particular design may be required to retain some continuity of design in a particular area.
- 3.6.6 Planters with shrubs or floral displays will be welcomed as part of the enclosure.
- 3.6.7 Menu boards will not be accepted as part of the boundary or as a separate advertising opportunity.
- 3.6.8 When the designated area has been agreed a definitive plan of the area showing the boundaries and the dimensions will be attached to and form part of the Licence.

### **3.7 Hours Of Operation**

- 3.7.1 The County Council does not wish to be too prescriptive on the hours of operation for the café. The proposed hours of operation will need to be included on your application.
- 3.7.2 **All furniture etc. is to be removed and stored off the highway within 30 minutes of closing. Furniture cannot be placed upon the highway before any designated opening times. The designated area swept and washed within 30 minutes of closing.**

### **3.8 How Long and How Much?**

- 3.8.1 When an application is received it is initially checked to see if all of the information required is complete, if not the applicant will be informed.
- 3.8.2 When a valid application is made the Council will carry out consultations with the following organisations and persons as appropriate before granting a licence;-
  - a) Leicestershire Police
  - b) Leicestershire Fire and Rescue Service
  - c) Local County Councilor
  - d) The appropriate Parish or Town Council
  - e) Local disabled groups
  - f) Town Centre Manager
  - g) Local Chamber of Trade and Commerce
  - h) Environmental Services
- 3.8.3 The above listed persons will be requested to make their representations within 28 days of the submission of the application.

- 3.8.4 **If objections are received from the Police or Town Council that cannot be resolved then the application will not be approved.**
- 3.8.5 If no representations are received, or if any are received and are resolvable by amending the proposal, then the application process will continue with formal consultation taking place.
- 3.8.6 Under the terms of the Highways Act 1980, the Council cannot grant permission unless it obtains consent of interested frontagers who may be materially affected by the proposal i.e. those that may have a café extending onto their frontage.
- 3.8.7 The Council must publish a public notice of the application and consult with nearby frontagers who may be affected. The notices are usually posted in the vicinity of the proposed pavement café, with frontagers being sent a copy of the notice. The notices must be in place for a minimum of 21 days to allow for any representations.
- 3.8.8 Council officers usually try to resolve any objections at an early stage. If however they cannot be resolved then the application may be considered by the Planning and Licensing Committee.
- 3.8.9 Each application will be different and may take a different time to determine. Some may provoke many objections; others may raise none at all. In general it is estimated that it will take approximately three months to process an application. Following the good practice procedures in this policy will improve your chance of succeeding. The notices must be in place for a minimum of 21 days to allow for any representations.

### **3.9 Standard Conditions**

- 3.9.1 9.1 The standard conditions for a street furniture licence can be found in Appendix C.

**A large print version of this document is available on request**

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## **RUTLAND COUNTY COUNCIL HIGHWAYS**

### **IMPLEMENTATION OF TOURISM SIGNING**

The Council welcomes the changes to the legislation that allows greater flexibility to sign those genuine tourist establishments, which reinforce the image of quality underpinning national and local tourism policies. Such signs should make the tourists' journey safer, easier and less confusing whilst causing the minimum possible impact to the environment.

**The establishment shall normally be open for at least 6 hours per day and for at least 150 days a year and attract at least 10,000 visitors per year.**

#### **GENERAL PRINCIPLES APPLICABLE TO ALL ESTABLISHMENTS**

1. All costs incurred by Rutland County Council shall be paid by the applicant. Details of the appropriate costs are shown on the documents relating to '**Tourism Signing Guidelines for Attractions and Facilities**' (Appendix B).
2. Eligibility will not confer automatic entitlement for brown tourist signs. There may be factors which mean it will not be possible to provide signs despite eligibility – for instance, where there already exists, or there is a commitment for, the maximum number of destinations at a particular junction, or where signs cannot actually be erected due to physical constraints.
3. In order to reduce costs to the applicant, brown tourism signs will not normally be incorporated into general directional signing but will be kept separate. This will also increase the emphasis of the brown tourism signs.
4. The minimum signs necessary for the safe and efficient direction of traffic to the establishment will be approved. Only in exceptional circumstances will signing begin beyond the nearest point of the nationally classified road network (ie A and B roads) and will not normally extend to that network.
5. Where there are two or more establishments of the same type either in one area, or along a particular route, then normally generic legends rather than individual ones shall be used, eg. high street shops or hotels.
6. When a scheme has been agreed, it shall remain in that form for a period of two years where the circumstances at the time of the scheme design remain unchanged. After that time Rutland County Council reserves the right, subject to prior notification, to change or remove the scheme with no compensation to the applicant.
7. Subject to road safety and traffic management considerations, where there are too many tourist establishments wishing to be signed at a particular location, then Rutland County Council reserves the right to only sign the appropriate number with the greatest number of tourist visitors (if this does not

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indicate any particular ranking then the establishments may be chosen on the basis of proximity to the location).

8. The applicant shall provide details of the number of tourists and the total number of customers using the establishment during the latest 12 month period.

**ADDITIONAL URBAN GUIDELINES**

9. In urban areas only, comprehensive signing schemes shall normally be implemented. In this respect it will be necessary for the design of the signing scheme to include detailed consultations with the local Town and Parish Council and the relevant trade organisations in order to produce a satisfactory scheme.
10. Priority in urban areas should be to direct tourists to public car parks and to provide signing to facilities (and back) in the form of pedestrian signs. The erection of details at the car parks, in the form of Information Boards including maps of the area showing key attractions and facilities, is of particular benefit for tourists/visitors. In this respect, traffic entering the area should be directed to the car parks.
11. Pedestrian signing should also be considered for public transport facilities, particularly where access by private transport is difficult or discouraged for environmental reasons.

**ADDITIONAL RURAL GUIDELINES**

12. Where the identification of the designated network results in signing having to be provided over excessive distances, consideration will be given to signs only being provided from the nearest signed community.
13. To reduce environmental impact where a scheme involves signing through more than two junctions, Rutland County Council will consider the use of signs of the form "For X, follow Y" utilising existing signed destinations rather than erecting additional continuity signing.

## **RUTLAND COUNTY COUNCIL HIGHWAYS**

### **TOURISM SIGNING GUIDELINES FOR ATTRACTIONS AND FACILITIES**

#### **ATTRACTION**

For the purposes of this document an **attraction** is defined as an establishment that is provided for:-

1. The benefit of Tourists who are intent on visiting it, having seen it advertised in leaflets, the media etc., and;
2. which provides a recreational, educational and/or historical interest, and;
3. Which is open to the public without prior booking during its normal opening hours.
4. Which is normally be open for at least 6 hours per day and for at least 150 days a year and attracts at least 10,000 visitors per year

It may be, for example, historic house, museum, farm park, theme park or leisure complex.

To qualify for signing, the following requirements all apply to an **attraction**:-

- A. The attraction shall have agreed to abide by Visit England's National Code of Practise for Visitor Attractions, or similar.
- B. The applicant shall provide evidence that appropriate steps have been taken during the 12 months prior to the application, to publicise the attraction to tourists and informing them of the route to it. There shall normally be copies of tourism publicity brochures, details of where they have been distributed and copies of advertisements that have been published in the tourism media.

For newly established attractions, the applicant shall supply details of their proposed publicity. The Rutland County Council reserves the right to refuse applications for new venues where insufficient publicity is proposed.

- C. The applicant shall confirm in writing that he/she will not erect any unauthorised advertisement signs, and/or will remove any existing unauthorised signs relating to the attraction.
- D. The applicant shall provide evidence of over 10,000 visitors per year
- E. For vehicular signing, adequate on-site parking must normally be available. Where off-site parking is provided, this must be within a reasonable distance of the attraction. Signing to other car parks within a reasonable distance of

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the facility may be agreed subject to the applicant providing written confirmation from the owner of the car park that this is acceptable for the two year valid period for the signing scheme. It is suggested that up to 200 metres would normally be considered to be a reasonable distance from the car park to the attraction.

- F. The attraction shall have sufficient facilities for people with disabilities to enable them to make adequate use of the attraction.
- G. The applicant shall agree to reimburse Rutland County Council the costs involved in the processing of the application, the investigation of and design of the signs, and the provision and erection of the signs that are agreed by the Council. The cost of determining the application shall be in accordance with RCC fees and charges, payable at the time of submitting a formal application and will not be reimbursed if the application is not successful.

The cost of investigating and designing the signs shall be in accordance with RCC fees and charges for each sign which is requested or which is considered appropriate by the Council, whichever number is the greater (this design fee will be payable in advance, with any outstanding balance being paid before the instructions for the works are issued). The cost of the provision and erection of the signs is extra and will vary for each application and will be determined after the detailed design has been carried out. The applicant must pay for the provision and installation of the signs prior to the placing of a Works Order with our Contractor.

In addition, payment for cleaning the signs will be required in advance as a commuted sum. This payment will be in accordance with RCC fees and charges for each sign and will cover a two year period. The applicant will be contacted after the two year period has elapsed with regard to the continuation of the signs and a further payment for the future cleaning.

- H. There is the provision within the regulations for the applicant to arrange for the provision of the signs through a signing contractor. In such instances, Rutland County Council requires that the work shall be carried out to its specification and satisfaction and will be charged in accordance with RCC fees and charges per sign for the checking of the contractor's design and actual erection work (this is in addition to the application fee that will have already been paid). The applicant's and/or the contractor's design work will include the liaison with the local Parish Council(s) and the relevant local trade organisations in order to determine whether or not the signing for other neighbouring attractions and facilities need to be taken into account. Copies of all the consultation documents shall be forwarded to Rutland County Council at the time of submission of the signing scheme.
- I. In all cases, Rutland County Council's maintenance obligations will only include routine inspection and washing (see paragraph F) above. All costs incurred with regard to repairs to the signs, howsoever the need for those repairs came about, will be the responsibility of the applicant (these costs will take into account any money that may have been previously recovered from those people responsible for the damage). The applicant's financial responsibility could include repairs/replacement due to accident damage,

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vandalism, theft and making safe for other users of the highway. Refusal by the operator of the attraction to repair/replace any sign relating to that attraction, thereby resulting in a 'gap' in the signing scheme, will mean that Rutland County Council shall give consideration to the removal of the other signs associated with the attraction.

## FACILITY

For the purposes of this document a **facility** is defined as an establishment that is provided for:-

1. the provision of a service or services within an area which may be frequented by tourists
2. which is open to the public without prior booking during its normal opening hours.
3. Which is normally be open for at least 6 hours per day and for at least 150 days a year and attract at least 10,000 visitors per year

It may include, for example, hotels and other serviced accommodation, pubs, restaurants, cafes, shops, cinemas/theatres, sports and leisure facilities. (It should be pointed out that consideration will be given to removing any signs associated with the **facility** if the establishment is no longer part of any quality approval scheme, especially if membership has been suspended due to fallen standards).

To qualify for signing, the following requirements all apply to a **facility**:-

### General Requirements for all Facilities

- A. The applicant shall provide confirmation in writing that the facility is a quality tourist facility for tourism signing purposes from Visit England, Discover Rutland, Trade Association or any other body currently recognised by Rutland County Council as representing standards in the particular field of tourism.
- B. The applicant shall provide evidence of over 10,000 visitors over the last year
- C. The applicant shall provide evidence that appropriate steps have been taken during the 12 months prior to the application, to publicise the facility to tourists and informing them of the route to it. There should normally be copies of the tourism publicity brochures, detail of where they have been distributed or copies of advertisements that have been published in the tourism media.

For a newly established facility, the applicant shall supply details of their proposed publicity that is to be carried out in regard specifically to tourists. Rutland County Council reserves the right to refuse applications for new venues where insufficient tourism publicity is proposed.

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- D. The establishment must show and provide evidence that over 50% of its customers are from outside the area (ie. more than 20 miles away), that there is a proven need for signs to enable tourists to find it and that the establishment is of significant value to the local tourist market. In cases where doubts exist as to whether these conditions are met, the applicants must carry out, at their own expense, a survey of customers to determine what proportion of customers are coming from outside the area and what problems were encountered in finding it. The survey shall be carried out over a period of seven consecutive days when the facility is open.
- E. The applicant shall confirm in writing that he/she will not erect any unauthorised advertisement signs, and/or will remove any existing unauthorised signs relating to the facility.
- F. For vehicular signing, adequate on-site parking must normally be available. Where off-site parking is provided, this must be within a reasonable distance of the attraction. Signing to other car parks within a reasonable distance of the facility may be agreed subject to the applicant providing written confirmation from the owner of the car park that this is acceptable. It is suggested that up to 200 metres would normally be considered to be a reasonable distance from the car park to the facility.
- G. The facility shall have sufficient amenities for people with disabilities to enable them to make adequate use of the facility.
- I. The facility shall have sufficient amenities for families with children of all ages to enable them to make adequate use of the facility.
- J. The facility shall comply with all relevant legislation, e.g. valid fire certificates and health inspections, and if required shall supply evidence.
- K. The applicant shall agree to reimburse Rutland County Council the costs involved in the processing of the application, the investigation of and design of the signs, and the provision and erection of the signs that are agreed by the Council.

The cost of determining the application shall be in accordance with RCC fees and charges, payable at the time of submitting the formal application and will not be reimbursed if the application is not successful.

The cost of investigating and designing of the signs shall be in accordance with RCC fees and charges for each sign which is requested or which is considered appropriate by Rutland County Council, whichever number is the greater (this design fee will be payable in advance, with any outstanding balance being paid before instructions for the works are issued).

The cost of the provision and erection of the signs is extra and will vary for each application and will be determined after the detailed design has been carried out. The applicant must pay for the provision and installation of the signs prior to the placing of a Works Order with our Contractor.

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In addition, payment will be required in advance for cleaning the signs. This payment will be in accordance with RCC fees and charges for each sign and will cover a two year period. The applicant will be contacted after the two year period has elapsed with regard to the continuation of the signs and a further payment for the future cleaning.

- L. There is the provision within the regulations for the applicant to arrange for the provision of the signs through a signing contractor. In such instances, Rutland County Council requires that the work shall be carried out to its specification and satisfaction and will charge, in accordance with RCC fees and charges per sign, for checking the contractor's design and actual erection work (this is in addition to the application fee that will already have been paid). The applicant's and/or contractor's design work will include the liaison with the local Parish Council(s) and the relevant trade organisations in order to determine whether or not the signing for other neighbouring attractions and facilities need to be taken into account. Copies of all the consultation documents shall be forwarded to Rutland County Council at the time of the submission of the signing scheme.
- M. In all cases, the Council's maintenance obligations will only include routine inspection and washing (see paragraph J above). All costs incurred with regard to repairs to the signs, howsoever the need for those repairs came about, will be the responsibility of the applicant (these costs will take into account any money that may have been previously recovered from those people responsible for the damage). The applicant's financial responsibility could include repairs/replacement due to accident damage, vandalism, theft and making safe for other users of the highway.

### Additional Requirements for Different Types of Facility

- 1. **Hotels and Other Serviced Accommodation** – only inspected serviced accommodation will be considered for tourism signs. Examples of inspection schemes include Visit England, AA, and RAC. Applicants shall provide written confirmation of their grading and a copy of their current membership documentation.
- 2. **Self-catering Accommodation** – these will not normally be eligible because customers tend to have to book in advance. However, there may be instances where, for traffic management reasons, some of the larger establishments, for instance, holiday centres and parks, may be eligible in view of the numbers of day visitors that they attract. Visit England and British Graded Holiday Park Schemes are examples of inspection schemes, and applicants shall provide written confirmation of their grading and a copy of their current membership documentation.
- 3. **Public Houses** – the establishment shall be open at least six hours per day (including times during the day when tourists are likely to be visiting the area), six days a week for at least six months of the year and customers should normally be able to obtain a meal without pre-booking. The establishment shall provide a full menu including a la carte.

**Appendix B**

4. **Cafes/Take Away Food Outlets** – the establishment shall be open at least six hours per day (including times the day when tourists are likely to be visiting the area), six days a week for at least six months of the year and customers shall be able to obtain a meal without pre-booking.
5. **Recreational Facilities** – the establishment shall not have any limitations on use that is based upon any form of membership only or is dependent upon pre-booking. The establishment shall have amenities to enable tourists to have a meal and other refreshments at the times when they are likely to be visiting the area.
6. **Cinemas** – the establishment shall not have any limitations on use which requires pre-booking.
7. **Retail Outlets** – the outlet shall normally provide amenities or features that are aimed specifically at tourists.
8. **Camping and Caravan Sites** – only inspected sites and those sites with at least 20 pitches for casual overnight use are eligible and the site must be licensed under the Caravan Sites and Control of Development Act 1960 and/or the Public Health Act 1936. The British Graded Holiday Parks Scheme is an example of an inspection scheme, and applicants shall provide written confirmation of their grading and a copy of their current membership documentation of the inspection scheme.
9. **Youth Hostels** – those managed by the YHA may be granted tourist signing. Exceptionally those managed by other national bodies and open to the public without prior booking may be signed, but without the YHA symbol.
10. **Tourist Information Centres** – only those centres that meet the appropriate standards laid down nationally by Visit England and recognised by the Regional Tourist Board will be eligible for signs.



## **Rutland County Council**

### **Street Café Licence Standard Conditions**

1. The Holder(s) of this Permission shall not exercise privileges granted by this Permission otherwise than strictly in accordance with this Permission.
2. The Holder(s) shall produce this Permission on demand when so required by a Police Officer or a duly authorised Officer of the council.
3. The Holder(s) shall return this permission to the Office immediately on revocation of this Permission.
4. The Holder(s) shall not cause any unnecessary obstruction of the highway or danger to persons using it and shall not permit persons to gather so as to cause a nuisance or annoyance or danger to any person lawfully using the highway. A clear width of 1.8m of footway is to be left for the safe passage of pedestrians.
5. The Holder(s) shall not use or allow to be used any music playing, music reproduction or sound amplification apparatus or any musical instruments, radio or television receiving sets whilst exercising privileges granted by this permission unless otherwise agreed with the Council in writing.
6. The Holder(s) shall not make any excavation or indentations of any description whatsoever in the surface of the highway or place or fix any equipment of any description on the said surface.
7. The area permitted to be used must be used solely for the purpose of consuming refreshments and not for any other purpose whatsoever.
8. The Holder(s) shall have full responsibility for the designated café area, which must be directly outside the premises. Total number of customers using café area must be monitored in order to prevent overspill outside the designated area.
9. The Holder(s) shall not exceed the hours of 09:00hrs to 23:00hrs for displaying the tables and chairs.
10. The Holder(s) shall, whilst members of the public are using the facilities provided for the consumption of intoxicating liquor, provide in a prominent position to the satisfaction of the Councils' representatives, notices in the form approved concerning the provisions required by the Council relating to the consumption of intoxicating liquor in public places.
11. If food and drink is required to be served waiter style to the tables then a separate liquor licence will be required. Before introducing this type of service a liquor licence is to be obtained from the Licensing Authorities.

**Appendix C**

12. The Holder(s) shall not place on the Highway any furniture or equipment or advertisement other than as permitted by the Council and must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises. Such furniture shall be to an agreed standard and themed with accessories around a colour scheme.
13. The Holder(s) shall make no claim or charge against the Council in event of the chairs or tables or other objects being lost, stolen or damaged in any way from whatever cause.
14. The Holder(s) shall not do or suffer anything to be done in or on the highway which in the opinion of the Council may be or become a danger, nuisance or annoyance to or cause damage or inconvenience to the said Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.
15. The Holder(s) shall not assign, underlet or part with any interest or possession given by this Permission or any part thereof but the Holder(s) may surrender it at any time.
16. The Holder(s) shall observe and comply with any directions in relation to the use of the highway given by relevant Officers of the Council. In particular, access shall be provided at all times for highway works including public utility plant.
17. The application must make clear the area in which tables and chairs are to be placed, not merely the number of tables and chairs proposed. If umbrellas are proposed, this should also be specified. Plans submitted with the application must identify the location of the building line in a pedestrian priority zone, together with dimensions of the area for tables and chairs. The plan should also show any entrance to premises within or adjacent to this area plus any area which may be considered to be private forecourt, location of trees, lamp columns and other street furniture. Any application without such a detailed plan will be treated as invalid and will not be dealt with until such a plan has been supplied.
18. The Holder(s) shall maintain the area as shown on the plan attached to this Permission and edged in red and the immediately adjacent, in a clean and tidy condition during the permitted hours and shall leave the same in a clean and tidy condition and unobstructed which shall include (1) washing down the area, at the end of each daily period of use and (2) removing any refuse and litter deposited on the highway in the vicinity of the tables and chairs.
19. The area of the café shall be defined with planters or ropes to contain the tables and chairs to within the boundary and assist people with visual impairment to recognise the boundary. Such furniture to be an agreed standard and themes to match the rest of the café furniture.
20. The Holder(s) shall provide litterbins or similar receptacles for the deposit

**Appendix C**

of cartons, wrappers, containers and similar discarded items if required and ensure that the same are emptied daily. Waste from the Holders operations must not be disposed of in the permanent litterbins provided by the Council within the highway.

21. The Holder(s) shall remove all furniture or equipment, litterbins or other articles placed on the highway in accordance with this Permission at the expiry, surrender or revocation of the Permission and at the end of each working day.
22. The Holder(s) shall indemnify the Council against all actions, proceedings, claims, demands and liability which may at any time be taken, made or incurred in consequence of the use of the chairs and tables and other objects and for this purpose must take out at the Holder(s) expense a policy of insurance approved by the Council in the sum of at least, £5,000.000 in respect of any one event and must produce to the Council on request current receipts for premium payments and confirmation of annual renewals of the policy.
23. The Council may revoke the permission at any time and the Council shall not in any circumstances whatsoever be liable to pay any compensation to the Holder(s) in respect of such revocations.
24. Nothing herein shall be construed as the granting or purported granting by the Council of any tenancy under the Landlord and Tenant Act 1954 or any permission under the Town and Country Planning Act 1990 or any statutory modification or re- enactment thereof for the time being in force.
25. The Holder(s) shall be responsible for any rates, taxes and outgoings, which may be charged.
26. The fee for the provision of the Permission shall be in accordance with the Council's fees and charges renewable on the 1<sup>st</sup> April each year.
27. The Holder(s) attention is drawn to section 115k of the Highways Act 1980 which provides as follows: -
  - i) If it appears to a Council that a person to whom they have granted a Permission under Section 115E of this Act has committed any breach of that Permission, they may serve a notice on him requiring him to take such steps to remedy the breach as are specified in the notice within such time as it so specified.
  - ii) If a person on whom a notice is served under the sub-section (1) of this Act fails to comply with the notice, the Council may take the steps themselves.
  - iii) Where a Council have incurred expenses in the exercise of the power conferred on them by sub-section (2) of this Act those expenses, together with interest at such reasonable rates as the Council may determine from the date of service of a notice of demand for the expenses, may be recovered by the Council from

**Appendix C**

the person on whom the notice under Sub- section (1) of this Act was served.

28. The Holder(s) must be aware of any potential conflict and must not interfere with special cyclic events on the highway e.g. Markets, Parades, other events
29. Failure to comply with any conditions of the Permission will require the Council to consider whether any subsequent Permission should be granted to the Holder(s) of this Permission.
30. If the licensee ceases to trade during the permit period, no refund will be issued under any circumstances.

## CABINET

17 April 2018

### LOCAL FLOOD RISK MANAGEMENT STRATEGY

#### Report of the Director for Places (Environment, Planning & Transport)

Strategic Aim:	Sustainable Growth	
Key Decision: Yes	Forward Plan Reference: 221117	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr N Begy, Deputy Leader and Portfolio Holder for Planning Policy and Planning Operational, Highways & Transportation, Communications	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning & Transport)	01572 758461 dbrown@rutland.gov.uk
	Contact , Position	Telephone email
Ward Councillors	Not applicable	

#### DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the Local Flood Risk Management Strategy attached as appendix 1.

#### 1 PURPOSE OF THE REPORT

- 1.1 To consider the draft Local Flood Risk Management Strategy (LFRMS).

#### 2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Rutland County Council is designated as a Lead Local Flood Authority (LLFA) by the Flood Water Management Act. One of the duties of a LLFA is to develop, maintain, apply and monitor a strategy for local flood risk management.
- 2.2 'Local flood risk' is defined as flooding from surface runoff, groundwater and 'ordinary' watercourses. It is not required to cover 'main river' flooding, which remains the responsibility of the Environment Agency (EA).

- 2.3 A Preliminary Flood Risk assessment (PFRA) for Rutland was published in 2011 and concluded that flood risk in Rutland was very low. This was revised in 2017 and identified a potential increased risk from surface water flooding, particularly in Oakham. The action plan includes a refinement of the Environment Agency's (EA) LIDAR survey of Rutland as the identified risk is not consistent with the local history of flooding.

### **3 CONSULTATION**

- 3.1 The Growth, Infrastructure and Resources Scrutiny Panel is the Council's overview and scrutiny committee for flood risk management. The Panel considered the LFRMS on 16<sup>th</sup> November 2017.
- 3.2 The legislation requires consultation with other risk management authorities (e.g. the Environment Agency and water companies) and with the public. The draft LFRMS has been sent to these authorities and parish councils for comment. It has also been published online for public comment. A summary of the responses received is as follows:
- 3.3 Barrowden Parish Council made comments about specific surface water drainage issues in Barrowden. Further information was requested about any history of flooding.
- 3.4 North Luffenham Parish Council identified a number of roads in the village which have flooded. A summary of the other points raised is as follows:
- The document should include actions to reduce the risk of flooding in downstream authorities ('main river' flooding is the responsibility of the EA and is outside the scope of the document).
  - The prevention of loss of life should be an objective (this can be included but is considered to be disproportionate to the local risk. Local flood risk should not be confused with 'main river' flooding which is an EA responsibility).
  - There should be more flow monitoring stations on rivers ('main river' flooding is the responsibility of the EA and is outside the scope of the document).
  - Flooding of the road between North Luffenham and Wireless Hill should be considered in detail in relation to the development of St Georges barracks.
- 3.5 Edith Weston Parish Council:
- Suggestion that there should be a hierarchy of actions to fit with national strategy (it is not possible to put these actions into a hierarchy).
  - Is there a record of property flooding (yes, this is statutory).
  - Have expectations with regard to managing flood risk been quantified (this is set out in this document and the preliminary flood risk assessment).
  - Is there access to higher definition mapping (yes, either on request or through the EA website).

### **4 ALTERNATIVE OPTIONS**

- 4.1 No alternative options have been identified as the production of an LFRMS is a statutory requirement.

## **5 FINANCIAL IMPLICATIONS**

- 5.1 The Council has a total budget allocation of around £144k per year for the maintenance of highway drainage and culverts.
- 5.2 In the event of any significant flooding the Council would have a statutory duty to carry out an investigation. As this is unlikely there is no specific budget allocation for investigations.

## **6 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 6.1 Publication of a LFRMS is a statutory requirement for the Council under its duties as a lead local flood authority (LLFA).

## **7 EQUALITY IMPACT ASSESSMENT**

- 7.1 Equality impact screening has been carried out and no adverse impacts have been identified. An equality impact assessment is not required.

## **8 COMMUNITY SAFETY IMPLICATIONS**

- 8.1 There are no community safety implications.

## **9 HEALTH AND WELLBEING IMPLICATIONS**

- 9.1 Internal flooding of properties can have significant health and wellbeing effects on residents.

## **10 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 10.1 The Council is required to produce a local flood risk management strategy. Cabinet is recommended to approve the draft strategy contained in Appendix 1.

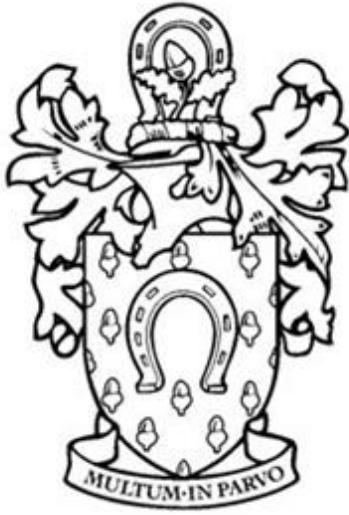
## **11 BACKGROUND PAPERS**

- 11.1 There are no additional background papers to the report.

## **12 APPENDICES**

- 12.1 Appendix 1 – Local Flood Risk Management Strategy

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.



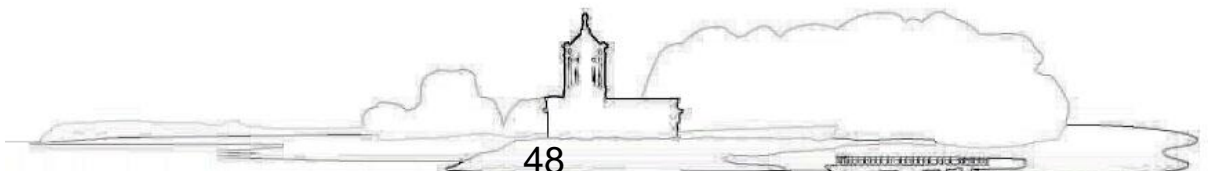
# Rutland County Council

## Appendix 1

### LOCAL FLOOD RISK MANAGEMENT STRATEGY – DRAFT FOR CONSULTATION

Version & Policy Number	0.5
Guardian	Dave Brown, Director for Places (Environment, Planning & Transport)
Date Produced	20 February 2018
Next Review Date	17 October 2022

Considered by Scrutiny	16 November 2017
Approved by Cabinet	





## Summary of document

This strategy will provide an overview for how the Council as the Lead Local Flood Authority (LLFA) will lead and co-ordinate local flood risk management in Rutland. It will act as the focal point for integrating all flood risk management functions in the County and has regard to the Environment Agency's National Flood and Coastal Erosion Risk Management Strategy.

The document provides a background to the need for such a strategy, detailing the local and national drivers whilst setting out where responsibility for different flood risks lay. The existing framework for managing and communicating flood risk is briefly described including how RCC are currently fulfilling their LLFA roles.

The uplands of Rutland provide headwaters for three separate catchments, these relatively steep clay uplands appear conducive to flash flooding but historically the mapped risk and actual experience of flooding is somewhat limited, even during recent heavy rainfall events and as such the level of flood risk has been deemed to be relatively low in both local and national assessments.

Two reservoirs dominate the landscape in the area and both are well managed and have a negligible flood risk being more significant for their wildlife designations and the amenity they provide to residents and visitors of the area.

Changes to national surface water flood mapping have identified a Flood Risk Area of national significance within Oakham, this was reported through the Preliminary Flood Risk Assessment and has been incorporated into the Action Plan within this Strategy. The Action Plan will be reviewed on an annual basis to ensure any newly identified risks can be targeted.

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## **1.0 INTRODUCTION**

### **1.1 Why do we need this document?**

Flooding is a natural process that plays an important part in shaping the environment. However, flooding can cause damage, disruption; and in extreme circumstances loss of life. Flood risk in England appears to be increasing. While it is not possible to prevent all flooding, understanding the risks means we can put plans in place to manage them and reduce the impact flooding may have on our communities.

Rutland County Council (RCC) is a lead local flood authority (LLFA) and is responsible for producing, maintaining, applying and monitoring a local flood risk management strategy (LFRMS) which is consistent with the national strategy.

This strategy will form the framework within which we engage local communities and other risk management authorities in developing local flood risk management decisions, and explain how we will support them to become better informed about flood risk issues generally.

In 2017 RCC were required to review its Preliminary Flood Risk Assessment (PFRA) against current flood risk data and information held by the Environment Agency. The assessment concluded that since the publication of the original report in 2011 there had been no nationally or locally significant flood events. It also reported that procedures are in place for RCC to carry out its duties as a Lead Local Flood Authority such as data collection and management and acting as a statutory consultee in the planning process.

The latest surface water flood risk mapping was assessed as a part of the PFRA and was found to highlight a new area of nationally significant flood risk in Oakham. This newly identified Flood Risk Area (FRA) creates a requirement on RCC as a LLFA to investigate that risk and if necessary identify a means of managing that risk. This report will describe how the risk was identified and include the next steps in addressing this risk as a part of an action plan.

### **1.2 The water environment in Rutland**

The headwaters for three river basins originate in the higher ground to the north and west of the county. The water then sheds in three separate directions through a series of ordinary watercourses before reaching the main rivers downstream.

The predominant catchment is that of the River Welland which forms a part of the wider Anglian River Basin. Small areas in the north and west of the county provide sources the River Eye, which lies in the Severn Basin, and the River Witham, which lies in the Humber Basin.

This higher ground is typically formed of clay soils which means that a relatively high proportion of the water falling here will runoff into the watercourses and down to the rivers. The combination of clay soils and steep

slopes means that the water level in the watercourses can change quite rapidly during periods of heavy rain.

As the slopes become gentler in the east of the county the ground conditions start to change, the presence of limestone beneath the surface allows more opportunity for water to soak into the ground and also opportunity for water to spring from the ground.

### 1.2.1 River Welland catchment tributaries

**Bisbrooke Brook** originates from the highland around Uppingham and runs in an easterly direction to join the River Welland.

The **River Chater** runs from west to east, entering the RCC area near Launde Abbey and running east before it is joined by **Morcott Brook** between North and South Luffenham and continues in an easterly direction, passing through Ketton before joining the Welland.

The **River Gwash South Arm** runs from west to east through Braunston in Rutland and Brocke before feeding into Rutland Water reservoir. The **River Gwash North Arm** and **Barleythorpe Brook** both flow through Oakham from the rural area to the west and then combine downstream of Oakham before entering Rutland Water. Flows from Rutland Water feed the River Gwash to the east of the reservoir. **North Brook** runs from north to south through Cottesmore, Greetham flowing into the **River Gwash** at Empingham before flowing through Tickencote, Great Casterton and Ryhall on the way to its outfall into the River Welland downstream of Stamford.

**Eye Brook** has its head waters in Leicestershire and runs north to south on the western border from Belton in Rutland, passing through Eyebrook reservoir to Caldecott before entering the Welland.

To the east the **River West Glen** runs from north to south passing around Essendine before joining the Welland.

The **River Welland** runs west to east on the southern boundary of the authority area and eventually into the wash near Fosdyke Bridge.

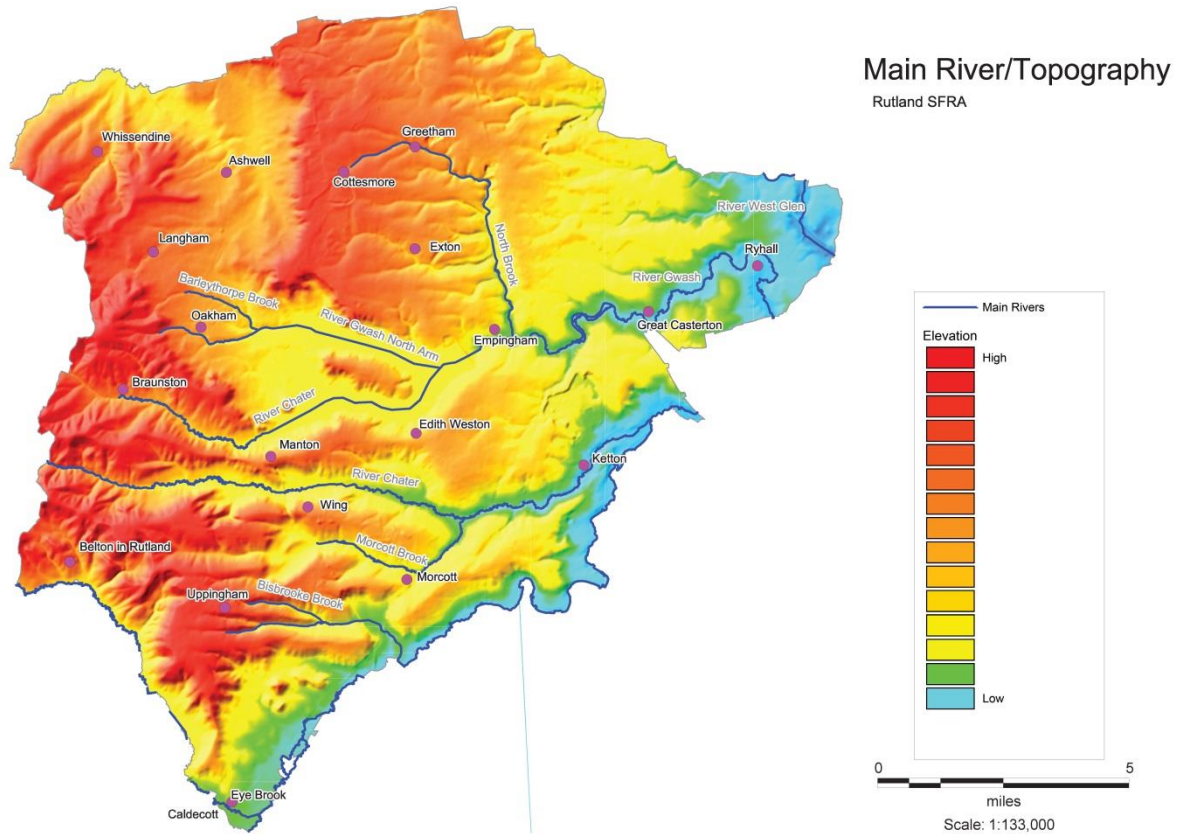
### 1.2.2 River Witham Catchment

A series of watercourses in the north of the RCC area, near Thistledon, drain across the border and eventually into the **River Witham** near South Witham. The River Witham then flows east to the wash.

### 1.2.3 River Eye Catchment

A second series of watercourses serves a number of settlements in the north-west including Whissendine, Langham and Ashwell. This then flows into the **River Eye** near Stapleford and in turn joins the River Wreake which is a tributary of the River Soar. The River Soar then joins the River Trent before passing into the River Humber and on to the North Sea.

## Main River/ Topography map



### 1.2.4 Reservoirs

**Rutland Water** lies in the catchment of the River Welland and was created in the 1970s for public water supply and is recharged with flows from Barleythorpe Brook, River Gwash North Arm and River Gwash South Arm. The reservoir is also now a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) for wildfowl and a Ramsar wetland conservation area.

**Eyebrook Reservoir** also lies in the River Welland Catchment and was constructed in the 1930s to supply water to Corby steel works but is now associated more as a fishery. This reservoir has also a SSSI.

### 1.2.5 Oakham canal

Oakham canal provided a link between Oakham and Melton Mowbray to transport goods, this was formally closed in the 1840s. Whilst connectivity between the two towns has been lost, some sections of the canal still hold water and have a value for amenity and wildlife.

### 1.2.6 Sewers

The public sewers in the Rutland area are operated by the Water and Sewerage Companies (WaSC) with Severn Trent managing the sewers that discharge into the Severn catchment and Anglian Water managing the sewers that discharge into the Witham and Welland river catchments.

## 2.0 LEGISLATION AND POLICY

### 2.1 National Context

#### 2.1.1 Flood Risk Regulations

Flood risk regulations 2009 have been put in place to implement the **EU Flood Directive** ([http://ec.europa.eu/environment/water/flood\\_risk/](http://ec.europa.eu/environment/water/flood_risk/)). These regulations required the production of a PFRA, which RCC published in 2011 and later reviewed in 2017. The regulations outline the roles and responsibilities of the various authorities consistent with the Flood and Water Management Act 2010 and provide for the delivery of the outputs required by the directive. The Regulations:

- Give responsibility to the EA to prepare Directive deliverables: preliminary assessment report, flood risk maps and hazard maps and flood risk management plans for flood risk from the sea, main rivers and reservoirs.
- Give responsibility to Lead Local Flood Authorities (LLFA) to do the same for 'local flood risk', which includes surface runoff, groundwater and ordinary watercourses.
- Give responsibility to the Environment Agency for collating and publishing the preliminary assessment reports, flood risk maps and hazard maps, and flood risk management plans.

More details relating to the PFRA can be found in section 2.2.1.

#### 2.1.2 Flood and Water Management Act

The Flood and Water Management Act (FWMA) 2010 makes specific provision for the recommendations provided by Sir Michael Pitt in his independent review of the flooding experienced across much of England and Wales in 2007.

Under the FWMA, Rutland County Council is designated as a LLFA and has been allocated a number of key responsibilities with respect to local flood risk. <https://www.legislation.gov.uk/ukpga/2010/29/contents> The Council's role as an LLFA is to:

- Undertaking a lead responsibility for managing the risk of flooding from surface water, groundwater and ordinary watercourses;
- Developing a strategy for local flood risk management in Rutland;
- Maintaining a register of flood risk assets;
- Investigating significant flooding incidents;

- Cooperating with other flood risk management authorities (Anglian Water, Severn Trent, EA, Network Rail).

The Act defines Local Flood Risk as being surface runoff, groundwater and ordinary watercourses. For clarity ordinary watercourses are watercourses that are not classified as main rivers.

### **2.1.3 National Flood and Coastal Erosion Risk Management Strategy (FCERM)**

It is important to appreciate where the LFRMS sits in the context of the national flood and coastal erosion risk management (FCERM) strategy. There are different flood risk strategies and policies that link to European, National and local level as follows:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/228898/9780108510366.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228898/9780108510366.pdf)

To fit with national strategy, local organisations such as RCC will need to do the following:

- Work in partnership to make sure plans and strategies are consistent with, and developed in conjunction with related strategies
- Appraise and adopt, as appropriate, the full range of measures that may be available to manage risks
- Consider the wider carbon costs or benefits of adopting different flood mitigation measures and reduce the carbon costs of the measures used
- Contribute to the achievement of sustainable development, balancing the needs of society, the economy and the urban, rural and natural environment
- Ensure that the costs of measures are clear and understood and that the measures selected reflect expected climate change
- Meet legal requirements to assess the impacts of strategies
- Record the measures being implemented and provide local information to support the EA in developing the national understanding of risk and to meet the requirements of the flood risk regulations

## 2.1.4 Water Framework Directive

This directive became UK law in December 2003 aiming for a good ecological and chemical status of all ground and surface water bodies in the European Union. The country is divided into a series of River Basin Districts with each having its own River Basin Management Plan to manage the delivery of this directive. [http://ec.europa.eu/environment/water/water-framework/index\\_en.html](http://ec.europa.eu/environment/water/water-framework/index_en.html)

More detail on the three River Basin Management Plans that cover Rutland can be found in section 2.2.3.

## 2.1.5 Reservoirs Act 1975

This act regulates the management of all reservoirs holding more than 25,000 m<sup>3</sup>, requiring those reservoirs to be registered with the Environment Agency and have appropriate flood plans and maps in place. In Rutland this includes the reservoirs of Eye Brook and Rutland Water.

<http://www.legislation.gov.uk/ukpga/1975/23>

## 2.1.6 Civil Contingencies Act 2004

This places an obligation on certain authorities to prepare for and respond to emergencies such as flooding. RCC are a member of the Leicester, Leicestershire and Rutland Local Resilience Forum (LRF) and classified as a category one responder. This means they are required to have plans in place which enable them to control and respond to emergency events, reducing their impacts managing the subsequent recovery.

<http://www.legislation.gov.uk/ukpga/2004/36/contents>

## 2.1.7 Land Drainage Act 1991

This places duties on owners of watercourses to keep watercourses in a condition that allows the water flow to flow freely and not be impeded.

The Land Drainage Act also provides Rutland County Council with powers to regulate ordinary watercourses to ensure that flows can be maintained to provide adequate land drainage and not increase flood risk, this includes;

- issuing consents on alterations to ordinary watercourses such as construction of culverts for site access,
- obligations of enforcement on other parties to reinstate, repair or carry out maintenance on watercourses to maintain the flow of water,
- permissive powers to carry out works on ordinary watercourses

<http://www.legislation.gov.uk/ukpga/1991/59/contents>



### 2.1.8 Planning requirements for new developments

The **National Planning Policy Framework** (NPPF) sets the national policy for new developments and includes guidance on Flood Risk and Coastal Change (<https://www.gov.uk/government/publications/national-planning-policy-framework--2>). These policies are supported by;

- **Non-statutory technical standards for sustainable drainage systems** (SuDS) which provide guidance to local authorities and developers on how to achieve SuDS on new developments.  
<https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>
- A ministerial statement released by the Secretary of State for Communities and Local Government made an amendment to the **Town and Country Planning Order 2010**, this made two new requirements of RCC;
  - RCC as a LLFA are a statutory consultee to the Local Planning Authority (LPA) for surface water flood risk considerations.
  - RCC as a LPA are required to deliver SuDS on all new major developments.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2014-12-18/HWS161/>

## 2.2 Local Context

### 2.2.1 Preliminary Flood Risk Assessment (PFRA)

RCC published the Rutland PFRA in 2011 and this was later updated in 2017 following a review of the latest flood risk data. The PFRA report can be found using the link below:

<http://rutlandcounty.moderngov.co.uk/Data/Cabinet/20110705/Agenda/92-2011%20Flood%20Risk%20Assessment%20%20-%20Annex%201.pdf>.

The PFRA must report any floods which have had 'significant harmful consequences'. The definition of 'significant harmful consequences' must be set by each LLFA. The definition for Rutland is as follows:

- Five or more residential properties flooded internally.
- Two or more non-residential properties flooded;
- One or more critical service (e.g. hospital);
- A class 'A' road or railway totally impassable for more than 2 hours;
- A class 'B' or 'C' road totally impassable for more than 10 hours; and/or
- An unclassified road totally impassable for more than 24 hours.

Five residential properties represents approximately one order of magnitude below the national criteria of 200 people (85 properties) per 1km<sup>2</sup>, rounded down to take account of the rural nature of Rutland.

The transport link closure durations have been selected on the basis that they would cause significant disruption to travel patterns, business or local communities.

At the time of the last review of the PFRA there had been no flood events recorded that exceeded the thresholds above with flood risk historically being seen as a relatively low risk in Rutland.

As a part of the recent review of national flood risk datasets a new nationally significant Flood Risk Area has been identified in Oakham, which places a requirement on Rutland County Council under the Flood Risk Regulations to better understand that risk and where necessary produce flood hazard maps or flood management plans.

Details relating to the identified risk can be found in chapter 5 with appropriate actions set out in chapter 7.

## 2.2.2 Rutland Strategic Flood Risk Assessment

The Level 1 Strategic Flood Risk Assessment (SFRA) for RCC collated flood risk data and provides a strategic overview of flood risk for the area to support the preparation of the local plan and inform planning decisions.

The Level 2 SFRA builds on this, concentrating on the risk around Oakham and Uppingham in more detail. The information presented around the risks in Oakham will be an essential resource for investigating the Flood Risk Area set out in the Rutland PFRA.

These assessments include considerations of all sources of flooding and provide some detail of climate change implications. At the time of writing the Local Plan was under review with the 2009 SFRA remains the local flood risk evidence base for that review.

## 2.2.3 Catchment Flood Management Plans (CFMP)

The CFMPs are set at a river catchment level and focus on all inland flood risk, dividing the catchments into sub-areas based on their characteristics. The most appropriate policy for that sub-area is then set out based on the level of risk in that area. The plans then propose actions to implement the preferred policies.

The Rutland area is covered by three CFMPs, namely those for the rivers Witham, Welland and Trent, these are all classified as low to moderate risk. The CFMPs and associated policy units are listed below along with links to those documents. The combined aims of the associated policy units and how they may be addressed through the local action plan is set out in chapter 7.

Welland CFMP; Rutland is highlighted in three sub-areas including;

1. Upper tributaries (policy 2),
2. Welland and Glens (policy 2) and
5. Oakham (policy 3).

All three sub-areas are considered to be low to moderate risk.

<https://www.gov.uk/government/publications/river-welland-catchment-flood-management-plan>

Witham CFMP, Rutland is highlighted in the (1) Upper Witham sub-area which is classified as low to moderate risk (policy 2).

<https://www.gov.uk/government/publications/river-witham-catchment-flood-management-plan>

Trent CFMP, Rutland sits in the area classified as (8) 'Rural Leicestershire' which is classified as low to moderate risk (policy 6)

<https://www.gov.uk/government/publications/river-trent-catchment-flood-management-plan>

## 2.2.4 River Basin Management Plans

These plans were created to fulfil the Water Framework Directive requirements providing protection and improvements to the water environment. First drafted in 2009 these plans were updated in 2015. There are 11 River Basin Districts within England and three of them have headwaters in the RCC area.

Anglian RBMP <https://www.gov.uk/government/publications/anglian-river-basin-district-river-basin-management-plan>

Humber RBMP <https://www.gov.uk/government/publications/humber-river-basin-district-river-basin-management-plan>

Severn RBMP <https://www.gov.uk/government/publications/severn-river-basin-district-river-basin-management-plan>

## 2.2.5 Flood Risk Management Plans

The production of Flood Risk Management plans was one of the requirements of the Flood Risk Regulations 2009, they are set at a River Basin level and designed to explain the risks of flooding from rivers, seas, surface water, groundwater and reservoirs setting out how the stakeholders will work together to manage those risks.

Anglian FRMP, <https://www.gov.uk/government/publications/anglian-river-basin-district-flood-risk-management-plan>

Humber FRMP, <https://www.gov.uk/government/publications/humber-river-basin-district-flood-risk-management-plan-frmp-scoping-report>

Severn FRMP <https://www.gov.uk/government/publications/severn-river-basin-district-flood-risk-management-plan>

## 3.0 RESPONSIBILITIES

There are a range of bodies who have responsibilities for managing flood risk and this chapter looks to identify those bodies and provide a summary of their responsibilities.

### 3.1 Organisations

#### **The Environment Agency**

The Environment Agency (EA) is responsible for taking a strategic national overview of the management of all sources of flooding and coastal erosion, setting out the long term approach for how they will be managed.

The agency also has operational responsibility for managing the risk of flooding from main rivers, reservoirs, estuaries and the sea, as well as being a coastal erosion risk management authority. The EA allocates funding nationally and also delivers projects to manage these risks.

The EA works in partnership with other organisations such as RCC to develop skills and resources as well as gather evidence to assist in managing local flood risks. The LFRMS has been developed in conjunction with the EA to ensure consistency with the national strategy and with the aim of developing an integrated and sustainable approach to flood risk management.

#### **Water and Sewerage Companies (WaSCs)**

Anglian Water and Severn Trent Water are the WaSCs that serve the Rutland area. WaSCs play a major role in managing flood risk. They manage the risk of flooding to water supply and sewerage facilities and the risk to others from the failure of their infrastructure. The main roles of WaSCs in managing flood risks are to:

- make sure their systems have the appropriate level of resilience to flooding, and maintain essential services during emergencies;
- maintain and manage their water supply and sewerage systems to manage the impact and reduce the risk of flooding and pollution to the environment;
- provide advice to LLFAs on how WaSC assets impact on local flood risk;
- work with developers, landowners and LLFAs to understand and manage risks – for example, by working to manage the amount of rainfall that enters sewerage systems; and
- work with the EA and RCC to coordinate the management of water supply and sewerage systems with other flood risk management work. They also need to have regard to FCERM plans in their own plans and work.
- ensure that regular inspections and the standard of protection for Rutland Water are sustained as required by the Reservoirs Act.

Where there is frequent and severe sewer flooding, (sites included on the DG5 Register) sewerage undertakers are required to address this through their capital investment plans, which are regulated by Ofwat.

## Highways England

Highways England have responsibility for ensuring that the A1 is drained and that they cooperate with other risk management authorities to ensure their flood risk management duties are coordinated.

## Rutland County Council

The policy and legislation set out in chapter 2 places a wide range of roles upon Rutland County Council. These roles are summarised in the table below with reference to the appropriate statute and details of how these roles are delivered.

Role	Source	Delivery body
Delivery of a Preliminary Flood Risk Assessment to cover local flood risk.	Flood risk regulations 2009	Lead Local Flood Authority
Further investigation into the Flood Risk Area identified through the PFRA.		
Coordinating local flood risk and setting out local priorities	Flood and Water Management Act 2010	Lead Local Flood Authority
Development of a Local Flood Risk Management Strategy with subsequent overseeing of delivery of the actions and updating or reviewing of the strategy.		Coordination of risk and setting out of priorities will also be achieved through participation in the Regional Flood and Coastal Committee (see 3.3)
Development and continued updating of a register of significant flood risk assets		
Investigation of flooding events with significant harmful consequences as described in 2.2.1.		
To act as a statutory consultee to the Local Planning Authority so as	Town and Country	Lead Local Flood Authority to provide statutory consultee role to the Local

to provide advice on local flood risk	Planning Order	Planning Authority with the Local Planning Authority acting to ensure SuDS are delivered.
To ensure delivery of SuDS on all major planning applications in Rutland		
To act as category one responders for emergency events ensuring an appropriate level of preparedness	Civil contingencies Act 2004	Rutland County Council continue to work as a member of the Local Resilience Forum (see 3.3)
Provide ordinary watercourse consenting and enforcement	Land Drainage Act 1991	Lead Local Flood Authority to also act as the Land Drainage Authority within Rutland.
Act on permissive powers for works on ordinary watercourses		
Provide adequate drainage of the local highway network, including construction of new roads and improvements to the existing network, ensuring flood risk is not increased	Highways Act 1980	Rutland County Council Local Highway Authority

### 3.2 Riparian Responsibilities

People who own land which adjoins a watercourse (also known as riparian owners) have a responsibility to make sure that the flow of water is not obstructed (for example, by clearing vegetation). The rights and responsibilities of the riparian owner include the maintenance of any culverts or bridges that affect the flow of water.

It will be assumed that land owners adjacent to a watercourse will own up the centre line of that watercourse unless there are land ownership records to confirm the boundary line as different.

The riparian owner must not carry out any work that can pollute the watercourse and where the riparian owner wishes to make changes to the watercourse or abstract water from the flow they will need to seek the necessary permissions from the appropriate risk management authority. More details on the rights and responsibilities of a riparian owner, including permits and consents can be found in the Environment Agency produced document 'Living on the edge' <https://www.gov.uk/government/publications/riverside-ownership-rights-and-responsibilities>

Organisation	Responsibility	Contact details
Rutland County Council	Highway drainage	01572 722 577 highways@rutland.gov.uk
Environment Agency	Main Rivers and Reservoirs	Tel: 03708 506506 Floodline 03459881188
Highways Agency	A1 drainage	Tel 0300 1235000 info@highwaysengland.co.uk
Anglian Water	Sewers	Tel: 03457 145145
Severn Trent Water	Sewers	Tel: 0800 783 4444

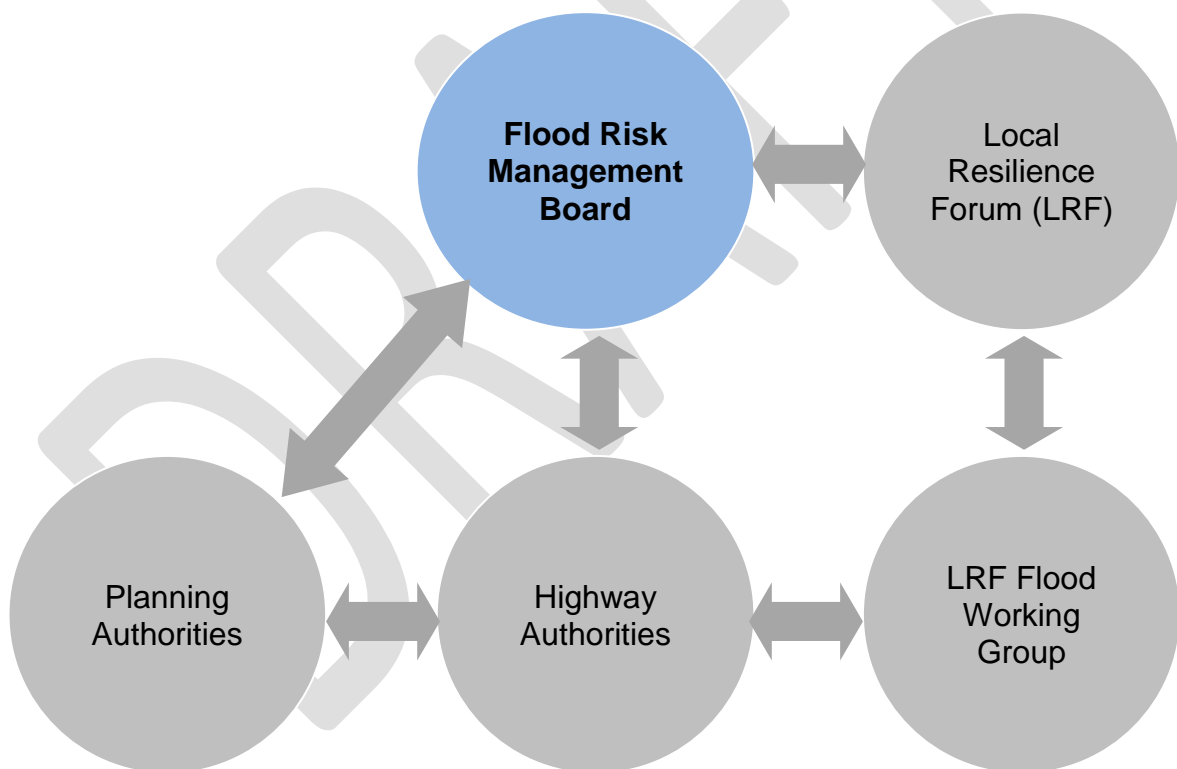


### 3.3 Joint Strategic Approach

The Flood and Water Management Act requires Rutland County Council to bring together partners to manage the local flood risk. Much of the local flood risk knowledge and technical expertise lies with partner organisations including the Environment Agency (EA) so it is crucial that these partners work together to ensure effective and consistent management of local flood risk.

It is important to take a holistic approach to flood risk management that will include flooding from main rivers, surface water and ordinary watercourses, as well as looking to provide additional benefits, for example through water quality improvement or habitat potential.

To ensure cooperation and coordination with other relevant bodies RCC is a member of a **Flood Risk Management Board** covering the area of the **Leicester, Leicestershire and Rutland Local Resilience Forum (LRF)**. In addition to the three LLFAs, membership of the Board includes the EA, WaSCs and Leicestershire Districts. A diagrammatic representation of the Board and its relationships is shown below:



The LRF is a multi-agency forum that coordinates work on risk assessment, contingency planning, training and exercises to enhance our preparedness for emergencies.

RCC also participate in the **Regional Flood and Coastal Committees** (RFCCs) which are primarily responsible for ensuring there are coherent plans to identify, communicate and manage the risk from all sources of flooding. RFCCs also have a key role in allocating government grants for flood risk management to efficient, targeted and risk-based projects.

## 4.0 TYPES OF FLOODING

**Watercourse flooding (fluvial)** happens when the watercourse overtops the bank and floods nearby areas. This flooding can occur from small watercourses as well as main rivers and is usually a result of rainfall or snow melt increasing the volume of water entering a watercourse. It can also occur as a result of blockages and debris building up and preventing water from flowing downstream.



**Surface water flooding (pluvial)** occurs when water accumulates on the surface because the amount of rain falling on an area is too great for the drains or the ground to cope with. Also known as flash flooding this can be sudden and difficult to predict.



**Flooding from sewers** is caused when the pipes receive more water than they are designed to take or a blockage is restricting the amount of water they can carry. Blockages can be caused by collapsed pipes or tree roots but are often a result of what is put down the drains such as fats, unwanted concrete or litter.



**Groundwater flooding** occurs as a result of water rising up through the ground from underground stores such as aquifers. This type of flooding tends to occur after prolonged periods of rainfall. Low lying areas are more susceptible but natural springs can appear on the hillsides as the groundwater table rises.



**Flooding from canals and reservoirs** is caused by overtopping and failures such as seepage through the banks which can result in damage over time as the flowing water causes erosion. Failures can also take place around any control structures such as weirs and sluices if they become damaged.



**Flooding from the sea** occurs as a result of very high tides, storm surges or high waves flooding low lying areas along the coast. This is ever changing as natural process continue to change the coast line.



## **5.0 FLOOD RISK IN RUTLAND**

### **5.1 Historical Events**

#### **Whissendine**

Whissendine Brook is an ordinary watercourse which drains the area to the south of Whissendine. It has a confluence with an unnamed ordinary watercourse immediately south of Main Street before passing under the road and flowing north. The brook has a history of exceeding its bank capacity and flooding Main Street which becomes impassable. The adjacent public house has property level protection which appears to be effective.

#### **Langham**

Langham Brook is an ordinary watercourse which had a history of exceeding its bank capacity. Action was taken in the 1990s to ensure riparian owners kept the brook clear of obstruction. The watercourse continues to be monitored on a regular basis to minimise the potential for future flooding problems.

#### **Schofield Road Culver, Oakham**

Barleythorpe Brook is a main river which was culverted under the Oakham to Melton Canal in the 1800s. This area was developed in the 1980s and 90s and the culver extended under the adjacent estate roads. In the event of a collapse or blockage of the culvert locally significant flooding may occur.

#### **River Chater, Ketton, November 2000**

The Rutland SFRA highlights a flood event from the River Chater in November 2000. This followed one of the wettest recorded autumns in the UK and coincided with widespread flooding throughout Europe. It is understood that extensive flooding of farmland around Ketton also occurred at this time as the River Welland channel capacity was exceeded.

#### **Highways flooding, various locations, 2013 & 2016**

Heavy rainfall events experienced in July 2013 and March 2016 lead to a temporary build up of surface water on the highway in a number of locations. This was caused by the high intensity of the rain fell and the drainage network being unable to drain the surface in time. These storms caused widespread damage throughout the UK. On both occasions the water quickly drained away as the storms eased and there were no reported incidents of property flooding within Rutland.

### **5.2 Future flood risk**

The types of flooding described in chapter 4 often occur together and can sometimes be difficult to distinguish. This is due to the integrated nature of the water network and how it responds to heavy rainfall. For example land

can be unable to drain or sewers to discharge if a receiving watercourse or river is already full.

The Flood Risk Area identified in the PFRA is covered under the 'Surface Water' section below.

### 5.2.1 Watercourses

The main river flood risk mapping produced by the EA shows a small number of properties as being at risk from fluvial flooding in Caldecott, Greetham, Ketton, Langham, Oakham, Ryhall, Tolethorpe, Tickencote and Whissendine. This mapping can be found on the EA website. (<https://flood-warning-information.service.gov.uk/long-term-flood-risk>). Not all bridges, culverts and weirs are represented in the models that produce these maps which may affect the end result.

There is currently only one **flood warning area** in Rutland and this is based on the River Welland through Ketton. This provides a flood risk warning service for the main river to residents that have subscribed to the service.

The risk from flash flooding that is associated with heavy rainfall landing on the uplands around Rutland and how that water then interacts with the watercourses is described in the 'Surface Water' section below.

There are a number of locations where these watercourses pass through urban areas or under roads and become culverted. These **culverts** can act to restrict the flow of water passing along the watercourse, especially if debris partially blocks the flow of that water.

The Flood Zone for the main rivers and a number of watercourses can be found within Appendix A of the Rutland SFRA, an extract detailing the area of Whissendine and Langham is included in Appendix B of this document. The Environment Agency periodically updates the Flood Maps for Planning (Rivers and Sea) which shows flood zones as defined by NPPF and these are available online. <https://flood-warning-information.service.gov.uk/long-term-flood-risk>

The overall risk from fluvial flooding across Rutland is considered to be low.

### 5.2.2 Surface Water

The presence of relatively steep slopes comprising of a clay soil to the west and north of Rutland present a potential risk of increased surface water runoff. This is due to the low permeability of the clay soils which results in water ponding or running to low spots before it has time to infiltrate.

In normal rain conditions this water flows at a steady rate from the higher ground through a network of watercourses and into the receiving rivers. In times of heavy rainfall the volume of water will be increased and the risk of the watercourses over topping and flooding adjacent land is greater. Water can also be seen to create new flow paths away from the route of the watercourses. A map showing these flow paths is included in Appendix B of this document.

These types of events have occurred in the head waters of the Trent catchment previously in both Langham and Whissendine where surface runoff has increased the flows in the watercourse and led to banks overtopping. Measures are now in place to mitigate the risk at these locations as described in 5.1 with continued monitoring of the risk taking place.

As described in chapter 4 of this document surface water flooding can also occur with **high intensity rainfall** which exceeds the capacity of the local drainage network. This will ordinarily present itself as highway flooding in the first instance and if rainfall continues or the rainfall is accompanied by snow melt the flooding can persist and present risk to low lying properties. There have been a number of events of intense rainfall in recent years that have caused flooding across the region, in these instances the highway areas in Rutland were found to drain away shortly after the storm events occurred. Given the localised nature of storms this type of event is difficult to predict and heavily influenced by the operational condition of local drainage features.

The nationally significant **Flood Risk Area in Oakham** was identified through a review of the Risk of Flooding from Surface Water (RoFSW) maps which highlighted where properties, people and key services may be at risk. This was then reported through the Rutland PFRA which detailed that further work would need to be undertaken to better understand this risk.

It is understood that the model used to generate the RoFSW mapping utilised synthetic aperture radar (SAR) for topography rather than the more accurate LIDAR due to the extent and availability of the data at the time. Future LIDAR data is expected to be available to rerun the modelling which will allow a further analysis of the level of risk in the area. An extract map from the PFRA can be found in Appendix B of this document. Section 5.2 of the Rutland Level 2 SFRA provides some detail on the catchments serving Uppingham and Oakham.

Prior to the notification of the FRA in Oakham the level of flood risk was always considered to be low, this in turn emphasises the importance of trying to establish why this risk has been identified.

### 5.2.3 Sewer Flooding

Sewer flooding has occurred in Rutland and is reported to and acted on by Anglian Water (AW) and Severn Trent Water (STW). Properties that are affected are recorded by AW or STW on their DG5 registers.

### 5.2.4 Groundwater Flooding

The presence of existing springs and a limestone bedrock in the area suggest that ground water flooding could indeed be possible in Rutland. However, to date there have been no reported groundwater flooding incidents and the risk is considered to be low.

### 5.2.5 Reservoirs

Eyebrook reservoir and Rutland Water are both covered by the requirements of the Reservoir Act 1975. This means the reservoirs are well managed and constantly monitored. Combining this level of management with the design standards that are placed on reservoirs means the level of flood risk from the reservoirs is low. As a part of the Reservoirs Act there is a need to create an onsite reservoir plan which sets out how to respond to an emergency incident.

### 5.2.6 Oakham Canal

Oakham Canal has not been in use since the 1840s and has been partially filled in. There are still sections of open water along the route between Oakham and Melton Mowbray but these water bodies do not receive concentrated water flows any longer and are considered to be of negligible flood risk.

### 5.2.7 Sea flooding

Rutland is not at risk from Tidal flooding or coastal erosion.

### 5.2.8 Changing risk levels

United Kingdom Climate Projections show **climate change** as leading to warmer wetter winters and drier summers. The anticipation is that the summer rainfall will arrive as short, more intense storms.

This has the potential to place additional burdens on the assets of all the risk management authorities in Rutland. The NPPF requires climate change to be considered in designing for flood risk on all new developments and the risk management authorities in the area will consider the implications of climate change when they look to carry out work on their existing assets.

In addition to climate change the gradual expansion of hard standing within urban areas is also placing a greater burden on our drainage systems.

Simple changes such as building extensions and converting gardens to patios or driveways all have a relatively small effect but they combine to contribute what can be quite a notable increase in the volume of water entering the drainage network as it is no longer able to soak into the ground.

## 6.0 AIMS AND OBJECTIVES

### 6.1 The aims of the LFRMS are as follows:

- Build good communication links with internal and external partners, neighbouring authorities and flood risk management authorities.
- Communicate with the public, set realistic expectations and outcomes with regard to managing local flood risk and engage with local communities.
- Lessen chances or prevent financial loss as a result of flooding.
- Support the implementation of the water framework directive by:
  - Encouraging the naturalising of channels and de-culverting of water courses.
  - Increasing biodiversity of open spaces linked to natural water courses and areas contributing to the management of flood risk.
  - Improve water quality and improve the quality of public open space wherever the opportunity arises.

### 6.2 The following objectives take account of the guiding principles set out in the national strategy:

- Reduce the number of properties at risk from flooding.
- Help residents, property and business owners in the area become more resilient to flood events.
- Reduce the area of highway under water for a given storm event and minimise traffic disruption from flooding.
- Increase the area of green space contributing to the mitigation of flood risk.
- Reduce the number of pollution incidents affecting watercourses.

## 7.0 ACTION PLAN

Full action plan attached as Appendix C.

Below is a listed combination of all CFMP actions related to the necessary Policy Units, the related action from the Rutland action plan is then cross referenced.

<b>CFMP actions</b>	<b>Proposed actions in Rutland LFRMS</b>
Investigation of potential for reduced maintenance (Welland CFMP sub-area 1, 2 and 5) (Witham CFMP sub-area 1)	18
Look at how land use and management can lead to environmental and flood risk improvements (Welland CFMP sub-area 1, 2) (Trent CFMP sub-area Rural Leicestershire)	18, 23 & 24
Continue existing flood warning function (Welland CFMP sub-area 1, 2 and 5) (Witham CFMP sub-area 1)	27
Continued maintenance of Rutland water (Welland CFMP sub-area 1)	18
Use of planning policy to manage flood risk and prevent inappropriate development (Welland CFMP sub-area 1, 2 and 5) (Witham CFMP sub-area 1)	1, 2, 3 & 4
Continued maintenance of Eye Brook Reservoir (Welland CFMP sub-area 2)	18
Investigation of groundwater flooding (Welland CFMP sub-area 2)	11
Investigate the feasibility of expanding culverts (Welland CFMP sub-area 5)	11
Investigate the risk to critical infrastructure (Welland CFMP sub-area 5)	10, 11 & 13
Work to develop emergency response plans for critical infrastructure and transport links at risk (Witham CFMP sub-area 1)	14 & 15
Investigate the feasibility of water storage in tributaries of the River Soar (Trent CFMP sub-area Rural Leicestershire)	11, 23 & 24
Investigate potential opportunities for creating flood attenuation or wetland areas (Trent CFMP sub-area Rural Leicestershire)	11, 23 & 24
Identify sites for biodiversity action plan (BAP) habitat creation (Trent CFMP sub-area Rural Leicestershire)	11, 23 & 24



## **8.0 STRATEGY REVIEW**

### **8.1 Review periods**

There are no formal deadlines set out in legislation for how frequently the strategy or the action plan need to be reviewed.

This strategy will be reviewed every five years with the action plan updated annually. On occasion there may be need to update the strategy if there are significant changes to partner responsibilities, learning from local flood events or changes to policy and legislation.

### **8.2 Review body**

Triggers for updating the strategy will be considered by the Leicester, Leicestershire and Rutland Flood Risk Management Board with updates carried out by Rutland County Council through consultation with all local flood risk management authorities.

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## APPENDIX A - GLOSSARY

Aquifer	An underground layer of water-bearing rock. It is permeable, meaning that liquids and gases can pass through them
AStSWF	Areas Susceptible to Surface Water Flooding.
AW	Anglian Water
CFMP	Catchment Flood Management Plan
Conveyance	Allowing for the uninterrupted transport of water.
DEFRA	Department for Environment, Food and Rural Affairs.
DG5	Sewer Flooding Register
EA	Environment Agency
Erosion	Process where materials are broken down by earth processes
Estuary	Mouth of a river where it discharges into the sea
FCERM	Flood and coastal erosion risk management
Fluvial flooding	Flooding caused by river system exceeding its bank full level
Flood alleviation	To reduce the risk of flooding
Flood defence	Barrier to limit the extent/ occurrence of a flood event
Flood resilience	Take measures to reduce the impact of a flood event and guarding against flooding
FMfSW	Flood Map for Surface Water
FRMP	Flood risk management plan
FWMA	Flood and Water Management Act
FRR	Flood risk regulations
Green corridors	Strip of land that provides habitats and movement of wildlife
LA	Local Authority
LCC	Leicester City Council
LDF	Local Development Framework
LFRMS	Local flood risk management strategy
LLFA	Lead local flood authority
Main river	A watercourse shown on the main river map, for which the EA has responsibility
Ordinary watercourse	A watercourse that is not a main river and is the responsibility of the lead local flood authority
Permeable/ impermeable	Allowing water to pass through/not pass through
PC	Parish Council
PFRA	Preliminary flood risk assessment
Pluvial flooding	Flooding from rainfall or precipitation
RCC	Rutland County Council
Reservoir	A body of water that is used storage
Riparian owners	People who own land which adjoins a watercourse
SAB	Sustainable drainage system approval body
SEA	Strategic environmental assessment
SFRA	Strategic flood risk assessment

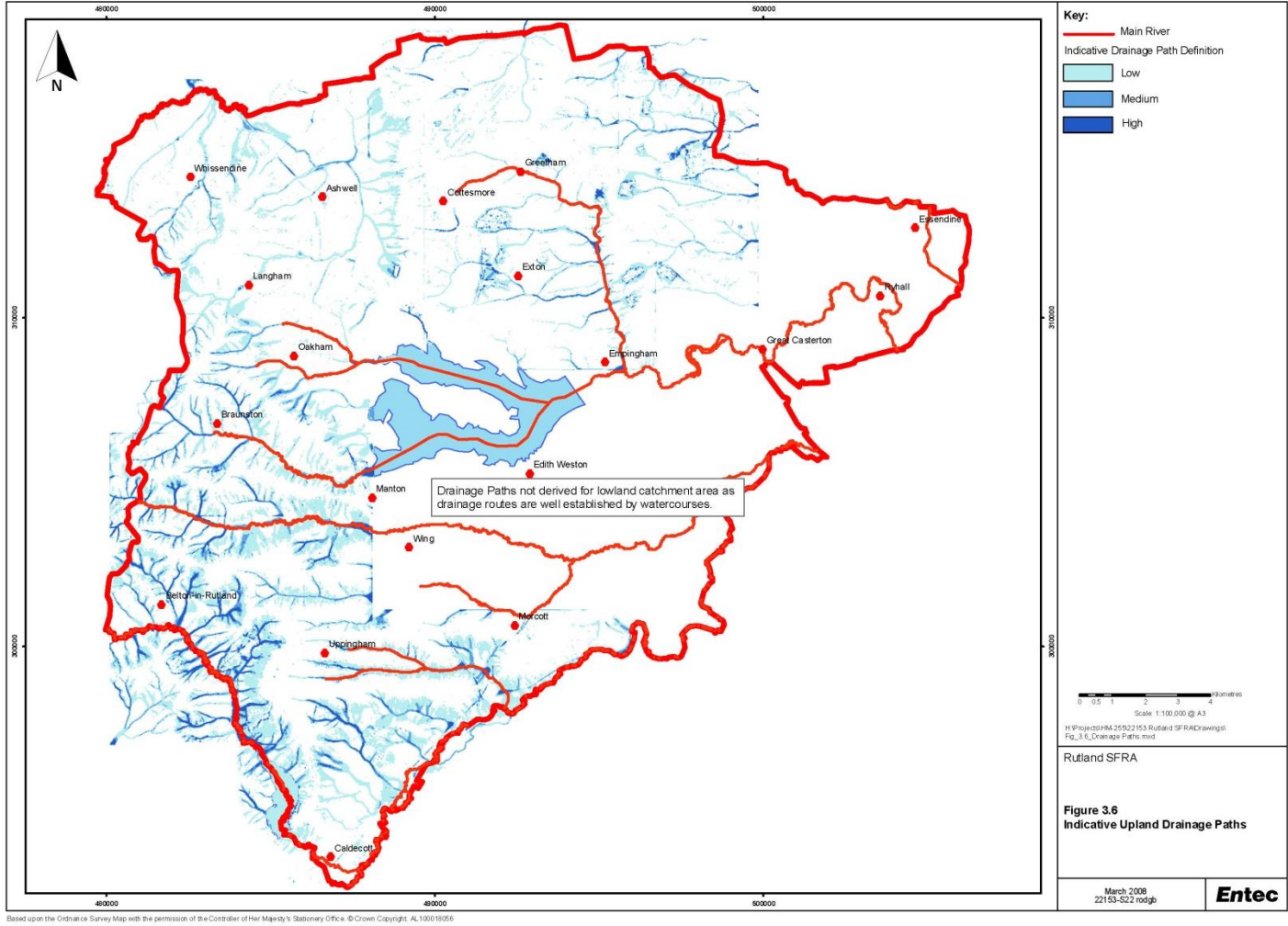
SSSI	Site of Special Scientific Interest
STW	Severn Trent Water
SuDS	Sustainable drainage system
SWMP	Surface water management plan
Sewerage	The infrastructure (receiving drains, manholes, pumping stations, storm overflows etc.) that carry sewage (the waste carried by water)
Statutory consultees	Organisations that by law must be consulted on LFRMS
UKCP	United Kingdom Climate Projections
WaSC	A Water and Sewerage Company such as AW or STW
Wetland	Area of land that can hold water temporarily or permanently

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APPENDIX B - MAPS

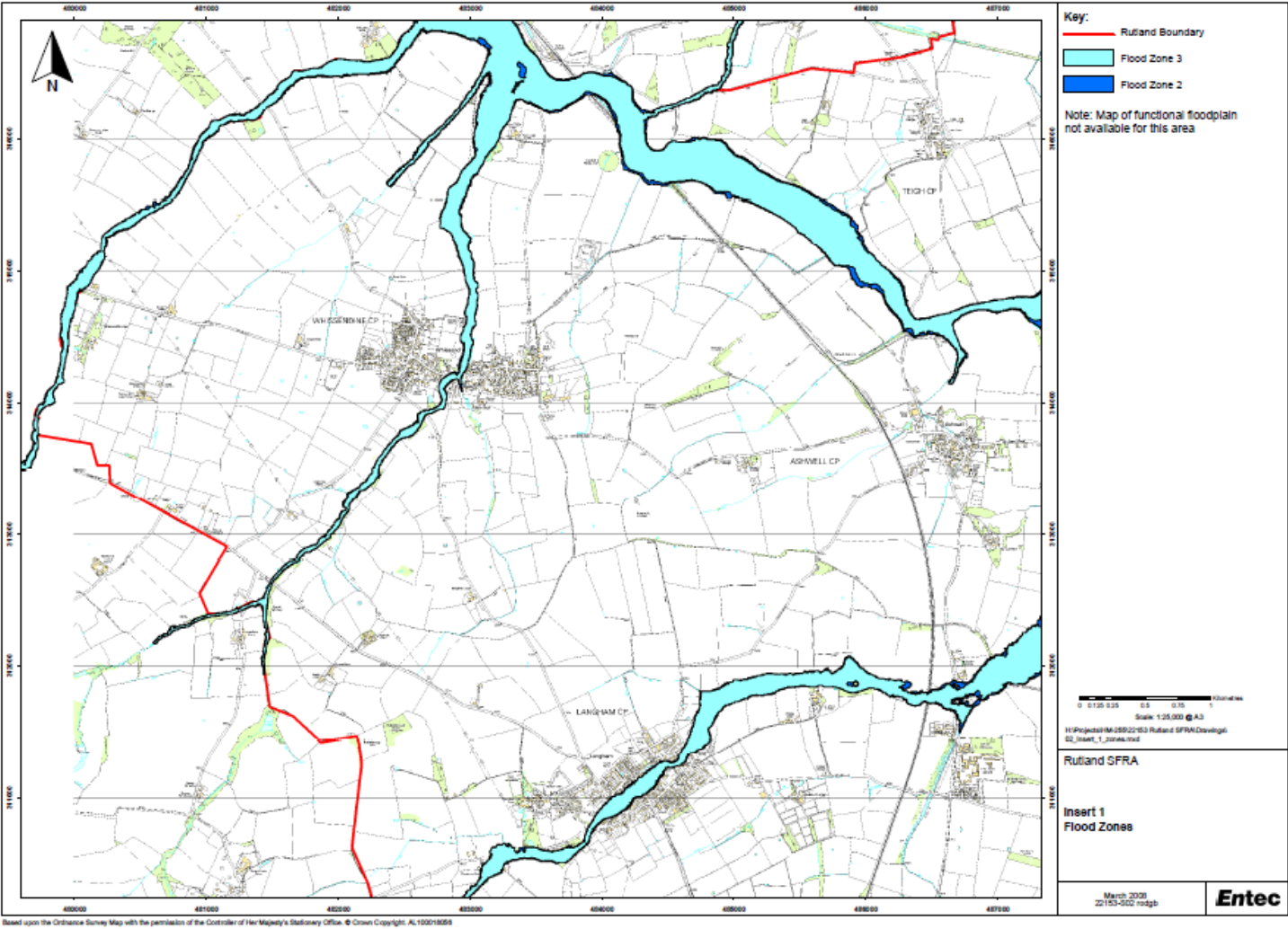
Indicative Upland Drainage Paths extract from Rutland SFRA (2009)

76

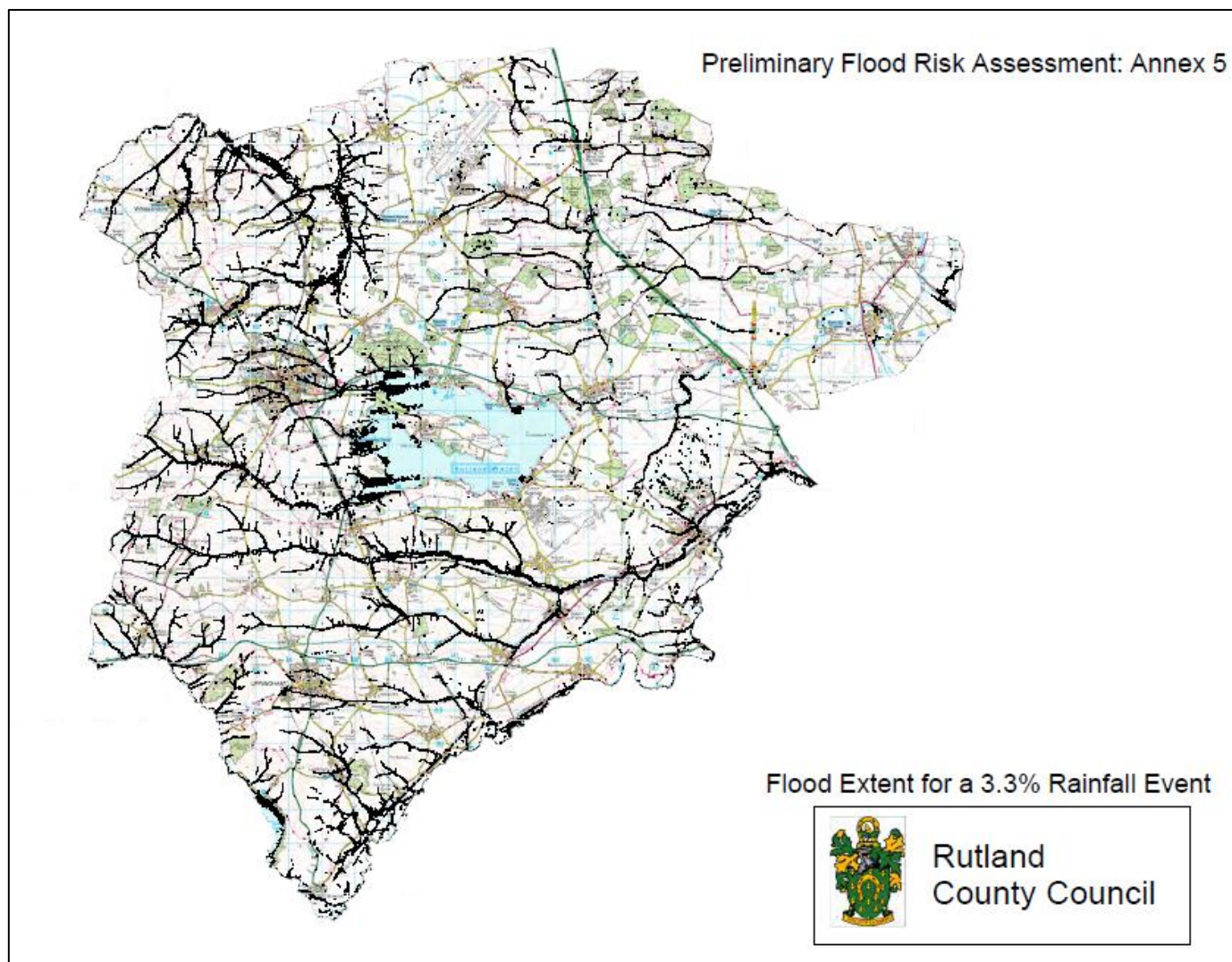


Flood Zones extract from Rutland SFRA (2009)

77



3.3% Risk of Flooding from Surface Water extract from Rutland PFRA (2017)



## **APPENDIX C – ACTION PLAN**

See spreadsheet below:



Action Reference	Task	Partners	Time Frame	Cost and funding info (costs to nearest £1k)	Direct link to legislation	Planned Review Date	Previous Review Date	Current Position	Notes
1	Set up process enabling the Lead Local Flood Authority to respond to <b>Planning Applications</b> as a statutory consultee	RCC	Apr-15	In-house resources	FWMA 2010	N/A		Completed	
2	Provide <b>SUDs advice</b> on new development as part of the development control process and ensure that SUDs schemes consider climate change and show flood paths on drawings.	RCC	Ongoing	In-house resources	FWMA 2010	Sep-18		In progress	
3	Alignment of <b>planning policies</b> with LFRMS	RCC	Apr-20	In-house resources		Sep-18		Not started	
4	Flood risk management strategy embedded within planning and economic <b>development activity</b> .	EA	Apr-25	In-house resources		Sep-18		Not started	
5	Put in place a process for assessing <b>Land Drainage Consents</b> on ordinary watercourses	RCC	Apr-12	In-house resources	FWMA 2010	N/A		Completed	
6	Continued assessment of third party works on ordinary watercourses as <b>land drainage consents</b>	RCC	Ongoing	In-house resources	FWMA 2010	Sep-18		In progress	
7	<b>Designate assets</b> serving important flood risk management functions	RCC	Ongoing	In-house resources	FWMA 2010	Sep-18		Not started	
8	<b>Investigate</b> and report on any flooding incidents that have significantly harmful effects	RCC	Ongoing	In-house resources	FWMA 2010	Sep-18		In progress	
9	Collection of information on <b>assets</b> which are likely to have a significant effect on flooding.	RCC	Ongoing	In-house resources	FWMA 2010	Sep-18		In progress	
10	Further investigation of the <b>Oakham Flood Risk Area</b> through a localised surface water management plan. To include LIDAR updates of the RoFSW mapping, a detailed assessment of assets at risk, the flooding mechanisms and consequences and consideration of what mitigation could be put in place to reduce or managed the risk.	RCC	Apr-20	EA to carry out LIDAR update	FRR 2009	Sep-18		Not started	Costs estimated based on neighbouring authorities
11	<b>Expand understanding</b> of all flood risks across the wider area, outlining potential mitigation needs	ALL	Ongoing	In-house resources		Sep-18		In progress	
12	Survey and <b>digitilisation</b> of drainage assets	RCC	Apr-22	In-house resources		Sep-18		Not started	
13	Investigate potential locations for <b>flow monitoring</b> schemes in accordance the the SWMP	RCC	Apr-20	30,000 (if required from existing drainage budget)		Sep-18		Not started	
14	Create and implement improved internal <b>emergency planning procedures</b> across the Council - Council Tactical Team developed	RCC	Apr-20	In-house resources	CCA 2004	Sep-18		Not started	
15	Emergency management <b>preparedness</b> including holding stocks of sandbags.	RCC	Ongoing	In-house resources	CCA 2004	Sep-18		In progress	
16	Participation in the Leics and Rutland <b>Local Resilience Forum</b>	RCC	Ongoing	In-house resources	FWMA 2010	Sep-18		In progress	
17	Sharing any <b>risk updates</b> or SWMP results with LRF partners to feed into future updates of the LRF multi agency flood plan	RCC, EA	Apr-19	In-house resources	CCA 2004	Sep-18		Not started	
18	Provide <b>maintenance regimes</b> that allow no deterioration in the flood risk protection, considering efficiencies and potential environmental improvements	ALL	Ongoing	Partner maintenance budgets	FWMA 2010	Sep-18		In progress	



Action Reference	Task	Partners	Time Frame	Cost and funding info (costs to nearest £1k)	Direct link to legislation	Planned Review Date	Previous Review Date	Current Position	Notes
19	<b>Highway drainage maintenance</b> , road gully replacements, highway improvements, watercourse and ditch maintenance with targeted maintenance based on flood risk data.	RCC	Ongoing	122,000 (existing budget)	Highways Act 1980	Sep-18		In progress	
20	<b>Highway culvert maintenance</b>	RCC	Ongoing	20,000 (existing budget)	Highways Act 1980	Sep-18		In progress	
21	Manage flood risk by <b>designing new drainage</b> systems that can safely accommodate rainfall and flooding that exceeds their drainage capacity (design for exceedance). Design will include for blue corridors (temporary store of floodwaters).	RCC	Ongoing	In-house resources	Highways Act 1980	Sep-18		In progress	
22	Where flooding is identified as a result of highway runoff, alter <b>kerb alignments</b> to manage flow.	RCC	Ongoing	In-house resources	Highways Act 1980	Sep-18		In progress	
23	Continue to <b>explore opportunities</b> to work with local landowners, farmers and associated representatives to improve flood risk and the water environment	RCC, EA	Ongoing	In-house resources		Sep-18		Not started	
24	Look to incorporate <b>environmental improvements</b> into any new flood risk works	ALL	Ongoing	In-house resources		Sep-18		Not started	
25	Continue to <b>support partners and landowners</b> in finding resolutions to flood issues, acting as mediator where necessary.	RCC, EA	Ongoing	In-house resources	FWMA 2010	Sep-18		In progress	
26	<b>Assist communities</b> in establishing their own flood action plans thereby encouraging the public to better defend their properties.	RCC, EA	Apr-20	In-house resources		Sep-18		Not started	
27	Build up <b>flood risk awareness</b> within the local communities and provide details of what individuals can do to deal with flooding and warning services available. Highlight the benefits to residents of early action (e.g. reduced insurance premiums)	ALL	Apr-20	In-house resources		Sep-18		Not started	
28	Help to inform the local community of the <b>causes of pollution</b> , measure that can be taken to prevent it occurring and collect information on reported pollution incidents	ALL	Apr-20	In-house resources		Sep-18		Not started	

## APPENDIX D – STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING

### Summary

Beyond the management of local flood risk, the spirit of the strategy is to improve the consideration of the environment and, where possible, incorporate improvements through capital schemes or changes in operational behaviour. Any projects identified through the actions of this strategy will each be subject to the usual environmental protections, as are any operational activities of the local risk management authorities.

The Office of the Deputy Prime Minister released '*A Practical Guide to the Strategic Environmental Assessment Directive*' in 2005, the table below is adapted from figure 2 of that same document (*Application of the SEA Directive to plans and programmes*) and illustrates the route this strategy takes through that flow chart along with justifications.

Step	Need	Justification
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	The plan is to be developed by Rutland County Council.  <b>Pass to step 2.</b>
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Required under the Flood and Water Management Act 2010 Part 1(9).  <b>Pass to step 3.</b>
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	N	The Local Flood Risk Management Strategy will be prepared for water management and set out existing policies and legislative drivers, along with all the Risk Management Authorities and their responsibilities and powers. The strategy will look to provide an overview of how partners already work together and actions for those partners to address. The strategy will not include a framework for consenting specific projects as described in Article 1(2) of the EIA Directive.  <b>Pass to step 4.</b>
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7	N	There are no objectives or actions included in the strategy that intend to effect any

of the Habitats Directive? (Art. 3.2 (b))		designated sites. The strategy will include actions to consider opportunities for new habitat in any new flood risk management works which feeds through from local Catchment Flood Management Plans.
<b>Pass to step 6.</b>		
5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	<b>N/A</b>	Step 5 not appropriate
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	<b>N</b>	The strategy will help to more clearly set out some of the existing considerations of future projects including responsibilities and priorities in local flood risk management, with a view to bringing interested parties together to address those priorities. However it is beyond the scope of the strategy to set the framework for future projects. It will, simply be a resource for those undertaking assessing and delivering projects.
<b>Pass to 'does not require SEA'</b>		
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	<b>N/A</b>	Step 7 not appropriate
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	<b>N/A</b>	Step 8 not appropriate

Under Article 3(5) the Strategic Environmental Assessment Directive requires a determination of the likely significant effect of plans or programmes, the criteria for assessment is then set out in Annex II of the Directive. This strategy is not expected to provide a negative effect under any of the criteria listed and should lead to a gradual improvement in the local environment through partnership collaboration and encouragement of environmental considerations in flood risk management.

<https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

## APPENDIX E – IMPACT ASSESSMENT SCREENING

<b>Subject Title:</b>	<b>Local Flood Risk Management Strategy</b>		
<b>Officer completing:</b>	<b>Dave Brown</b>		
<b>Purpose of Report &amp; Ref:</b>	<b>To set out the Council's strategy for managing local flood risk</b>		
		<b>Yes/No</b>	<b>Comments</b>
<b>1.</b>	<b>Could the impact of the report affect one group less or more favourably than another on the basis of:</b>		
	Age	No	.
	Disability	No	The strategy will be available in accessible formats as required.
	Gender reassignment	No	
	Marriage and civil partnership	No	
	Pregnancy and maternity	No	
	Race	No	
	Religion or belief	No	
	Sex	No	
	Sexual orientation	No	
<b>2.</b>	<b>Is there any evidence that some groups are affected differently?</b>	No	
<b>3.</b>	<b>If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?</b>	No	
<b>4.</b>	<b>Is the impact of the policy/guidance likely to be negative?</b>	No	
<b>5.</b>	<b>If so can the impact be avoided?</b>	NA	
<b>6.</b>	<b>Are there alternatives that achieve the policy/guidance objectives without the impact?</b>	NA	
<b>7.</b>	<b>Can we reduce the impact by taking different action?</b>	NA	
<b>If you have identified a potential discriminatory impact you will need to complete a full equality impact assessment.</b>			
<b>8.</b>	<b>Is an EIA required?</b>	No	

**A large print version of this document is available on request**



**Rutland**  
County Council

Rutland County Council  
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## **CABINET**

**17 April 2018**

### **PARKING REVIEW**

#### **REPORT OF THE DIRECTOR FOR PLACES (ENVIRONMENT, PLANNING & TRANSPORT)**

Strategic Aim:	Sustainable Growth	
Key Decision: Yes	Forward Plan Reference: FP/061217	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr N Begy, Deputy Leader and Portfolio Holder for Planning Policy and Planning Operational, Highways & Transportation, Communications	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning & Transport)	01572 758461 dbrown@rutland.gov.uk
	James von der Voelsungen, Parking Services Manager	01572 722577 jvondervoelsungen@rutland.gov.uk
Ward Councillors	Not applicable	

#### **DECISION RECOMMENDATIONS**

That Cabinet:

- 1 Approves the recommended amendments and additions to parking restrictions listed in Appendix 1 and 2 and delegates the consideration of any objections to the statutory consultation for the Traffic Regulation Orders (TROs) to the Director for Places (Environment, Planning & Transport) in consultation with the Ward Members and Portfolio Holder, along with the authority to modify the proposed TROs.
- 2 Approve a 6 month trial of 2 hour free parking at Catmose on Saturdays.

## **1 PURPOSE OF THE REPORT**

- 1.1 To consider amendments and additions to parking restrictions.

## **2 BACKGROUND AND MAIN CONSIDERATIONS (MANDATORY)**

- 2.1 The Strategic Parking Review was approved in March 2012. The objective of the review was to devise a set of parking policies and principles that would set the basis of future parking reviews. Each year a list of requests for parking restrictions from our stakeholders (usually residents, businesses and parish councils) are presented for consideration by Cabinet. A deadline for requests for changes/additions to parking restrictions has been set as 31<sup>st</sup> August each year. The public requests for changes are detailed in Appendix 1, and officer requests are detailed in Appendix 2.
- 2.2 At present there is a temporary arrangement whereby motorists can park free for one hour all week in Church St car park and on Saturdays in the Catmose car park. This was put in place during the town centre roadworks. To attract more visitors into Oakham and make more use of the Catmose car park on Saturdays it is recommended that this is continued in the Catmose car park but for 2 hours on a trial basis. As there is little use of this car park on Saturdays the predicted effect on income would depend on how much parking is displaced from other car parks. The proposal will be for a trial period of 6 months while the impact on income is determined.
- 2.3 The introduction of Limited Waiting in Oakham Resident Bays has been considered previously by Cabinet and the decision was to keep this under review. Spot checks in Autumn 2017 confirm that there is still an opportunity to optimise the use of on street parking space in Oakham resident's bays during weekday daytimes. Oakham resident bays are generally restricted Monday-Saturdays 8am-8pm. Having limited waiting in the resident bays would allow residents visitors to park without the need for visitor permits, and also give general motorists the opportunity to park to visit the town centre. This is not recommended at this time and will continue to be reviewed on an annual basis.

## **3 CONSULTATION**

- 3.1 Informal consultation with parish/town councils and Ward Members has taken place regarding the restrictions in Appendix 1 & 2. Further informal consultation may be necessary.
- 3.2 Statutory consultation involving press notices and notices posted in the relevant areas is required prior to making the Traffic Regulation Orders (TROs).

## **4 ALTERNATIVE OPTIONS**

- 4.1 All the proposed restrictions in Appendix 1 that are recommended for approval are in accordance with parking policies. Cabinet could choose to approve proposals that are not in accordance with the policies or to reject any of the proposals.

## **5 FINANCIAL IMPLICATIONS**

- 5.1 The cost of the implementing the recommended changes in Appendices 1 and 2 will be met from the existing budget. Enforcement in new areas will be contained



within existing resources by adjusting enforcement schedules. The financial impact of free 2 hours parking at Catmose on Saturdays is difficult to predict and will be determined during a 6 month trial.

## **6 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 6.1 Traffic regulation orders (TROs) will be required to implement the recommended changes. This will require statutory consultation. There is a significant lead in time to changing TROs due to the consultation and legal processes involved.

## **7 EQUALITY IMPACT ASSESSMENT**

- 7.1 Equality Impact Assessment screening has been undertaken and there are no adverse effects due to this policy.
- 7.2 Rutland Access Group is consulted as part of the informal and statutory consultation process.

## **8 COMMUNITY SAFETY IMPLICATIONS**

- 8.1 There are no community safety implications arising from this report.

## **9 HEALTH AND WELLBEING IMPLICATIONS**

- 9.1 There are no health and wellbeing implications arising from this report.

## **10 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 10.1 The recommended amendments and additions to parking restrictions will help ensure, so far as is reasonably practicable, the safe and expeditious movement of traffic while providing adequate parking to support the local economy and the needs of residents.

## **11 BACKGROUND PAPERS**

- 11.1 Strategic Parking Review (Parking Strategy)  
[http://www.rutland.gov.uk/transport\\_and\\_streets/parking/parking\\_strategy.aspx](http://www.rutland.gov.uk/transport_and_streets/parking/parking_strategy.aspx)

## **12 APPENDICES**

- 12.1 Appendix 1 Public Requests for Restrictions
- 12.2 Appendix 2 Officer Requests for Changes to Restrictions
- 12.3 Appendix 3 Maps

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

# Appendix 1: Public Requests

Town / Village	Street	Location	Request Summary	Parish or Town Council Support Y/N	Ward Member Support Y/N	In Accordance with Policy Y/N	Policy Ref	Recommended Y/N	Officer Comments
Oakham	Park Lane	west end	Double yellow lines	Y	1 of 2, pending other	Y	PP5	Y	
Oakham	Brooke Road	between zigzags and Trent Road, both sides	(Double) Yellow lines	Y	YY	Y	PP10	Y	
Oakham	Northgate	all residents bays	Allow D permits on Northgate	Y	YY	Y	PP18	Y	In practice already due to roadworks.
Oakham	Kilburn End	by play area	Double yellow lines	Y	Y	N	PP8	N	
Oakham	Derwent Drive	both sides from bridge over brook to Braunston Road	Residents and limited waiting bays and yellow lines	Y	YY	Y	PP5	Y	
Uppingham	South View	south kerb, east of graveyard	Replace access bar with double yellow lines and extend bay westwards by 1 car length	Y	YYY	Y	PP5	Y	Needed due to access to development
Greetham	Main Street	outside shop	Limited waiting bay	Y	Y	N	PP8	N	
Hambleton	Ketton Road	south kerb outside 1-3 Post Office Cottages	Residents bay	Y	Y	N	PP18	N	
Whissendine	Main Street	outside shop	Limited waiting bay	Y	Y	N	PP8	N	

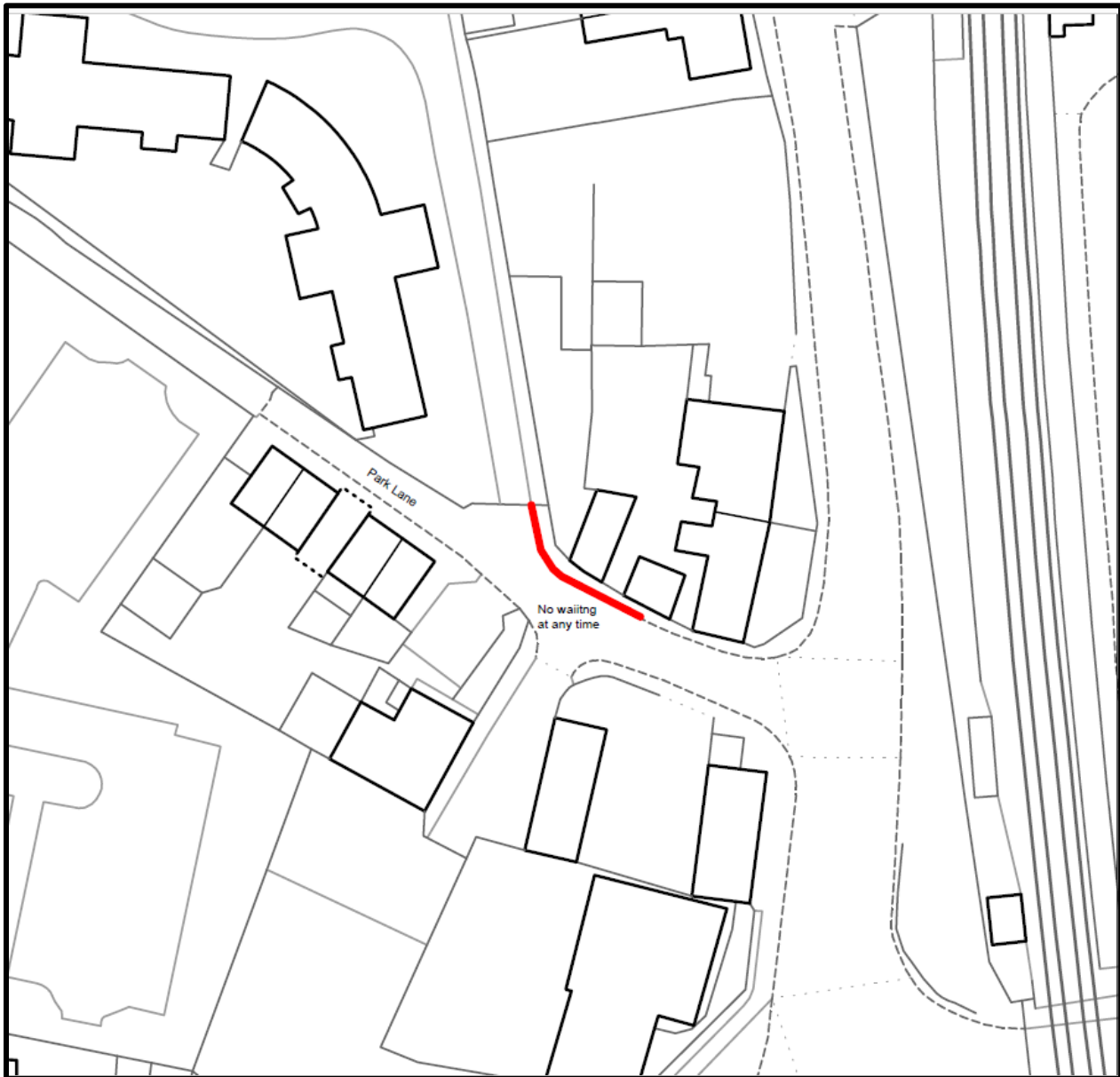
## Appendix 2: Officer Requests

Town / Village	Street / car park	Location	Request Summary	Ward	Town Council Support Y/N	Ward Member Support Y/N	In Accordance with Policy Y/N	Policy Ref	Recommended Y/N	Comments
Oakham	Catmose Street	West side outside Rutland Sports / Tonnerre	Replace Double Yellow Lines with limited waiting bay	SE	Y	Y	Y	PP1 PP5	Y	
Oakham	Catmose Car Park	Pay & Display bays	6 month trial of 2 hour free parking on Saturday	SE	Y	Y	Y	PP14	Y	Temporary arrangement is 1 hour free on Saturdays. Recommend this is continued.
Oakham / Barleythorpe	Hackamore Way	From Lands End Way westwards to cover Old Buttercross pub junction	Double yellow lines to prevent HGV parking	NW	incl. Parish, pending	pending	Not covered	NA	Y	Not covered by existing policies, but recommended to reduce adjacent environmental impacts from lorry drivers

## Appendix 3 - Maps

### Park Lane, Oakham

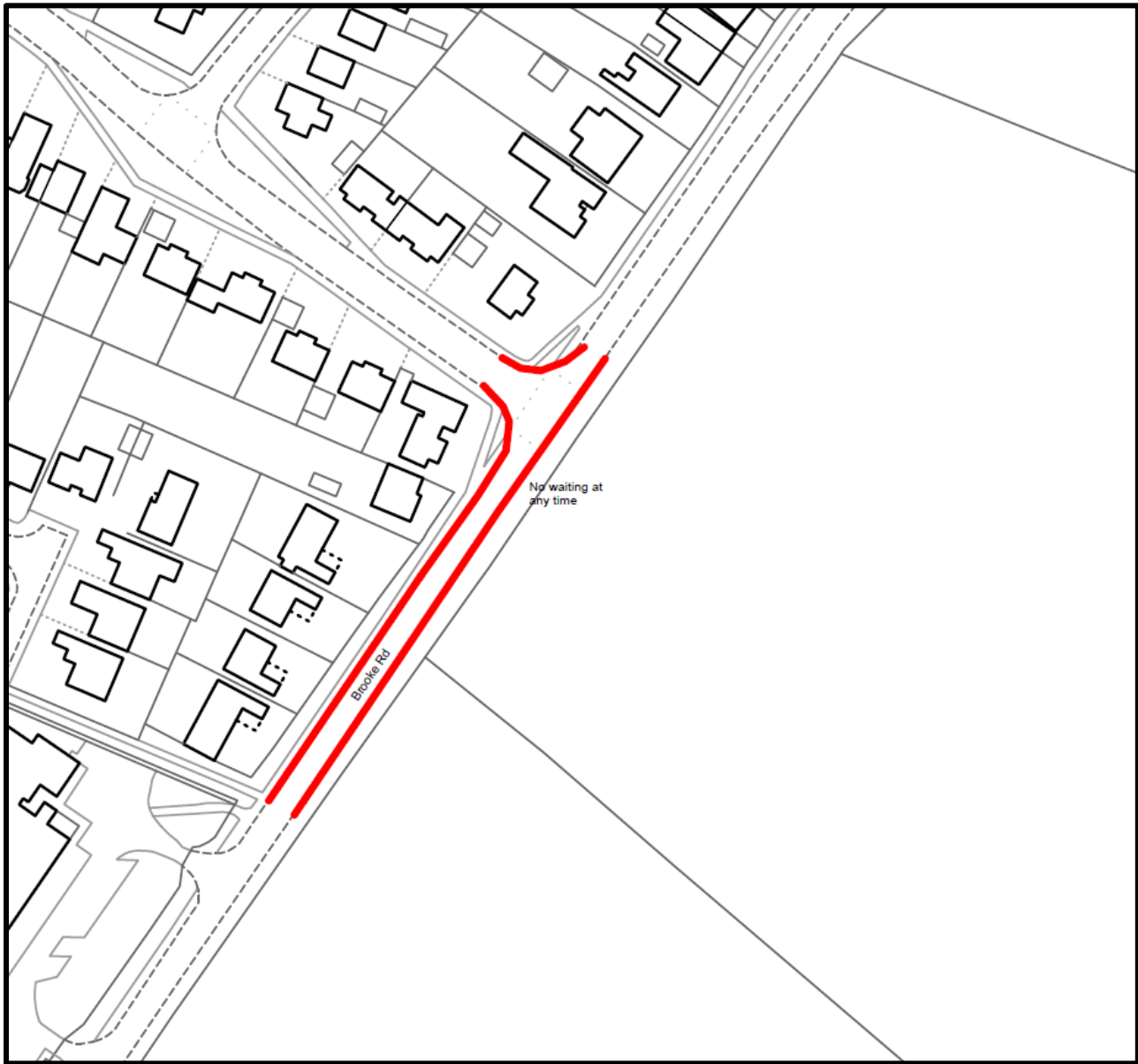
No waiting at any time



## Appendix 3 - Maps

Brooke Road, Oakham

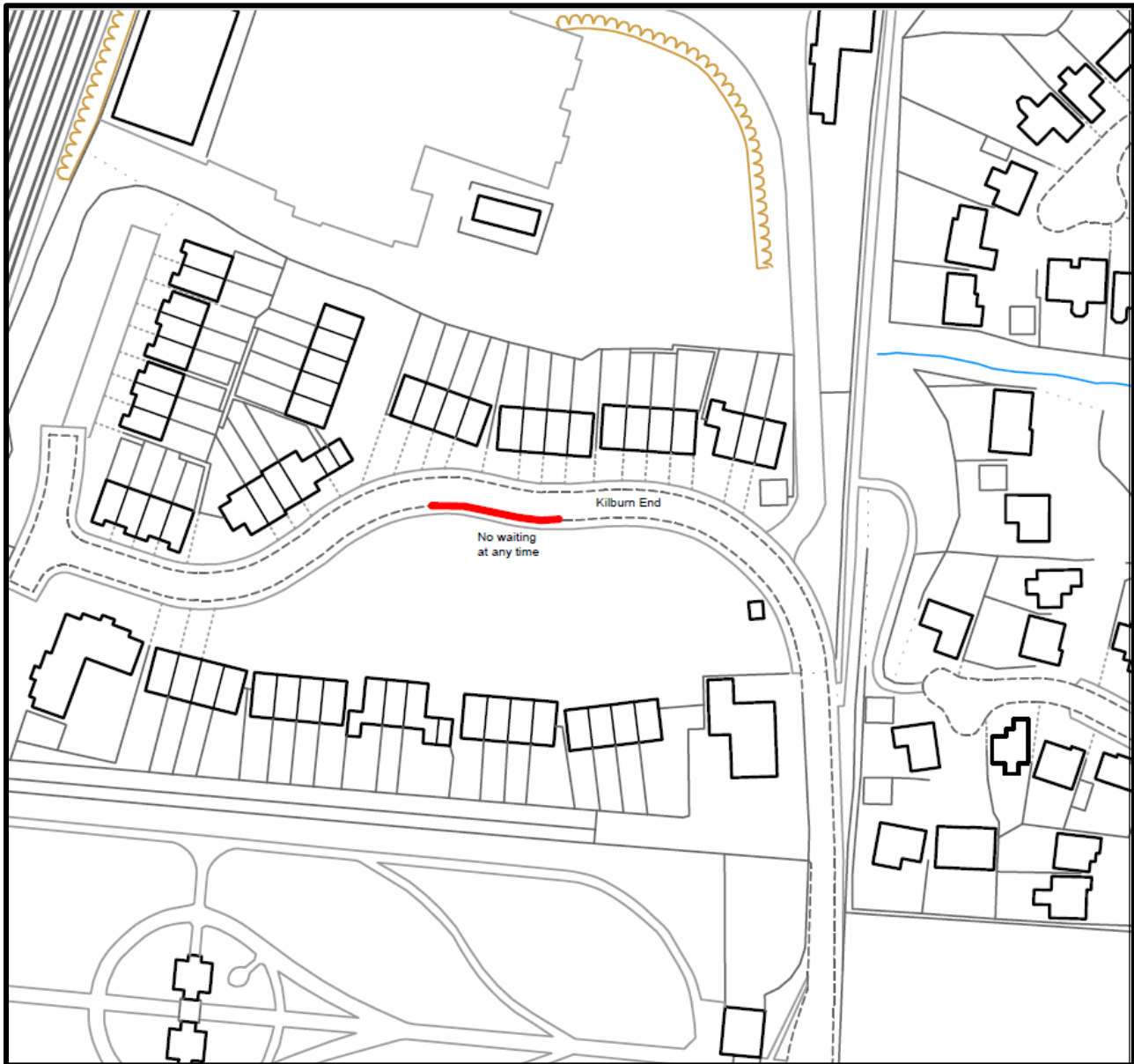
No waiting at any time



## Appendix 3 - Maps

Kilburn End outside playground, Oakham

No waiting at any time

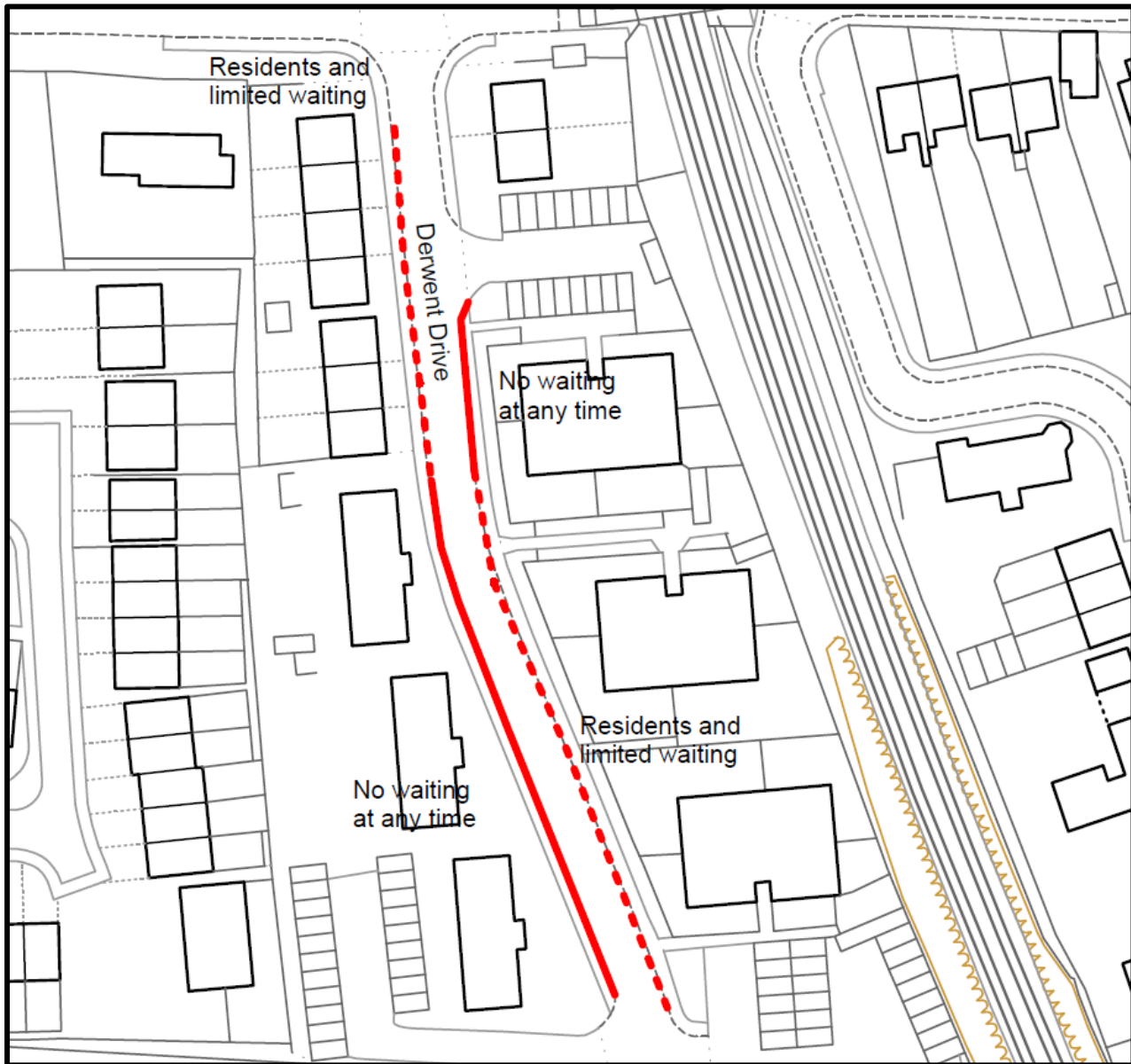


## Appendix 3 - Maps

### Derwent Drive north section, Oakham

No waiting restriction

Resident / limited waiting bays

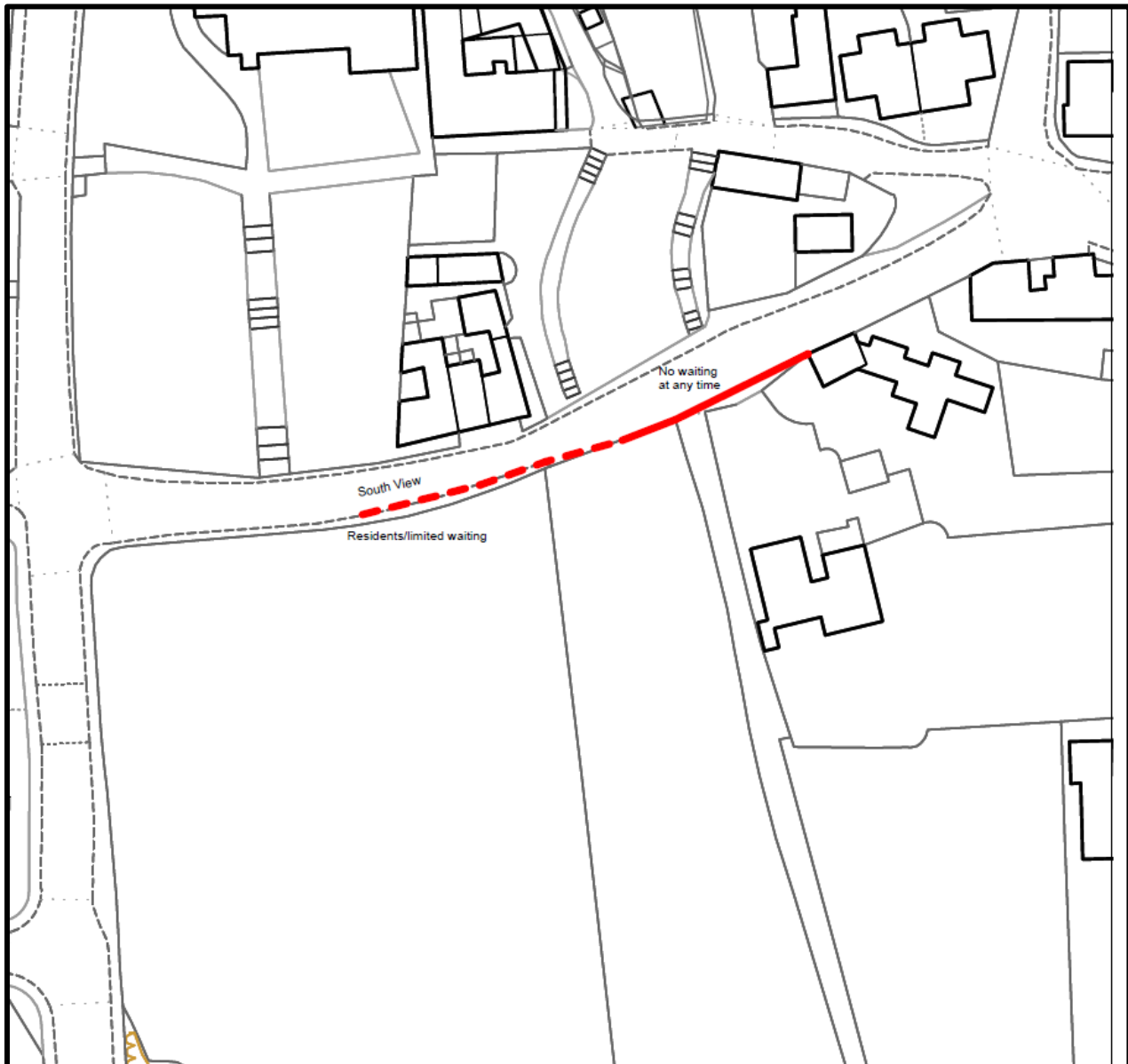


## Appendix 3 - Maps

### South View, Uppingham

Resident / limited waiting bay change

No waiting at any time

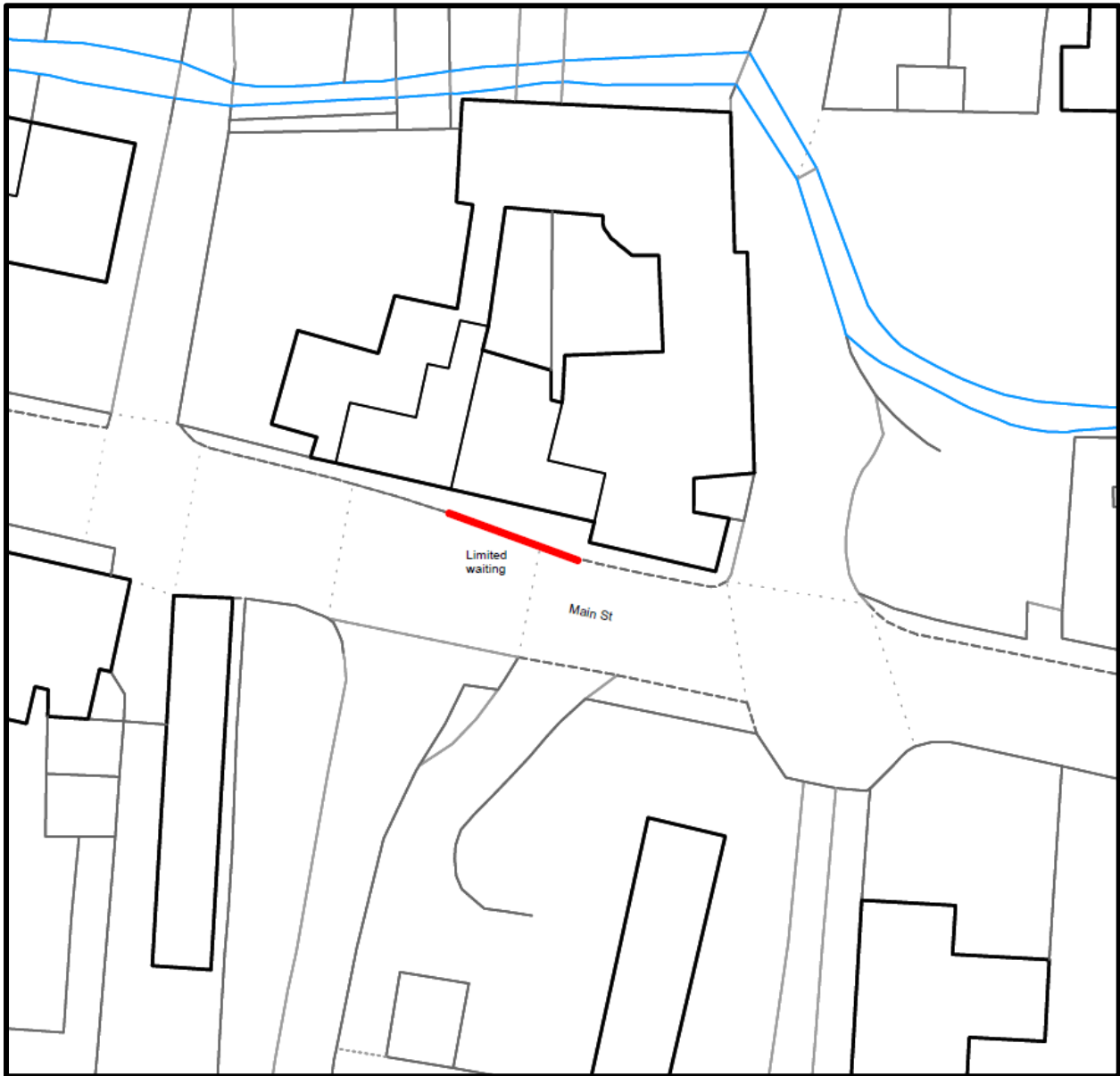




## Appendix 3 - Maps

Main Street outside shop, Greetham

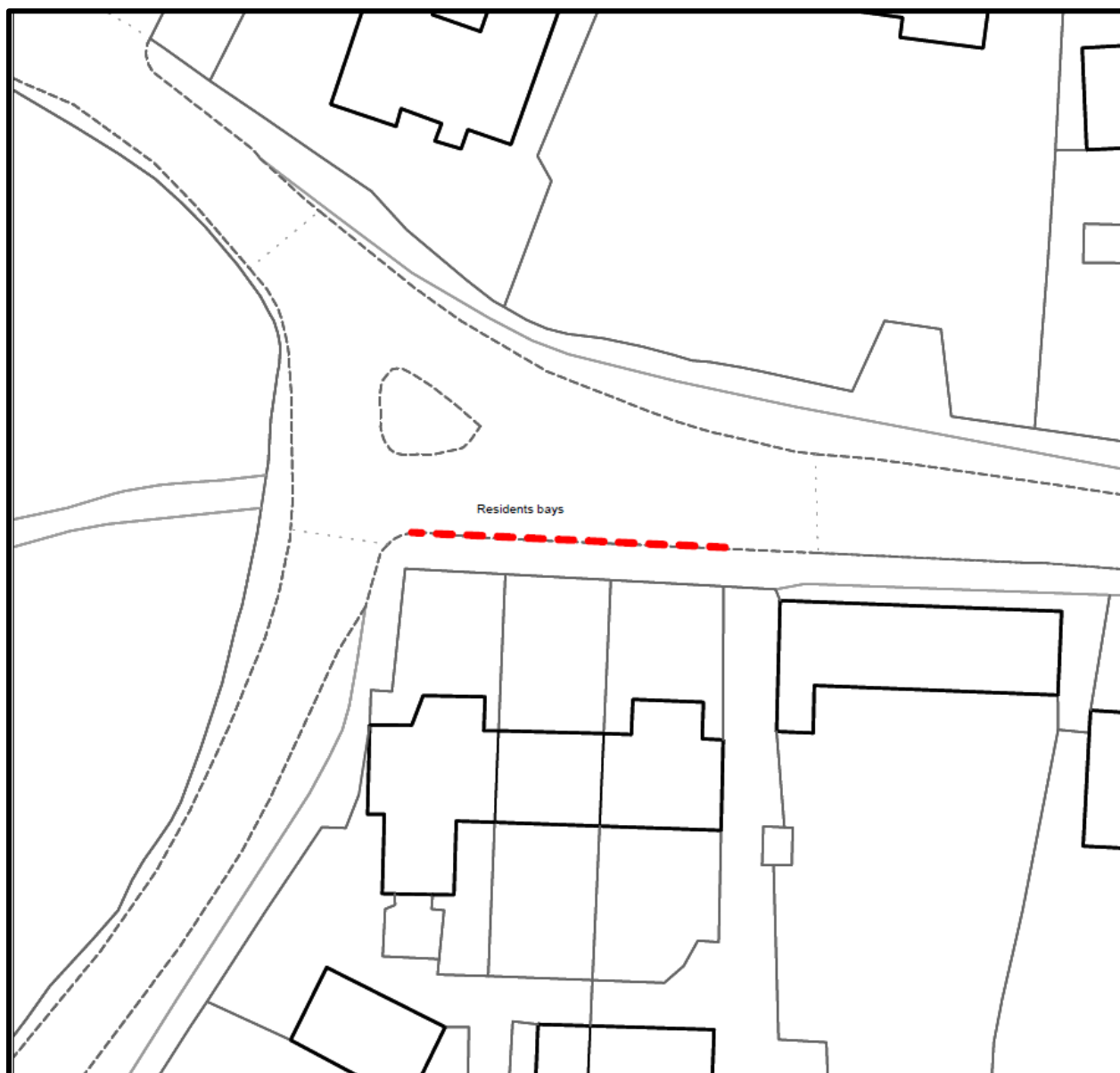
Limited waiting bay



## Appendix 3 - Maps

### Ketton Road outside Post Office Cottages, Hambleton

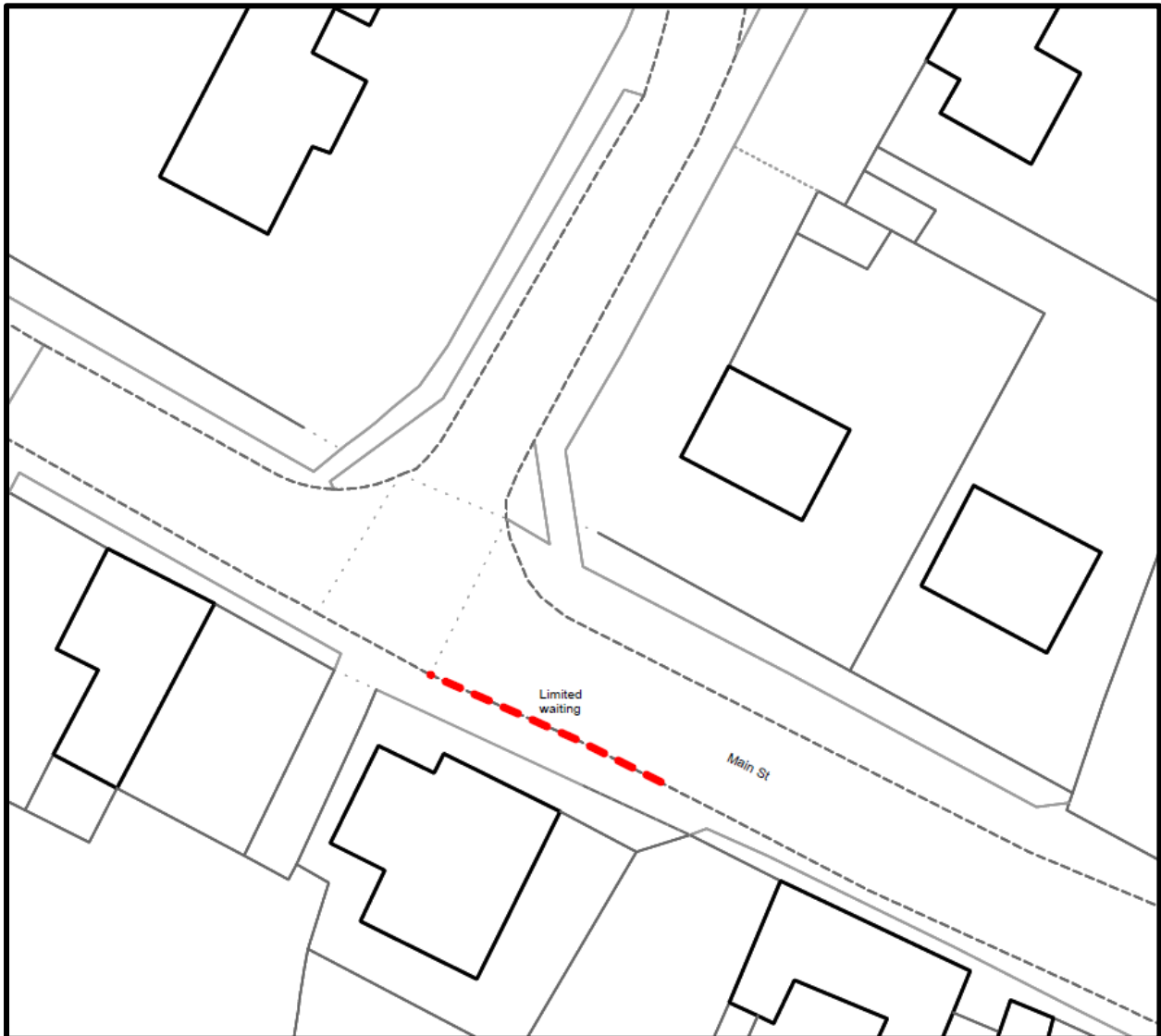
#### Resident bay



## Appendix 3 - Maps

Main Street outside shop, Whissendine

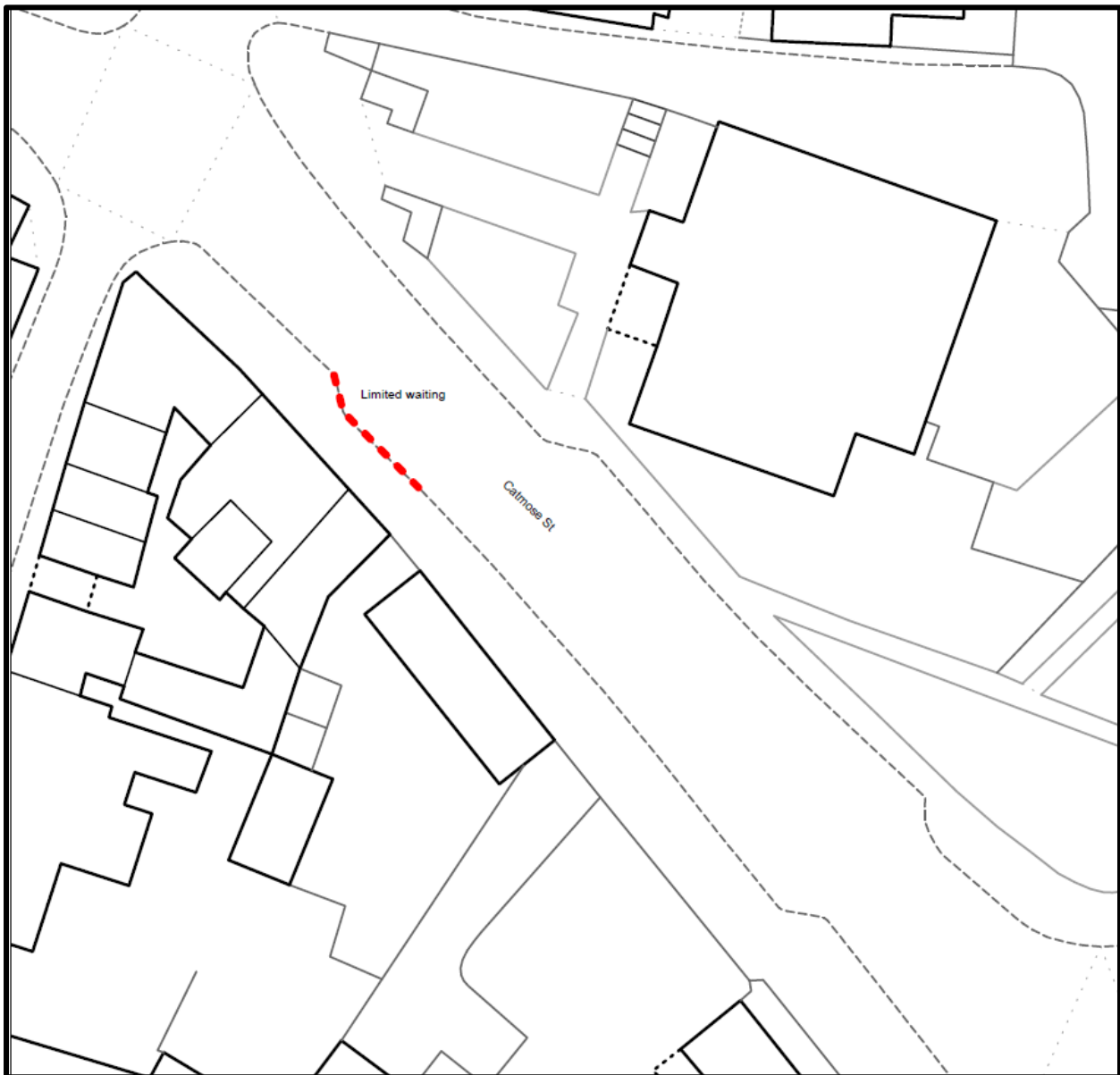
Limited waiting bay



## Appendix 3 - Maps

### Catmose Street outside shops, Oakham

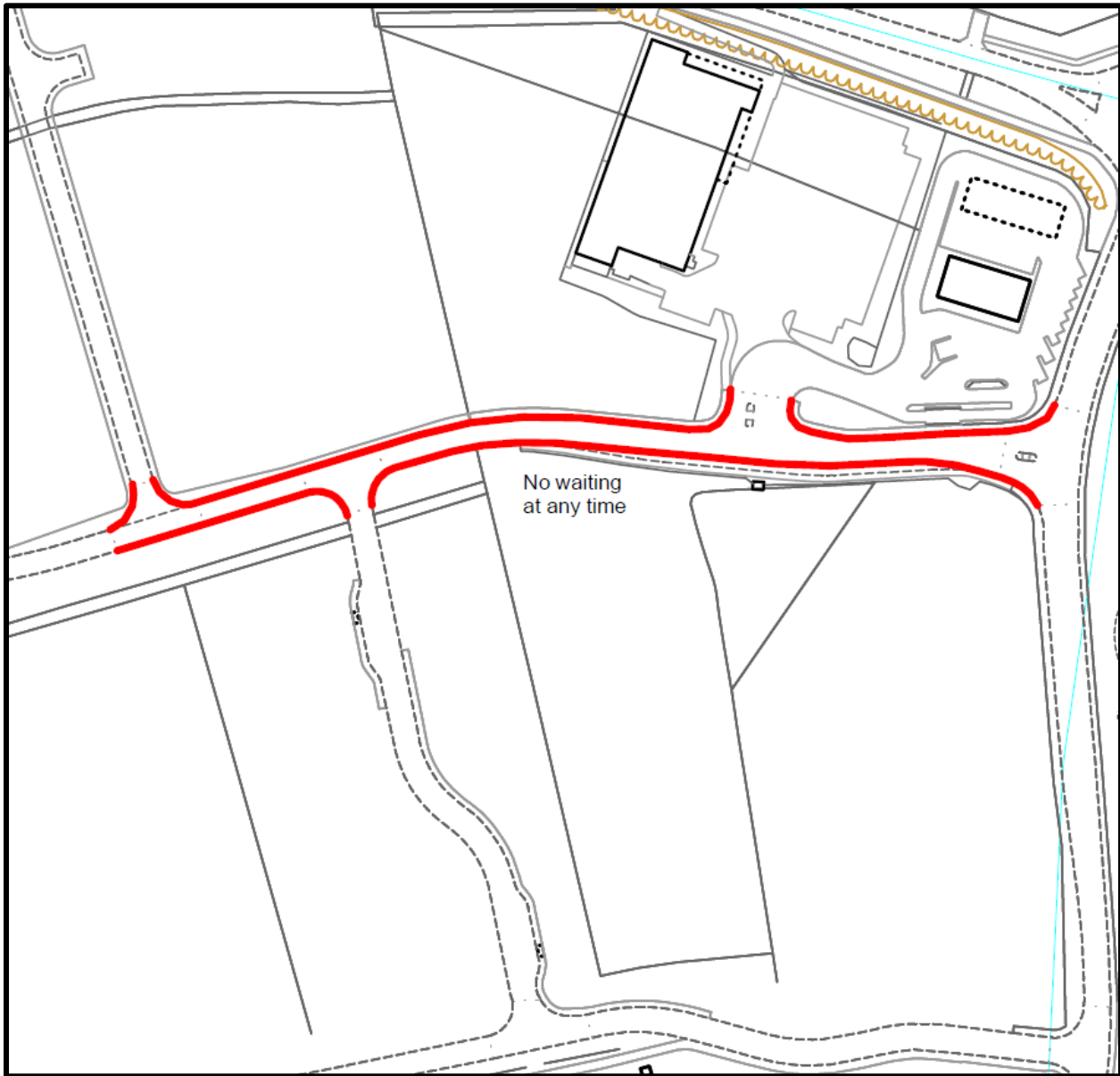
#### Limited waiting bay



## Appendix 3 - Maps

Hackamore Way, Oakham/Barleythorpe

No waiting at any time



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## CABINET

17<sup>th</sup> April 2018

### RUTLAND LOCAL PLAN – PRE-SUBMISSION

#### Report of the Chief Executive

Strategic Aim:	Sustainable Growth	
Key Decision: Yes	Forward Plan Reference:	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr N Begy Deputy Chair and Portfolio Holder for Planning Policy & Planning Operations, Highways & Transportation and Communications	
Contact Officer(s):	Helen Briggs Chief Executive	Tel: 01572 758201 hbriggs@rutland.gov.uk
	Roger Ranson, Planning Policy Manager	Tel: 01572 758238 rranson@rutland.gov.uk
Ward Councillors	N/A	

#### DECISION RECOMMENDATIONS

1. That Cabinet approves the updated Local Development Scheme appended to this report.

#### 1. PURPOSE OF THE REPORT

- 1.1 This report sets out a revised timetable for the delivery of the Local Plan. It is recommended that the timetable is amended in order to fully incorporate the implications of potential development of St Georges barracks into the Local Plan. This will entail undertaking an additional round of non-statutory public consultation and commissioning of appropriate evidence, prior to producing the next version of the Local Plan. This additional consultation, which will be specifically focussed on considering the implications of any potential development at St.Georges, will help to appropriately shape the form and content of the new Local Plan for Rutland.
- 1.2 This new Local Plan will help to guide proposals for growth and investment in Rutland up to 2036. It will provide greater certainty to all parties regarding the local development process and proposed planning policies for Rutland. The preparation of a new Local Plan provides the opportunity for all our communities to help shape what the County will look like over the next 15-20 years, thereby creating the policy framework that will help guide all investment and development decisions over the plan

period. It also allows the Council to set out its ambitions for the future growth and prosperity of Rutland.

- 1.3 The updated recommended timetable for the production of the new Local Plan is set out in this report and the accompanying revised Local Development Scheme (LDS).

## **2. BACKGROUND AND MAIN CONSIDERATIONS**

- 2.1 Local Planning Authorities must prepare a Local Plan that sets out the local planning policies for their local planning authority area. These policies are very important material considerations when deciding planning applications, as all decisions must be made in accordance with the policies unless there are very strong reasons not to do so. Government guidance requires that Local Plans must be positively prepared, justified, effective and consistent with national policy, in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF). The NPPF states that every local planning authority in England should seek to have in place a clear, up to date Local Plan that conforms to the Framework, meets local development needs and reflects local people's views about how they wish their community to develop. The plan preparation process should fully involve everyone with an interest in the document or area, and they should have had the chance to comment.
- 2.2 The County Council currently has three key adopted Planning Policy documents in place - the Core Strategy (July 2011); the Minerals Core Strategy and Development Control Policies Development Plan Document (October 2010) and the Site Allocations and Policies Development Plan Document (October 2014) - as well as a number of other supplementary planning policy documents. These generally cover the period up to 2026, and in some cases pre-date the production of the NPPF. As such some of these policies are considered to be no longer fully in line with Government policy. We are therefore reviewing all our current policies and looking into current issues in order to produce a new, up-to-date Local Plan for Rutland that will cover the period up to 2036.
- 2.3 In June 2017, Cabinet approved a Consultative Draft Local Plan for the purposes of public consultation, in line with Regulation 18 of the Local Plan Regulations. This document proposed both draft policy wording and provisional site allocations, based on evidence reports. The Council has received a considerable response through the consultation which will be considered in drafting the next version of the Local Plan.

### Consideration of potential development at St Georges

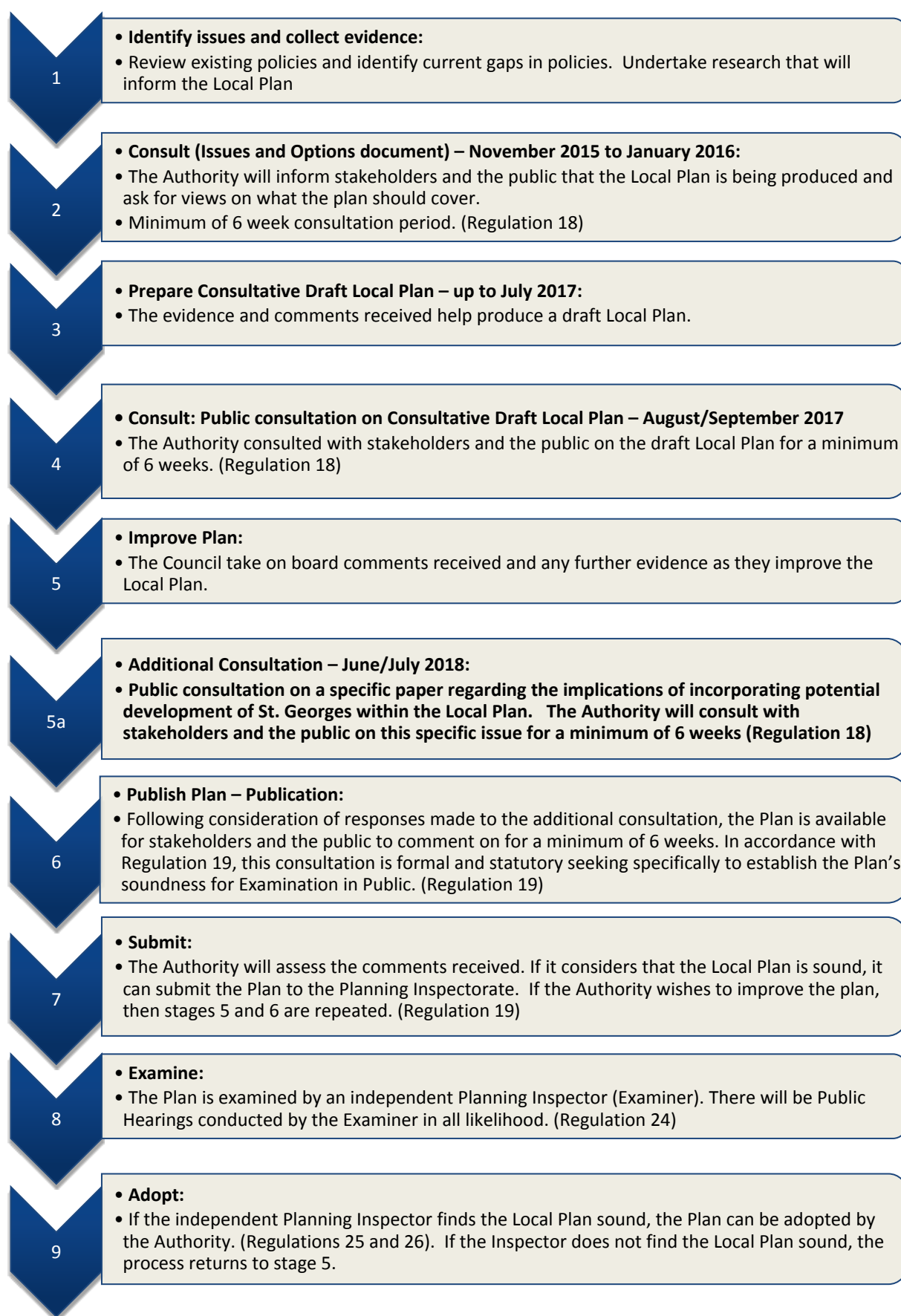
- 2.4 Separately from the Local Plan, the Council have been working in partnership with the Ministry of Defence to examine the scope for the potential development of the St Georges Barracks site, following the decision that the site would close from 2021. A high level masterplan has been commissioned to provide an overview of the constraints and opportunities for this brownfield site and to provide an indication of the potential scale, nature and timing of potential development. At the time of the Consultative Draft Local Plan, there was no robust evidence available to enable detailed consideration of St Georges within the Local Plan. A number of responses to



the consultation have highlighted that it would be desirable if the Local Plan could articulate more in relation to this potential development.

- 2.5 Officers have considered options for how any potential development could be considered within the statutory development plan system. The original view has been to consider a separate Development Plan Document (DPD) which would be produced as further clarification as to the potential development of St. Georges became known. This was proposed to follow on from the production of the Local Plan. However, there is a significant risk that the Local Plan may be considered unsound at examination if there is no full consideration of the potential development at St. Georges within the Local Plan itself. The recommended option therefore is to review the timetable for the production of the Local Plan in order that the implications of St Georges can be fully incorporated into a single statutory strategic planning document setting out the vision for growth and development in the County up to 2036.
- 2.6 In order to take this recommended approach forward then the following additional steps are required to be undertaken to produce the Local Plan:
1. A further non-statutory targeted consultation focussed on a specific paper setting out the implications for incorporating any potential development of St. Georges into the Local Plan. This would take place following the production of the high level masterplan; and
  2. The commissioning of additional relevant evidence related to the implications for incorporating any potential development of St. Georges into the Local Plan. Depending on the potential development, this is likely to include additional work to the Sustainability Appraisal, Habitat Regulations Assessment, Infrastructure Delivery Plan, market assessments, whole plan viability, and possible Strategic Flood Risk Assessment and Water cycle study.
- 2.7 The following table shows the implications of this recommended approach to the preparation, submission and adoption of the Local Plan in Rutland, with reference to the Local Plan Regulations where appropriate. The proposed additional targeted consultation is highlighted in both as step 5a.

**Table 1: Local Plan Process**



- 2.8 This revised timetable is reflected in revised Local Development Scheme which is appended to this report and is recommended to Cabinet for approval.

Joint working on Local Plans

- 2.9 The revised Local Development Scheme also sets out in paragraph 3.9 details any proposed joint working arrangements for the production of development plans in the County. The Scheme has been amended to take account of the potential development of land to the north of Stamford which has been provisionally allocated in both the Rutland and South Kesteven Consultative Draft Local Plans. This reflects that a draft document has been produced setting out a Memorandum of Co-Operation (MoC) between Lincolnshire County Council (LCC), Rutland County Council (RCC) and South Kesteven District Council (SKDC). The purpose of this MoC is to facilitate co-ordination and co-operation between the three Councils as they seek to jointly plan land to the north of Stamford extending across both Rutland and South Kesteven's area identified as potentially suitable for an urban extension.
- 2.10 The key objective of the joint planning process is to ensure the development of the land north of Stamford in a collaborative, co-operative and holistic way, phased appropriately, and in accordance with relevant policies of the emerging South Kesteven and Rutland Local Plans. This will entail ensuring the appropriate, high quality provision of new homes across a range of sizes and tenures, alongside self-build opportunities; supporting infrastructure; appropriate social and community facilities.
- 2.11 A secondary objective is for the joint planning process, of which this draft MoC is the first step, to contribute towards fulfilling the Duty to Co-Operate for both local planning authorities, a necessary requirement if both of their emerging Local Plans are to be found sound at examination.
- 2.12 In terms of housing need only, the draft MoC provides for housing that results from the joint planning process across the proposed development on the north side of Stamford will specifically contribute to the assessed housing need of South Kesteven. This approach has been based on the relationship of the proposed development to the existing services and facilities provided within the built-up area of Stamford, and also takes account of the potential impact of the Government's proposed standardised methodology for assessing housing need. The agreement does not impact on other existing statutory arrangements regarding aspects, such as the collection of Council tax or the operation of Community Infrastructure Levy. Any potential development on the Quarry Farm site as part of the Stamford North proposed development would still contribute towards meeting the 5 year housing supply in Rutland.
- 2.13 The proposed MoC cannot override the statutory duties and powers of the three signatory authorities.

Design Supplementary Planning Document (SPD)

- 2.14 Paragraph 3.6 of the Local Development Scheme sets out other proposed documents that may be produced as part of the development plan system for Rutland. Members will be aware that a joint bid submitted by the Council with South Kesteven District Council to the Design Quality Planning Delivery Fund has been successful with the award of £185,000 over two years. This funding will be used to support the production of a Design Supplementary Planning Document (SPD) to provide

additional advice guidance to developers, aligned to the respective Local Plan policies.

### **3. CONSULTATION**

- 3.1 As stated above, two stages of consultation have taken place on the Local Plan through the Issues and Options and the Consultative Draft documents. In order to take forward the implications of incorporating St Georges into the Local Plan a further consultation on this specific issue is recommended. There will be a subsequent opportunity for consultation when a published version of the Local Plan is produced prior to its submission to the Secretary of State. It is intended to bring the additional targeted consultation paper to Cabinet in June for consultation then to take place after this. The revised timetable set out in the accompanying LDS proposes that the Regulation 19 consultation will take place towards the end of this calendar year.

### **4. ALTERNATIVE OPTIONS**

- 4.1 Alternative options of preparing a separate Development Plan Document (DPD) or incorporating St Georges at a late stage through a first review of the new Local Plan have been considered. These have been rejected as there is a risk that the Local Plan may be found to be unsound through examination if the prospect of potential development at St. Georges is not appropriately considered within the plan.
- 4.2 The only other option would be for the Council not to undertake the production of the Local Plan. This would not be in line with Government expectations and would also lead to development proposals coming forward in an uncoordinated way with no long term strategic direction to guide growth. This is not considered to be in the best interests of the County, its communities, residents and businesses.

### **5. FINANCIAL IMPLICATIONS**

- 5.1 The costs of the production of the Local Plan included in the existing budget for 2018/19 are based on the Local Plan proceeding to submission and examination without the requirement for the additional steps as outlined in paragraph 2.6 above. These budgeted costs include provision of £100,000 in 2018/19 to cover the costs associated with the examination of the Local Plan. The recommended approach and timetable will mean that the examination into the Local Plan will be re-programmed, resulting in a likely significant proportion of these budgeted costs possibly falling in 2019/20. This will depend on the exact time of the examination and will need to be monitored during the 2018/19 financial year.

- 5.2 Paragraph 2.6 sets out additional costs resulting from the work to be undertaken in considering the implications of St. Georges within the Local Plan. Estimates for these costs are based on the additional work required with respect to:

Enhancements to the Sustainability Appraisal -	£5,000
Enhancements to the Habitat Regulations Assessment -	£15,000
Additional work on the Infrastructure Delivery Plan -	£35,000
Possible additional work related to flood risk and water cycle -	£20,000
 LIKELY TOTAL -	 £75,000

These costs are estimates and will be reviewed following relevant procurement. They will be incurred in 2018/19 and are directly attributable to the St. Georges project.

## **6. LEGAL AND GOVERNANCE CONSIDERATIONS**

- 6.1 The Local Plan is required by statute to be adopted by full Council. Before the draft Local Plan can be considered for adoption, the process for preparing the Local Plan must follow as is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations). Section 18 of the Regulations sets out the requirements for consultation - there is a requirement to consult with:
- such of the specific consultation bodies as the authority consider may have an interest in the subject of the proposed local plan;
  - such of the general consultation bodies as the authority consider appropriate; and
  - such residents or other persons carrying on business in the authority's area from which the authority consider it appropriate to invite representations.
- 6.2 In addition, the Council must comply with any commitments it has made in the adopted statement of community involvement.
- 6.3 The Council must also publicise its intended timetable for producing the Local Plan. This information is contained in the proposed Local Development Scheme which authorities should publish on their web site and must keep up to date.

## **7. EQUALITY IMPACT ASSESSMENT**

- 7.1 An Equality Impact Assessment (EqIA) screening has been prepared and will be updated as the Local Plan progresses to adoption by the Council.

## **8. COMMUNITY SAFETY IMPLICATIONS**

- 8.1 Strategic Objective 6 of the Consultative Draft Rutland Local Plan is: "To develop a stronger and safer community by designing out opportunities for crime and implementing measures to improve road safety to ensure that people can live, work and relax where they feel safe and enjoy a better quality of life." This is promoted through the policies in the draft document.

## **9. HEALTH AND WELLBEING IMPLICATIONS**

- 9.1 Strategic Objective 5 of the Consultative Draft Rutland Local Plan is: "To support healthy and thriving communities by protecting existing and providing new, high quality local and accessible access to health, leisure, recreation, sport, green infrastructure and cultural activities." This is promoted through the policies in the draft document.

## **10. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 10.1 This report sets out a revised timetable for the production of the Local Plan in order to fully incorporate the implications of any potential development at St. Georges into the document. A further stage of specific consultation regarding this is proposed to help shape the form and content of the new Local Plan. Revisions to the Local Development Scheme are recommended to reflect this timetable as well as the joint

working arrangements in relation to the proposed development of land on the north of Stamford and the intention to produce a Design SPD.

## **11. BACKGROUND PAPERS**

11.1 None

## **12. APPENDICES**

12.1 Appendix 1 –Local Development Scheme

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

# **RUTLAND**

## **LOCAL DEVELOPMENT SCHEME**

### **2018-2021**

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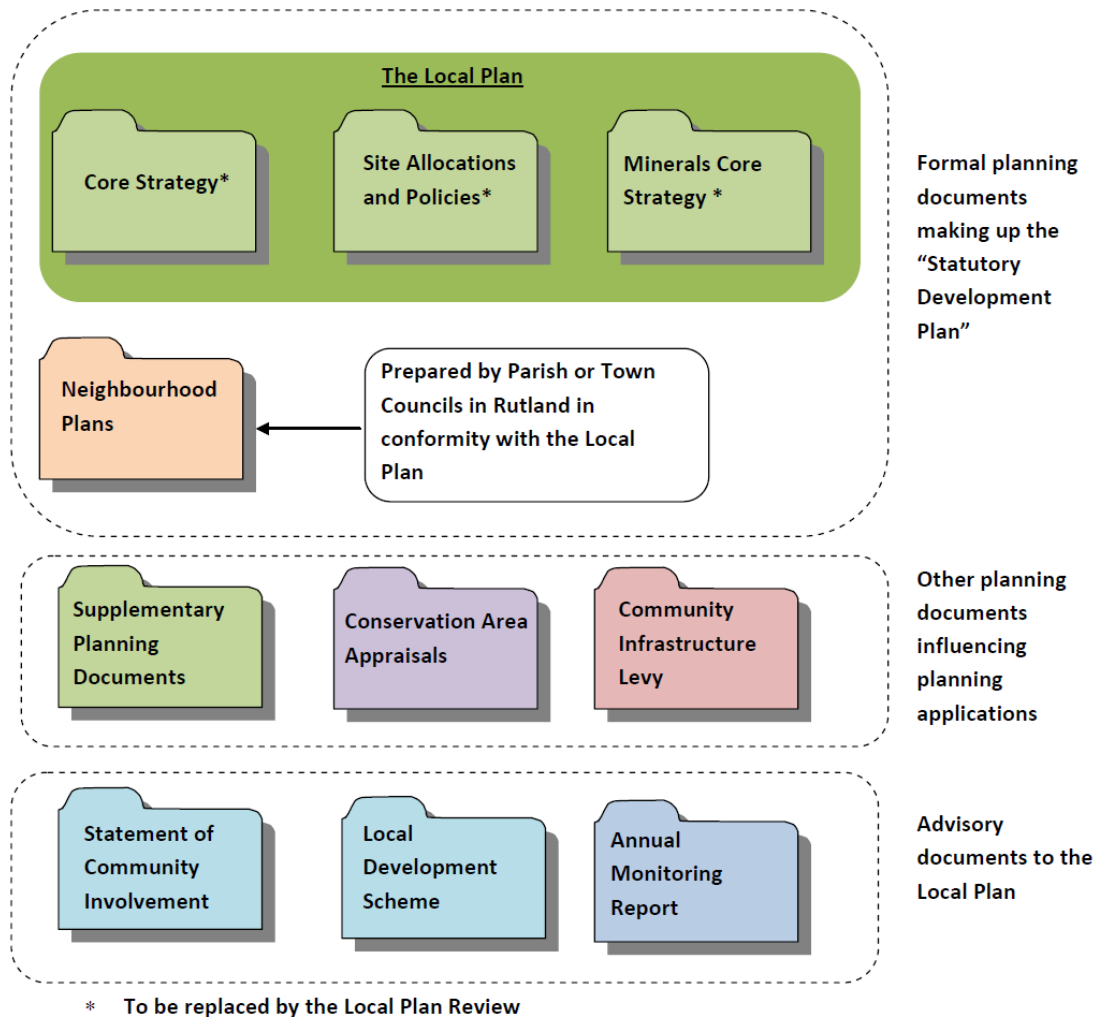


RUTLAND COUNTY COUNCIL  
LOCAL DEVELOPMENT SCHEME  
2018-2021

**1.0 INTRODUCTION**

- 1.1 The Local Development Scheme (LDS) sets out the timetable for the Development Plans Documents (DPDs)/Local Plans which a local planning authority intends to produce over the next three year period. These documents form part of the statutory development plan for the area (known as the Local Plan).
- 1.2 The National Planning Policy Framework (NPPF) states that each local planning authority should produce “a Local Plan for its area” (previously the Local Development Framework), which can be reviewed in whole or in part. Any additional DPDs should only be used where they can be clearly justified. The Local Plan can therefore be either a single document or a collection of Local Development Documents (LDDs) which deliver the planning strategy for a local authority area.
- 1.3 The Rutland LDS sets out the DPDs/Local Plans that Rutland County Council intends to prepare over the period 2018 to 2021. It explains when the Council intends to reach key stages in the preparation of each DPD and outlines the Local Plan documents that have already been adopted. It replaces the Rutland LDS which was adopted in June 2017 covering the period 2017-2020.
- 1.4 The LDS is therefore the “Project Plan” for the Rutland Local Plan. It is, however, only part of the Local Plan which comprises a number of individual LDDs. A diagram showing an overview of the different documents which currently make up the Rutland Local Plan is shown in **Diagram 1**, which are summarised below:
  - **Development Plan Documents (DPDs):** These are the documents that form part of the statutory development plan for the area. The Town and County Planning (Local Planning) England Regulation 2012 now refers to DPDs as ‘Local Plans’. They are subject to an independent examination by a planning inspector and undergo rigorous procedures of community involvement and consultation. In Rutland, they include the Core Strategy, Site Allocations & Policies and Minerals Core Strategy & Development Control Policies DPDs. These have already been adopted. The proposed timetable for the production of each of the new DPDs/Local Plans over the period 2018-2021 is set out in **Appendix 2**.
  - **Policies Map:** This is a map on an Ordnance Survey base for the whole of the local planning authority’s area which shows where the policies in the DPDs/Local Plans apply. The Policies Map may include inset maps for particular villages or areas to show information at a larger scale. The Policies Map may be updated each time that a DPD/Local Plan is adopted.

Diagram 1: The Local Plan and Planning Policy Framework



- **Supplementary Planning Documents (SPDs)** which expand on policies and proposals in DPDs/Local Plans. They do not form part of the statutory development plan and are not subject to formal independent examination. The Council can decide to produce an SPD on any appropriate subject whenever the need arises. It is no longer necessary to submit SPDs to the Secretary of State or include them in the LDS. Once adopted, SPDs will form part of the Local Plan as non-statutory documents.
- **Neighbourhood Plans (NPs):** These were introduced by the Localism Act 2011 and are prepared by a Town/Parish Council or neighbourhood forums for a specific neighbourhood area. They are subject to community consultation, an independent examination by an inspector and a local referendum process. Once made, these documents form part of the statutory development plan for the area. It is not necessary to include them in the LDS. In Rutland, neighbourhood plans which are currently made or proposed are set out in paragraph 2.1 and 3.6 below.
- **Statement of Community Involvement (SCI)** sets out how the Council will engage and consult with the public and other stakeholders during the production of the Local Plan and when dealing with planning applications. It is

no longer necessary to submit SCI to the Secretary of State or include it in the LDS. Rutland has an adopted SCI (January 2014).

- **Authority Monitoring Report (AMR)** The Localism Act 2011 requires every authority to produce reports containing information on a number of topics including:
  - the implementation of the Local Development Scheme
  - the progress and effectiveness of the Local Plan, and
  - assess the extent to which policies in the DPDs/Local Plans are meeting their objectives and targets.

## **2.0 THE CURRENT RUTLAND LOCAL PLAN**

2.1 At the time at which this LDS comes into effect, Rutland County Council has adopted the following documents. These include documents that constitute the statutory development plan for Rutland, with policies that form the starting point for decisions on all planning applications in the area.

- **Minerals Core Strategy & Development Control Policies DPD – adopted October 2010:** Provides the overall vision for future minerals development in Rutland having regard to future predicted needs up to 2026 and contains development control policies to guide decision making on planning applications for minerals development. It replaced policies in the Leicestershire Minerals Local Plan Review (May 1995).
- **Rutland Core Strategy DPD - adopted July 2011:** This provides the overall spatial vision, objectives and spatial strategy for Rutland. It identifies the broad locations, distribution and overall scale of development up to 2026 including a strategic allocation in Oakham. It contains a range of development control policies and addresses future waste development in Rutland, having regard to future predicted needs. It replaced a number of the policies in the Rutland Local Plan (2001) and the Leicestershire, Leicester and Rutland Waste Local Plan (2002).
- **Site Allocations and Policies DPD – adopted October 2014:** The purpose of this DPD is to identify and allocate sites for development (i.e. housing, retail, waste) and to set out more detailed policies that will be used to determine planning applications in accordance with the overarching policies in the Rutland Core Strategy. It replaced the remaining policies in the Rutland Local Plan (2001) and the Leicestershire, Leicester and Rutland Waste Local Plan (2002).
- **Edith Weston Neighbourhood Plan – adopted June 2014**
- **Uppingham Neighbourhood Plan – adopted January 2016**
- **Cottesmore Neighbourhood Plan – adopted July 2016**
- **Langham Neighbourhood Plan – adopted April 2017**
- **Greetham Neighbourhood Plan – adopted October 2017**

The purpose of the NP is set out above. These NPs provides more detailed policies and proposals on the community views on what will need to be

considered when determining planning applications within the relevant Neighbourhood Plan Area. A key criteria for an NP is that it is general conformity with the overarching strategic policies in the Rutland Core Strategy DPD. Once adopted a Neighbourhood Plan forms part of the Development Plan for the area.

- **Statement of Community Involvement (SCI) – adopted January 2014:** The purpose of the SCI is set out above. The SCI include an updated list of stakeholders, how the Council intends to deal with the duty to cooperate and neighbourhood planning during the production of the Local Plan and when dealing with planning applications
- **Community Infrastructure Levy (CIL) – Adopted January 2016:** CIL is a locally set charge on development. It is intended to give more certainty to developers over how much their development will need to contribute to meeting the costs of infrastructure. It is intended to supplement other funding streams to ensure that new community infrastructure can be provided to support local growth and to give councils and communities more choice and flexibility in how they fund infrastructure. The CIL is supported by a detailed Charging Schedule which sets out the CIL rate for specific types of development in Rutland.
- **Supplementary Planning Documents (SPDs):** The Council has adopted the following SPDs. These supplement and support the DPDs/Local Plan:
  1. Wind Turbine Developments SPD – adopted November 2012
  2. Ashwell Business Park SPD – adopted January 2013
  3. Ashwell Conservation Area Appraisal – adopted February 2013
  4. Whitwell Conservation Area Appraisal – adopted February 2013
  5. Empingham Conservation Area Appraisal – adopted June 2014
  6. Morcott Conservation Area Appraisal – adopted October 2014
  7. Extensions to Dwellings SPD – adopted March 2015
  8. Garden Extensions SPD – adopted March 2015
  9. Shop Fronts including Signs and Shop Security SPD – adopted March 2015
  10. Planning Obligations SPD – adopted January 2016

### 3.0 LOCAL PLAN PROGRAMME 2018-2021

#### Development Plan Documents/Local Plans

- 3.1 Rutland County Council will progress the preparation of the Rutland Local Plan review over the 3 year period of the LDS.
- 3.2 The following DPDs are being reviewed and it is intended that they will be replaced by a single local plan.
  - Minerals Core Strategy and Development Control Policies DPD (October 2010)
  - Core Strategy DPD (July 2011)

- Site Allocations and Policies DPD (October 2014)

### 3.3 There are a number of reasons for reviewing the Local Plan:

- To bring it up to date and to reflect new issues that have arisen since adoption of the Council's current Local Plan documents;
- To reflect changes to national planning policy and guidance published in 2012 and 2014 respectively;
- To reflect the Council's corporate strategy;
- To combine a number of existing Local Plan documents into a single Local Plan as recommended in National Planning Practice Guidance;
- To reflect the preparation of a number of neighbourhood plans in Rutland;
- To extend the plan period in order to ensure that there will be a 15 year time horizon as recommended in National Planning Practice Guidance;
- To provide for the additional new housing, employment and other development that will be required to meet future needs over the 15 year period.

3.4 A detailed timetable showing the different production stages for this document is shown in **Appendix 1** for the initial three years, 2018-21. The programme commenced in 2015 with a view to adopting an updated Local Plan in 2019. Further information, including the subject matter, geographical area which the documents cover and its conformity with other LDDs is contained in **Appendix 2**.

3.5 During the preparation, the Local Plan will be accompanied by maps that will show where the Policies Map will be revised when the plan is adopted. Accordingly, the Policies Map will be revised and re-issued as soon as reasonably possible after the Local Plan is adopted.

### Other documents to be produced

3.6 As a result of the government streamlining of the Local Plan process; it is no longer necessary for a LDS to include details of any other planning documents that the local planning authority intends to produce. For this reason, the attached table only includes details of Rutland's DPDs. However, in the interest of transparency, we set out below our current intentions for the preparation of other documents over the next three years:

- **Planning Obligations SPD** – depending on the progress of the Local Plan, consideration will be given to a review of the current adopted Planning Obligations SPD
- **Design SDP** - depending on the progress of the Local Plan, consideration will be given to the production of a Design SPD.
- **Other Neighbourhood Plans** – The Parish Councils in Barrowden and Wakerley, Market Overton, Wing and Oakham (with Barleythorpe) are currently leading on the preparation the NPs in their areas. The Council is currently supporting the Parish Councils in the preparation of their draft NPs. The Council will then need to take a leading role in taking the NPs through public examination and local referendum process over the two years.

- 3.7 The Council will also have to support other neighbourhood plans that might come forward over the next 3 years. The Council will also consider the possibility of producing additional SPDs if the need arises during the three year period of the LDS.

### **Resources, Programme Management and Risk Assessment**

- 3.8 The programme of Local Plan work in the LDS has been prepared to reflect the identified risks and potential areas where savings can be achieved. The successful implementation of this more focused Local Plan programme will be subject to a regular review of resources available. The lead role in the production of the Local Plan documents will be taken by the planning policy staff. Consultants will need to be engaged on specific projects where there is a lack of expertise (e.g. Minerals & Waste planning service). The main risks to the successful progress on the preparation of the DPD/Local Plan in the LDS are:

- i) Resources – the constraints on the Council's budget and the demise of the separate dedicated housing and planning delivery budget for the preparation of the Local Plan. This will need to be kept under review, to look at more cost effective ways of delivering the service and to be flexible so that the financial resources can be moved between different documents according to need and progress.
- ii) Staff turnover – the loss of staff experienced in local plan documents preparation and built up of knowledge about Rutland can have an impact on progress. This can be mitigated by using staff resources in a flexible way, secondments or short-term contract staff if necessary, subject to any financial constraints.
- iii) Legal Challenge/soundness – the risk can be minimised by taking all of the necessary procedural steps to ensure the documents are sound. This will include working closely with other authorities/bodies to fulfil the Council's duty to cooperate under the Localism Act and the Planning Inspectorate at key stages in plan preparation.
- iv) Evidence base requirements – progress on the preparation of the DPDs will be put at risk if the evidence base cannot be commissioned due to financial constraints or is delayed. This can be minimised by carrying out as much of the work in-house and anticipating what information is required in advance so it can be built into the programme.

### **Joint Working Arrangements**

- 3.9 The County Council has a good track record of working with other authorities in particular on joint evidence based work (e.g. Strategic Housing Market Assessment) and the Council's minerals waste planning service is currently provided in conjunction with Northamptonshire County Council. The Council will continue to fulfil its responsibilities under the duty to co-operate requirements and keep open the possible production of joint evidence studies and if appropriate, the preparation of joint Local Plans, DPDs or SPDs. In order to co-ordinate the potential proposed development on the north side of Stamford within the Rutland and South Kesteven Local Plans, there will be a Memorandum of Cooperation agreed between Rutland County Council with South Kesteven District Council and Lincolnshire County Council.

#### **4.0 MONITORING AND REVIEW**

- 4.0 In order to ensure that the community and stakeholders are kept up to date on the progress of the LDS and the preparation of the Local Plan review, the Council will produce a regular update in the Local Plan newsletter published on the Council's website. This will be in addition to the updates provided through the Local Plan AMR.
- 4.1 Any changes in content or timetable in respect of LDDs will be flagged up by the AMR and LDS updates. In the event of work proceeding more quickly or slowly than programmed, adjustments will be highlighted in the AMR and the LDS amended as necessary.

APPENDIX 1

Programme for the Preparation of Development Plan Documents 2015-2019

Year	2015												2016												2017												2018												2019											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec												
DPDs																																																												
Rutland Local Plan											I&O																																																	

- IO

Consultation on Issues and Options
- CD

Community Engagement on Consultation Draft Plan (Regulation 18)
- PS

6 week Community Engagement on proposed Submission Plan (Regulation
- S

Submission to Secretary of State
- E

Independent Examination
- IR

Inspectors Report (To be advised)
- A

Adoption and Publication (to be advised)



## APPENDIX 2

## SCHEDULE OF ADOPTED AND PROPOSED LOCAL DEVELOPMENT DOCUMENTS

Document Title	Status	Role and Content	Geographical coverage	Chain of Conformity	Date for public participation on preferred options DPD	Date for Proposed submission DPD	Date for Submission to Secretary of State	Proposed Adoption Date
Core Strategy	DPD	To provide the vision, strategic objectives and spatial strategy, including Strategic allocations, for Rutland to 2026	Whole authority area	In general conformity with national planning policy and (until its abolition) the Regional Spatial Strategy	Adopted July 2011			
Minerals Core Strategy & Development Control Policies	DPD	To set out the vision, objectives and spatial strategy for minerals development and provide the key policy framework for minerals development control in the period up to 2026.	Whole Authority area	In general conformity with national planning policy and (until its abolition) the Regional Spatial Strategy	Adopted October 2010			
Site Allocations & Policies	DPD	To identify site allocations and designations and set out policies for determining planning applications in the period up to 2026.	Whole Authority area	To conform with Core Strategy DPD	Adopted October 2014			
Rutland Local Plan	Local Plan	To provide the vision, strategic objectives and spatial strategy for Rutland, to identify site allocations/ designations	Whole Authority area	In general conformity with national planning policy	August - September 2017	October 2018	December 2018	To be confirmed

## Rutland Local Development Scheme 2018-2021

		and set out policies for determining planning applications in the period up to 2036.						
Policies Map	DPD	Shows land use proposals and designations on an Ordnance Survey base map	Whole authority	To conform with proposals of all DPD documents	Updated to reflect the proposals of each Local Plan/DPD	Updated to reflect the proposals of each Local Plan/DPD	Updated to reflect the proposals of each Local Plan/DPD	Adopt updated version as per each Local Plan/DPD

Abbreviations - DPD: Development Plan Document

**APPENDIX 3**

**Glossary**

AAP	Action Area Plan	Document to provide planning framework for area of significant changes or delivery of planned growth areas or regeneration. AAP will have the status of a DPD.
AMR	Annual Monitoring Report	Document that assesses implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented. Part of the Local Plan.
DPD	Development Plan Document	Document subject to independent examination, which will form part of the statutory development plan for the area. Also known as Local Plans.
LDD	Local Development Document	Collective term for Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.
LDF	The Local Development Framework	The folder or portfolio of documents making up the spatial strategy for the area. Now known as the Local Plan
LDS	Local Development Scheme	The Council's three-year programme for preparing Local Development Documents. Part of the Local Plan.
LSP	Local Strategic Partnership	The statutory partnership of local organisations and agencies that prepares the Community Strategy for the area.
NP	Neighbourhood Plan	A plan prepared by a Town/Parish Council or neighbourhood forums for a specific neighbourhood area. They are subject to community consultation, an independent examination by an inspector and a local referendum process. Once made, these documents form part of the statutory development plan for the area.
SA	Sustainability Appraisal	Document setting out the appraisal of plans and policies to ensure they reflect sustainable development objectives.
SCI	Statement of Community Involvement	Document setting out when, with whom and how consultation will be undertaken on Local Development Documents. Part of the Local Plan.
SEA	Strategic Environmental Assessment	Document setting out the environmental assessment of policies, to meet the requirements of the European SEA Directive.
SPD	Supplementary Planning Document	Document that expands on policies and proposals in Development Plan Documents. Part of the Local Plan but not subject to formal public examination and not part of the statutory development plan.

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