STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE MEETING

Date: Tuesday 9 October 2018

Time: 6.30 pm

Venue: Town Hall, High Street, Maidstone

Membership:

Councillors D Burton (Chairman), Clark, Cox, Field, Garten, Mrs Grigg (Vice-Chairman), Munford, Parfitt-Reid and de Wiggondene-Sheppard

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

AGENDA Page No.

- 1. Apologies for Absence
- 2. Notification of Substitute Members
- 3. Urgent Items
- 4. Notification of Visiting Members
- 5. Disclosures by Members and Officers
- 6. Disclosures of Lobbying
- 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information
- 8. Minutes of the meeting held on 11 September 2018 1 8
- 9. Presentation of Petitions (if any)
- 10. Questions and answer session for members of the public
- 11. Committee Work Programme

9 10 - 12

12. Reports of Outside Bodies

13. Maidstone Integrated Transport Package and Associated Local Growth Fund Monies Update - Verbal Update

The full report on the Maidstone Integrated Transport Package is due to be published on the Maidstone Joint Transportation Board agenda on 9th October 2018.

Issued on Monday 1 October 2018

Continued Over/:

Alison Broom, Chief Executive

Alisan Brown



14.	Parking Services Annual Report 2017-18	13 - 32
15.	Local Enforcement Plan	33 - 52
16.	Maidstone Local Plan Review: Broad Spatial Options	53 - 67
17.	Development of the New Strategic Plan	68 - 95

PUBLIC SPEAKING AND ALTERNATIVE FORMATS

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

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 5 p.m. one clear working day before the meeting (i.e. Friday 5th October). If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

To find out more about the work of the Committee, please visit www.maidstone.gov.uk.

Should you wish to refer any decisions contained in these minutes **General Resources**Committee, please submit a Decision Referral Form, signed by three Councillors, to the Head of Policy, Communications and Governance by: 3rd October 2018.

MAIDSTONE BOROUGH COUNCIL

<u>Strategic Planning, Sustainability and Transportation</u> <u>Committee</u>

MINUTES OF THE MEETING HELD ON TUESDAY 11 SEPTEMBER 2018

Present: Councillors D Burton, Clark, Cox, Field, Garten,

Mrs Grigg, Munford, Perry and Spooner

Also Present: Councillors McKay and Springett

52. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Parfitt-Reid and de Wiggondene Sheppard.

53. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were present:

- Councillor Perry for Parfitt-Reid
- Councillor Spooner for de Wiggondene Sheppard.

54. **URGENT ITEMS**

The Chairman explained to the Committee that he had agreed to take an urgent update to Item 22. Town Centre Article 4 Direction – Options. The reason for urgency was that the update corrected references in the report to ensure accuracy.

55. NOTIFICATION OF VISITING MEMBERS

The following Councillors were present as Visiting Members:

- Councillor Springett, who indicated that she wished to speak on Item 14. First Quarter Budget Monitoring Report and Item 15. Key Performance Indicator Update Quarter 1 SPST.
- Councillor McKay, who indicated that he wished to speak on Item 14. First Quarter Budget Monitoring Report and Item 15. Key Performance Indicator Update Quarter 1 SPST.

56. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

57. DISCLOSURES OF LOBBYING

All members disclosed that they had been lobbied on Item 21. Maidstone Community Infrastructure Levy Administration and Governance.

58. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION

RESOLVED: That all items be taken in public as proposed.

59. AMENDMENT TO THE ORDER OF BUSINESS

The Chairman explained that in order to comprehensively consider Item 20. Reference from Council - Community Infrastructure Levy, it would be pragmatic to discuss the contents of Item 21. Maidstone Community Infrastructure Levy Administration and Governance beforehand.

RESOLVED: That Item 21. Maidstone Community Infrastructure Levy Administration and Governance be considered before Item 20. Reference from Council - Community Infrastructure Levy.

60. MINUTES OF THE MEETING HELD ON 10 JULY 2018

RESOLVED: That the minutes of the meeting held on 10 July 2018 be approved as a correct record and signed.

61. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

62. OUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

63. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

64. NOMINATIONS TO OUTSIDE BODIES - SPS&T

The Committee debated the role of the Strategic Planning, Sustainability and Transport Committee Chairman in relation to Outside Bodies, as described in the Constitution.

Mr Sam Bailey, Democratic and Administration Services Manager, confirmed that the description of the Chairman's responsibilities had been referred to the Democracy Committee on 5th September 2018. The Democracy Committee had recommended to Council that the Constitution be amended to clarify that the Chairman was not required to sit on the board of Outside Bodies, as the nominated Council Representative was responsible for this. The amendment had not yet been considered by Council.

RESOLVED:

- 1) That Councillor Clive English be nominated as the Council's representative on the Southern Rail Stakeholder Forum.
- 2) That the Chairman of the Strategic Planning, Sustainability and Transport Committee continues to attend meetings of the Quality Bus Partnership, in addition to the Council's nominated representative, until the Constitution is amended.

Voting: Unanimous

65. REPORTS OF OUTSIDE BODIES

RESOLVED: That the Reports of Outside Bodies be noted.

66. FIRST QUARTER BUDGET MONITORING REPORT

Ms Ellie Dunnet, Head of Finance, updated the Committee on the budget position at the end of the First Quarter. Ms Dunnet explained that while there was an overspend regarding parking services, there was an overall underspend. The Council was expected to remain within the agreed budget for the year.

Councillors Springett and McKay spoke on this item as Visiting Members.

In response to a question from a Visiting Member, Mr Rob Jarman, Head of Planning & Development, confirmed that recruitment was underway for a Conservation Officer. The risks associated with the position being vacant were acknowledged, however, Maidstone Borough Council was working with Historic England regarding a number of sites including Wren's Cross. Furthermore, the current situation was considered manageable due to the specialist knowledge that had been developed within current officer capacity.

RESOLVED:

- 1) That the revenue position at the end of the first quarter and the actions being taken or proposed to improve the position, where significant variances have been identified, be noted.
- 2) That the capital position at the end of the first quarter be noted.

67. KEY PERFORMANCE INDICATOR UPDATE QUARTER 1 SPST

Mr Jarman introduced the Key Performance Indicator Update. He confirmed that all KPIs demonstrated good progress, following the elimination of the backlog of planning applications.

The Committee suggested that the future Quarter 2 KPI Update be reviewed to confirm whether the trends had been sustained, with a view to updating the KPIs.

RESOLVED: That the summary of performance for Quarter 1 of 2018/19 for Key Performance Indicators (KPIs) be noted.

68. EXTENSION OF THE SOUTH 3 RESIDENT PARKING ZONE

Mr Jeff Kitson, Parking Services Manager, outlined a proposal to extend the eligibility to park in the South 3 Resident Parking Zone. Mr Kitson explained that historically, there had been limited demand for parking from the properties concerned. A change in demography, however, meant that parking was now required.

In response to questions from the Committee, Mr Kitson confirmed that as the change was to the eligibility to park in the South 3 Resident Parking Zone and not the size of the zone, it would not impact upon current infrastructure. Furthermore, charges for the new permits would negate the costs associated with the change.

RESOLVED: That the South 3 Resident Parking Zone is extended to include property numbers 2 to 12 College Road.

Voting: For - 8 Against - 0 Abstentions - 1

69. <u>VERBAL UPDATE - DRAFT SPORTS FACILITIES AND PLAYING PITCH</u> STRATEGIES

Mr Mark Egerton, Strategic Planning Manager, provided a verbal update on the Draft Sports Facilities and Playing Pitch Strategies. Mr Egerton informed the Committee that the reports had been well received by the Heritage, Culture and Leisure Committee on 4th September 2018. The following recommendations were made to the Strategic Planning, Sustainability and Transportation Committee by the Heritage, Culture and Leisure Committee:

- That the strategies that form part of the Council's evidence base be noted and the comments on the documents be referred to Strategic Planning, Sustainability and Transportation Committee for consideration prior to re-engagement with key stakeholders and all Ward Councillors;
- That the Strategic Planning, Sustainability and Transportation Committee are recommended to expedite the consultation with Ward Councillors on the draft Sports Facilities and Playing Pitch Strategies; and
- That the Strategic Planning, Sustainability and Transportation Committee are recommended to consider the accessibility and affordability of facilities in the borough.

Mr Mark Egerton responded to questions from the Committee, and outlined that:

- The recommendation to commence engagement with Ward Members earlier than originally planned was to ensure that there was sufficient time for their comments to be considered;
- The consultation with Ward Members was separate to the engagement with key stakeholders, but both consultations would close at the same time; and
- The accessibility and affordability of new facilities would need to be addressed by the Heritage, Culture and Leisure Committee.

RESOLVED:

- 1) That ward members be consulted with ahead of the stakeholder consultation.
- 2) That a document outlining suggested changes by ward members be compiled and made publicly available.

Voting: Unanimous

70. SEVENOAKS DISTRICT DRAFT LOCAL PLAN CONSULTATION JULY 2018

Miss Anna Houghton, Planning Policy Officer, introduced the report. Miss Houghton informed the Committee that, in addition to the points raised in the report, the key aspects of the Sevenoaks District Draft Local Plan were:

- That that the proposed housing strategy did not meet the required need;
- The proposal to introduce an Article 4 Direction to prevent further loss of office space;
- That Gypsy and Traveller need could be met within the District; and
- The plan proposed a financial requirement for affordable housing from small sites.

Following questions from the Committee, Officers responded that:

- The Maidstone Borough Council response to the consultation stipulated that Sevenoaks District Council would need to consider all options, including the use of Green Belt land; and
- The immediacy of the Article 4 Direction was not currently known, however, it was not a blanket Article 4 Direction and was focussed on specific sites.

RESOLVED: That the response to the Sevenoaks District Draft Local Plan Consultation July 2018 set out in Appendix 1 be approved.

Voting: Unanimous

71. <u>KENT COUNTY COUNCIL RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP)</u> CONSULTATION

Miss Houghton informed the Committee that Kent County Council was required to update the Public Rights of Way Improvement Plan every ten years. The updated plan was now subject to consultation.

The Committee noted that the response was in accordance with current Maidstone Borough Council policies.

Officers confirmed that:

- Of fifteen questions available to respond to, five were relevant to Maidstone Borough Council; and
- This was a general consultation, and therefore if any specific rights of way present a crime and disorder consideration, the appropriate place to do this was outside of the consultation.

RESOLVED: That the response to the Rights of Way Improvement Plan set out in paragraphs 1.6 to 1.13 of the report be agreed.

Voting: Unanimous

72. MAIDSTONE COMMUNITY INFRASTRUCTURE LEVY ADMINISTRATION AND GOVERNANCE

Mrs Tay Arnold explained that the Community Infrastructure Levy Charging Schedule and the Regulations 123 List were approved by Full Council in 2017. Since previous reports had been considered by the Strategic Planning, Sustainability and Transport Committee, a streamlined process had been established and a refresher training session regarding CIL had been arranged for Members in September 2018.

In response to questions from the Committee, Mrs Arnold responded that:

- The appointment of two members of staff, in addition to careful project planning, meant that there was sufficient capacity to manage the CIL workload;
- Internal Audit had been engaged with, with a view to arranging a formal audit in the future;
- Following advice from the Strategic Planning, Sustainability and Transport Committee, a training session had been offered to all Parish Councils and all Members. An additional training session was

being prepared for February or March 2019 in advance of when Parish Councils were likely to receive the first payments;

- The review of the Infrastructure Delivery Plan (IDP) and Regulation 123 List must be conducted simultaneously. This was to ensure that changes reflected new evidence bases and documentation as they emerged;
- A quarterly report to the Strategic Planning, Sustainability and Transport Committee regarding the IDP was not feasible, however, suggestions for alternative review dates were welcomed;
- That the review of the IDP was underway, including planned stakeholder engagement, ahead of completion in October 2019; and
- The Strategic Planning, Sustainability and Transport Committee was responsible for oversight of the overall CIL administration and governance process.

RESOLVED:

- 1) That the administrative and engagement progress to date is noted.
- 2) That the proposed annual reporting process as proposed in paragraphs 1.34 to 1.40 is agreed.
- 3) That the Strategic Planning, Sustainability and Transport Committee will review the Infrastructure Delivery Plan as and when additional significant evidence comes to light, but at a minimum of one year intervals.

Voting: Unanimous

73. REFERENCE FROM COUNCIL - COMMUNITY INFRASTRUCTURE LEVY

The Chairman introduced the reference from Council and explained that the issues raised by the motion were due to be resolved at the Committee's meeting in January when the Community Infrastructure Levy Governance Arrangements were scheduled to be considered. Given the additional clarity received during the previous item, it was agreed that there was no need for further consideration of the reference by the committee.

RESOLVED: That the reference be noted.

74. TOWN CENTRE ARTICLE 4 DIRECTION - OPTIONS

Mr Stuart Watson, Planning Officer (Strategic Planning), addressed the Committee. Mr Watson explained that there was sufficient evidence that a non-immediate Article 4 Direction was appropriate for; County Gate, County House, Medway Bridge House, 23-29 Albion Place, Sterling House,

Maidstone House, Romney House, Gail House, Kestrel House, Knightrider Chambers, 62 Earl Street, 66 Earl Street, 72 King Street and Clarendon Place. The Council recognised that further work could be undertaken to reduce the likelihood of intervention by the Secretary of State, if required.

The Committee debated the proposal and commented that:

- The Maidstone Borough Council Local Plan outlined that the development of housing units was to be achieved using office stock, which contradicted the Article 4 Direction; and
- The timing of the Article 4 Direction was not appropriate, and it should instead be included in the review of the Local Plan.

Mr William Cornall responded that there were broader issues that impacted on this decision, as greater control of office stock ensured for better quality homes that were of an appropriate size and included the provision of parking.

RESOLVED: That no Article 4 Directions should be taken forward for the Town Centre.

Voting: For - 8 Against - 1 Abstentions - 0

75. DURATION OF MEETING

6.30 p.m. to 8.35 p.m.

2018/19 WORK PROGRAMME

	Committee	Month	Lead	Report Author
Town Centre Opportunity Areas: Planning Briefs	SPS&T	Nov-18	Rob Jarman	Sarah Lee/Tay Arnold
Statement of Community Involvement Adoption	SPS&T	Nov-18	Rob Jarman	Sue Whiteside/Mark Egerton
Designation of Greensand Ridge an AONB	SPS&T	Nov-18	Rob Jarman	Deanne Cunningham
Management Plan for Kent Downs AONB	SPS&T	Nov-18	Rob Jarman	Stuart Watson/Deanne Cunningham
Park And Ride and Alternative Transport Options	SPS&T	Nov-18	Rob Jarman	Tay Arnold/Mark Egerton/Jeff Kitson
Q2 Budget Monitoring 2018/19	SPS&T	Nov-18	Ellie Dunnet	Paul Holland
Q2 Performance Report 2018/19	SPS&T	Nov-18	Angela Woodhouse	Anna Collier
Maidstone Housing Design Guide	SPS&T	Nov-18	William Cornall	
Authority Monitoring Report Publication	SPS&T	Dec-18	Rob Jarman	Stuart Watson
Local Plan Review Evidence Base and Need	SPS&T	Dec-18	Rob Jarman	Sarah Lee / Mark Egerton
Strategic Plan 2019/20 - 2023/24 - Final	SPS&T	Jan-19	Angela Woodhouse	Angela Woodhouse
Fees & Charges 2019/20	SPS&T	Jan-19	Mark Green	Ellie Dunnet
Medium Term Financial Strategy - Budget Proposals 2019/20	SPS&T	Jan-19	Mark Green	Ellie Dunnet
Community Infrastructure Levy Governance	SPS&T	Jan-19	Rob Jarman	Helen Smith/Tay Arnold
Sports Facilities and Playing Pitch Strategies Approval	SPS&T	Jan-19	Rob Jarman	Sue Whiteside/Mark Egerton
Local Plan Review Spatial Approach	SPS&T	Jan-19	Rob Jarman	Sarah Lee / Mark Egerton
Integrated Transport Strategy Delivery	SPS&T	Feb-19	Rob Jarman	Tay Arnold/Helen Smith
Q3 Budget Monitoring 2018/19	SPS&T	Feb-19	Ellie Dunnet	Paul Holland
Q3 Performance Report 2018/19	SPS&T	Feb-19	Angela Woodhouse	Anna Collier
Neighbourhood Plans Regulatory Consultation Reports	SPS&T	TBC	Rob Jarman	TBC

Agenda Item 12

Strategic Planning, Sustainability and Transportation Committee

09 October 2018

External Board/Outside Body

External Board/Outside Body	Kent Downs AONB Joint Advisory Committee
Councillor(s) represented on the Outside Body/External Board	Patrik Garten
Report Author	Patrik Garten & Nick Johansen (AONB Unit)
Date of External Board/Outside Body Meeting Attended	The ASH Project opening 14 th of September 2018

Purpose of the External Board/Outside Body:

Joint Advisory Committee (JAC)

The Kent Downs relies on many stakeholders who have a role in managing the landscape, supporting local business and communities and enabling quiet recreation. The Joint Advisory Committee plays a pivotal role in helping realise the strategic vision for the Kent Downs AONB and oversee the Management Plan.

Its purpose is to provide advice to its members with statutory responsibilities for the effective management of the Kent Downs AONB. An Executive of representatives from the JAC, with some outside advisors, advises the work of the Kent Downs AONB Unit.

The Kent Downs AONB Unit is employed by Kent County Council and works on behalf of the JAC to carry out the preparation and review of the Management Plan, to advocate its policies and work in partnership to deliver a range of actions described in the Action Plan.

Funding partners & Members

Defra, Ashford Borough Council, Canterbury City Council, Dover District Council, Gravesham Borough Council, London Borough of Bromley, Medway Council, Maidstone Borough Council, Sevenoaks District Council, Folkestone & Hythe District Council, Swale Borough Council, Tonbridge & Malling Borough Council, Country Land and Business Association, Environment Agency, Kent Association of Local Councils, Action with Communities in Rural Kent, National Farmers Union, English Heritage.

Update:

The work of the Kent Downs AONB Unit continues at both a strategic scale, for instance seeking to influence the national opportunities around new Agri Environment Schemes and the Glover Review of Designated Landscapes as well as at a local level by investing in landscape, access and support to the Local Authority with regards to the AONB, examples include:

In mid-September, 'Ash to Ash' a major new sculptural commission in response to Ash Dieback was installed and opened at White Horse Wood near Detling, the opening was well attended and the sculptures will form a new cultural destination in the area. The launch received a wide variety of favourable press mentions. At the same time we have run a series of walks and talks promoting the place of trees in the landscape and a new book has been published in partnership with the Woodland Trust. We await the outcome of our recent £900K bid to the Heritage Lottery fund to support tree planting in response to the loss of Ash trees in the landscape.

The Kent Downs AONB Unit has been taking forward the review of the Landscape Character Assessment across the AONB including detailed work in the Maidstone area this month. A draft assessment will be published along with the Draft Statutory AONB Management Plan.

The work to influence the post Brexit Agri-environment funding arrangements has continued with meetings with other AONBs and National Parks in the South east to develop a joint input to Government proposals. The AONB Unit will continue to provide advice to MBC with regards to the Designated Landscapes review and alert Maidstone when the call for evidence is made.

The AONB Unit hosts and supports the Mid Kent Downs Countryside Partnership which operates in the Maidstone Borough Council area – a part of the work programme is to develop a new Heritage Lottery Fund bid to support pond conservation and community volunteering in the area. The Partnership has also supported Harrietsham Parish Council in developing a Heritage Lottery Fund bid for a local conservation scheme. Financial support by MBC for the partnership stopped in 2016.

Finally the AONB Unit has confirmed with partners that they will take forward a new Interreg (EU funded) bid to promote rural tourism across the Kent Downs – this will support the Maidstone Tourism Strategy with recognises the importance of rural tourism. The Kent Downs AONB Unit was invited to bid and will work closely with Visit Kent on developing the project which will have a focus on rural itineraries and 'shoulder season' sustainable rural tourism. The bid will be submitted in January.

If Members would like to know more about the Kent Downs AONB Unit they are very welcome to get in touch directly with Nick Johannsen, the Director.

Nick.johannsen@kentdowns.org.uk 01303 815 170

STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE

09 October 2018

Parking Services Annual Report 2017-18

Final Decision-Maker	Strategic Planning, Sustainability and Transportation Committee
Lead Head of Service/Lead Director	Director of Regeneration and Place
Lead Officer and Report Author	Alexander Wells, Parking Services
Classification	Public
Wards affected	All

Executive Summary

A brief examination of the need for a Parking Services Report, outlining the previous year's performance and projects completed, to be published online in accordance with governing legislation.

This report makes the following recommendations to this Committee:

1. That the Parking Services Annual Report 2017-18 be supported and published online.

Timetable		
Meeting	Date	
Strategic Planning, Sustainability and Transport Committee	09/10/2018	

Parking Services Annual Report 2017-18

1. INTRODUCTION AND BACKGROUND

- 1.1 Maidstone Borough Council has a legal responsibility to publish on-street and off-street parking statistics.
- 1.2 The Department for Transport Operational Guidance to Local Authorities, Parking Policy and Enforcement (section 4.15/4.24) and the Local Government Transparency Code 2014 (part 2.2) require the Council to provide the following data:
 - The Traffic Management Act 2004, Operational Guidance to Local Authorities states that:

Enforcement authorities should produce an annual report about their enforcement activities within six months of the end of each financial year. The report should be published and as a minimum it should cover the financial, statistical and other data.

- Local Government Transparency Code 2015 requires the Council to:
- a. Publish a breakdown of income and expenditure on the authority's parking account
- b. Publish the number of marked out controlled on and off-street parking spaces within out area
- 1.3 The aim of the report (Appendix 1) is to summarise what services Parking Services provide, as well as how the service operates and how well the service is performing against objectives.
- 1.4 The report improves accountability and transparency by providing a breakdown of income and expenditure on the Council's parking account and provides details on how any surplus has been allocated.
- 1.5 This report will also update the public about new initiatives, service improvements and products within the service.
- 1.6 Monitoring service performance and financial performance allows us to continually develop the service and identify where services may be improved. The data also allows us to benchmark our services against other authorities.
- 1.7 We aim to improve public understanding of Parking Services' role by demonstrating continuous improvement of customer service and service efficiency.

2 AVAILABLE OPTIONS

- 2.1 Report to be noted, supported by the Committee and published online as the Council has a responsibility to publish this report in accordance with both the Traffic Management Act 2004 and the Local Government Transparency Code 2015.
- 2.2 To not publish the report will introduce risk to the Council by not adhering to legislation and guidance set out by Central Government.

3 PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 Report to be noted, supported by the Committee and published online.
- 3.2 The report provides statistical data and summaries of projects detailing the performance of key parking initiatives in Maidstone as well as budget spend.
- 3.3 Publishing this data introduces minimal risk to the Council and fulfils our responsibilities to be transparent with residents and other stakeholders.

4 RISK

4.1 This report is presented for noting and member support and therefore has no risk management implications.

5 CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 There are no requirements to conduct public consultation in relation to the provision of a parking service annual report within current guidance.

6 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 The next step is to publish the Parking Service annual Report on the Council's webpages and provide links to agencies such as the British Parking Association and the Traffic Penalty Tribunal.

7 CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Keeping Maidstone Borough an attractive place for all – by seeking to improve the quality of parking services and improved information on	Jeff Kitson Parking Services Manager

	services provided to the public. This report also enables the Council's to meet statutory requirements.	
Risk Management	This report is presented for noting and member support and therefore has no risk management implications.	Jeff Kitson Parking Services Manager
Financial	Financial Transparency – all financial data has been reviewed and verified by a Senior Finance Manager prior to publication.	Finance Team
Staffing	No implications	Jeff Kitson Parking Services Manager
Legal	The annual report fulfils the Council's responsibilities under the Local Government Transparency Code 2015 and the Traffic Management Act 2004 as detailed in the body of the report.	Keith Trowell, Team Leader (Corporate Governance), MKLS
Privacy and Data Protection	All data being published has no impact on Data Protection and any photos contained within have been published with the consent of the subject.	Legal Team
Equalities	The annual report does not propose a change in service therefore will not require an equalities impact assessment	Equalities and Corporate Policy Officer
Crime and Disorder	No implications	Jeff Kitson Parking Services Manager
Procurement	No implications	Jeff Kitson Head of Service & Mark Green Section 151 Officer

8 REPORT APPENDICES

- 8.1 The following documents are to be published with this report and form part of the report:
- Appendix 1: Parking Services Annual Report 2017-18

9 BACKGROUND PAPERS

9.1 None

Annual Report 2017-18

<u>View in Power BI</u>



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Civil Enforcement Officers
Body-Worn Cameras
Contravention Codes
Penalty Charge Notices (PCNs)
Traffic Penalty Tribunal
Car Parks (Off-Street Parking)
Cashless Parking
Resident Parking Scheme
Disabled Parking
Parking Finance

Foreword

In accordance with national legislation, Maidstone Borough Council has a responsibility to publish an Annual Report detailing on-street and off-street parking statistics.

The aim of the report is to summarise what services the Parking Services department provides and give an overview as to why Civil Parking Enforcement is required within Maidstone, how we operate and how well we are performing.

Reporting is an important part of our accountability. The transparency given by regular and consistent reporting should help the public gain a better understanding of Civil Parking Enforcement.

I hope that you will find the contents of this report helpful and informative.

Councillor David Burton

Chair of Strategic Planning, Sustainability & Transportation Committee



Introduction

Maidstone is the county town of Kent, a town combining rural villages with a bustling town centre; located in Kent, and only 32 miles from London with excellent transport links. Maidstone Borough Council are continually investing to ensure that Maidstone is a place where people want to live and businesses want to invest.

This report provides information on performance and initiatives taken in 2017/18 to the public, whilst also allowing Maidstone Borough Council to evaluate our performance against previous goals and identify areas for improvement.

Contact Us

Any enquiries or comments can be submitted to Parking Services by emailing parkingservices@maidstone.gov.uk



Parking Services Goals

Maidstone Borough Council's Parking Services Team is committed to:

- Enforcing the Traffic Management Act 2004 fairly and in accordance with the regulations
- Using technology to streamline and simplify town centre and residential parking
- Improving accessibility to the town centre for all members of the public
- Reducing the impact of antisocial parking
- Reducing peak time congestion in Maidstone's Town Centre
- Reducing harmful emissions in Maidstone's Town Centre
- Reinvesting any surplus into service and infrastructure to improve user experience

Traffic Management Act 2004

The Traffic Management Act 2004 was implemented in 2008 decriminalising parking to reduce the strain on Police resources when enforcing against parking contraventions.

Several important changes came with this legislation including:

- ♦ Civil Enforcement Officers rather than 'Parking Attendants'
- ♦ Penalty Charge Notices (PCNs) issued at different charges dependent on the seriousness of the contravention
- ♦ A statutory process for members of the public to contest PCNs

An up-to-date version of the Traffic Management Act 2004 can be found here.

For further information on the statutory appeals process please visit the following <u>link</u>.



Traffic Management Act 2004

CHAPTER 18

Civil Parking Enforcement

Parking restrictions are placed at key locations throughout the borough of Maidstone to specifically ensure the free flow of tragic and to maintain highway safety for both drivers and pedestrians.

Enforcement is carried out by APCOA Parking's Civil Enforcement Officers on behalf of Maidstone Borough Council.

CEOs enforce parking restrictions under Section 6 of the Traffic Management Act 2004, in accordance with the relevant Traffic Regulation Order.

All TROs can be viewed online at: http://www.maidstone.gov.uk/residents/parking-and-streets/traffic-regulations-orders-tro



Civil Enforcement Officers

Maidstone's civil enforcement team patrol the borough on a daily basis to improve driver compliance.

Officers have the power to issue PCNs to any vehicles observed parked in contravention of an active parking restriction.

All Officers also act as the eyes and the ears of the Borough, reporting any faulty street furniture and greeting visitors to the Borough who require information or directions.



The role of a Civil Enforcement Officer can often be a difficult and unpopular one and is often the subject of many 'myths' and stereotypes.

Unfortunately, the common misconceptions about the role can influence the public's view of Officers. The information below may help to dispel some of the most common parking myths.

- All Officers are salaried and receive no commission
- Money generated by Officers is used to cover the cost of enforcement with any surplus being reinvested into key services by the Council
- Officers are not 'incentivised' to issue PCNs; charge notices can only be issued where a vehicle is observed parked in contravention
- Officers routinely carry out late or early shifts to enforce 24-hour restrictions
- Our Officers are here to help and often assist visitors to the Borough by providing information and directions
- ◆ All Officers wear hi-visibility uniform to ensure they are visible to the public (winter coats are issued for the colder months!)
- Officers don't wait in car parks; in fact over 70% of enforcement is carried out on-street

Body-Worn Cameras

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In 2016 APCOA, in partnership with Maidstone Borough Council, introduced body-worn cameras for all CEOs.

Body-worn cameras ensure the Health and Safety of the officers by acting as a deterrent to verbally and physically abusive members of the public, as well as providing sufficient evidence to prosecute when required.

They also allow Officers to detect and identify crime and antisocial behaviour.

Since their introduction, the cameras have led to two successful prosecutions.

The cameras record for a full shift (all deployed hours) in 720p HD image quality with full colour and audio recording. All cameras are tamperproof by the officer.

Cameras also allow Parking Service to investigate complaints made by members of the public, providing an impartial 'third witness'.

However, footage cannot be used as supporting evidence when challenging a Penalty Charge Notice.



From April 2017 to March 2018 there were 11 instances of Civil Enforcement Officers being issued with severe verbal threats, expletive abuse or racial abuse.

During the same period there was one physical assault against an officer.

Body-worn Camera footage has helped in supporting 3 prosecutions in this time.

We hope that over time this will act as a deterrant to members of the public and improve the working conditions for all CEOs working on behalf of the Council.

Contravention Codes

Penalty Charge Notices are issued to vehicles observed parked in contravention; the tables below show the contravention codes used on both on-street and off-street by Maidstone Borough Council.

Contravention Code	Contravention Description—on-street	Penalty Charge
1	Parked in a restricted street during prescribed hours	£70
2	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	£70
5	Parked after the expiry of paid for time	£50
6	Parked without clearly displaying a valid pay & display ticket or voucher	£50
7	Parked with payment made to extend the stay beyond the initial time	£50
11	Parked without payment of the parking charge	£50
12	Parked in a residents' or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place	£70
16	Parked in a permit space without displaying a valid permit	£70
19	Parked in a residents' or shared use parking place or zone either displaying an invalid permit or voucher or pay & display ticket, or after the expiry of paid for time	£50
24	Not parked correctly within the markings of the bay or space	£50
25	Parked in a loading place during restricted hours without loading	£70
30	Parked for longer than permitted	£50
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	£70
45	Parked on a taxi rank	£70
47	Parked on a restricted bus stop or stand	£70
48	Stopped in a restricted area outside a school	£70
99	Stopped on a pedestrian crossing and/or crossing area marked by zigzags	£70

Contravention Code	Contravention description—off-street ▼	Penalty Charge
81	Parked in a restricted area in a car park	£70
87	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	£70
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	£50
80	Parked for longer than permitted	£50
82	Parked after the expiry of paid for time	£50
86	Not parked correctly within the markings of a bay or space	£50

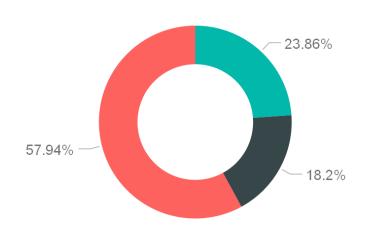
Off-Street PCNs Issued and On-Street PCNs Issued by Year



2010/11 2011/12 2012/13 2013/14 2014/15 2015/16 2016/17 2017/18

No Action Taken, PCNs Appealed and PCNs Paid 2017-18

● Review In Progress ● PCNs Appealed ● PCNs Paid



Penalty Charge Notices

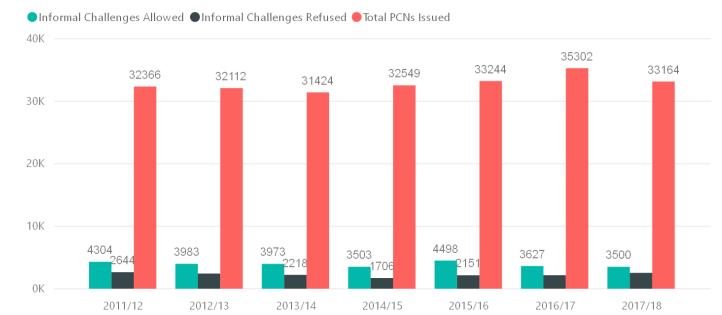
Following the introduction of the Traffic Management Act 2004 PCNs can now be issued at two levels depending on the severity of the contravention being committed.

However, there is a nationwide appeals process for motorists who feel they have valid mitigation for parking in contravention.

The surrounding statistics show how many PCNs have been issued across the Borough this year, how many have been appealed and how many of those have been successful.

Every appeal is exceptional and has no bearing on the outcome of any other cases. Appeals are only judge in accordance with the mitigation submitted as part of the legal process.

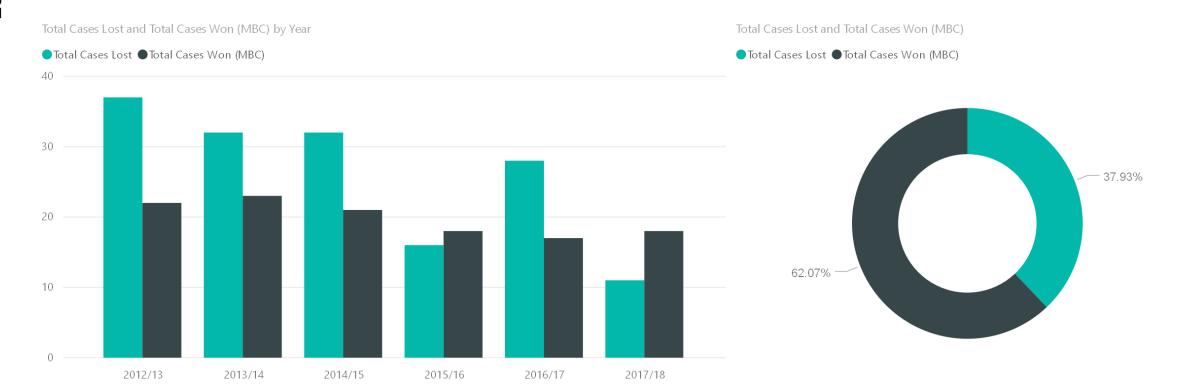
Informal Challenges Allowed, Informal Challenges Refused and Total PCNs Issued by Year



Traffic Penalty Tribunal (TPT) Summary

Cases appealed through the nationwide legal process can be referred to the Traffic Penalty Tribunal in instances where the Local Authority and the Appellant fail to reach an agreed outcome.

Fig 6.4 shows all cases escalated to TPT over the past financial year and their subsequent outcomes.



Car Parks (Off-Street Parking)

28

Maidstone Borough Council operate seven short-stay car parks and ten long-stay car parks.

All car parks are pay and display with Season Tickets being available for all long-stay car parks and additionally Mote Road short-stay car park.

Unlike income generated on-street by civil parking enforcement, any available pay and display surplus is reinvested into Maidstone Borough Council and used to defray the costs of core council services.

This year saw the introduction of a new car park at Sandling Road, trialling a new option for motorists allowing Check In/Check Out payments.

This new option streamlines how people visit the town, not having to return to vehicles to display a ticket, and not having to worry about getting back to the car and feed the meter.

Check In/Check Out (CiCo) allows visitors to Maidstone to enjoy their stay and takes the stress out of parking.

For further information on Maidstone's car parks and number of available bays/Disabled bays/motorcycle bays, please visit the following webpage:

https://www.maidstone.gov.uk/home/primary-services/parking-and-streets/primary-areas/car-park-locations

Cashless Parking

Maidstone operate a cashless alternative to pay for parking, allowing users to pay via smartphone app or telephone.

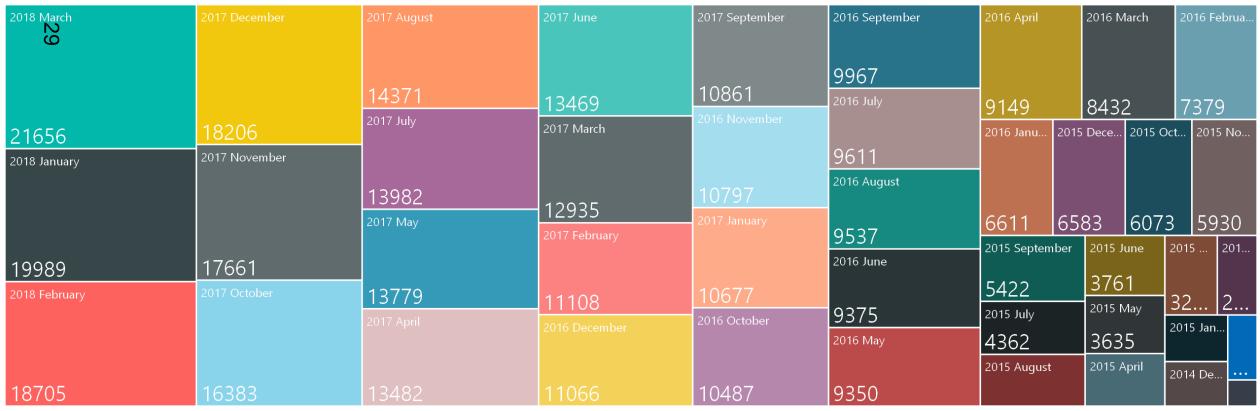
In September 2017 following a successful procurment exercise the new service contract for this serivce was awarded to RingGo and they began operation.

Since going live RingGo has demonstrated far improved reliability and a steramlined service which appears to have increased usage figures.

As well as increased usage of cashless parking facilities we've seen a noticeable shift from telephone payments to app payments and hope to report on this further next year.

Fig 9.1 shows the level of growth from when the service went live in 2014 until now.

Transactions by Year and Month



Resident Parking Scheme

Due to the huge increase on vehicle ownership in the past two decades as well as the effects of commuter parking on local residents situated close to Maidstone Town Centre we operate a Resident Parking Scheme.

The scheme aims to reduce the effects of antisocial and commuter parking on residents as well as maintaining the free flow of traffic on the public highway.

Maidstone use runs of bays, as opposed to individual marked bays; individual bays must adhere to sizing restrictions which would reduce the amount of available on-street parking.



Resident Perm	Visitor Permits	Zone	Year
732	741	N2	2017/18
492	423	N3	2017/18
449	438	W2	2017/18
328	382	S1	2017/18
297	319	N1	2017/18
240	268	S2	2017/18
191	195	S3	2017/18
173	199	W1	2017/18
101	124	N5	2017/18
87	95	N4	2017/18
57	118	W3	2017/18
54	94	S4	2017/18
52	53	B1	2017/18
43	37	W4	2017/18
21	0	ST1	2017/18
20	0	L1	2017/18
0	2	01	2017/18
3337	3488		

 $\frac{\omega}{2}$

Due to the pedestrian zone and commercial concessions in Maidstone Town Centre to help boost the local economy, there are limited on-street disabled bays.

All on-street disabled bays are regularly patrolled to ensure they are not being misused and improve availability for valid blue badge holders.

Maidstone Borough Council allow blue badge holders to park free of charge in all Council-operated car parks.

PCNs Off-Street and PCNs On-Street by Year

● PCNs Off-Street ● PCNs On-Street



Year	PCNs Off-Street	PCNs On-Street
2010/11	355	625
2011/12	362	1034
2012/13	314	982
2013/14	240	990
2014/15	225	1181
2015/16	235	1375
2016/17	375	1661
2017/18	281	1654
Total	2387	9502

Parking Finance

Maidstone Borough Council is required under section 55 of the Road Traffic Regulations Act 1984 to keep an account of income and expenditure relating to on-street parking places; as well as income from and expenditure relating to our functions as enforcement authority.

This includes all income and expenditure related to the issue of and income from Penalty Charge Notices in respect of off-street parking places, but not income from ordinary car park charges nor any other expenditure in car parks.

Section 55(4) outlines the purposes for which any surplus in the parking account can be used. It also provides for the making good of any deficit in the parking account from the general fund, and for surpluses to be used to repay the general fund for any charges to that fund in the previous four years, or may be carried forward.

Local authorities may under the powers of section 35 of the Road Traffic Regulations Act 1984, impose charges for parking in car parks provided under section 32 or 33(4) of that Act; and under sections 45 and 46 of the 1984 Act, charge for parking at onstreet parking places.

On-Street Parking Revenue

Area of Spend	On-Street	Full Yr Budget	Yr End Actual	Variance
Off-Street Parking Enforcement	RC22	£63,620	-£26,969	£90,588
On-Street Parking	RC10	£73,880	£168,064	£94,183
Residents Parking	RC11	£12,820	£60,703	£47,883
Total		£150,320	£201,798	£232,655

Off-Street Parking Revenue

Area of Spend	Off-Street	Full Yr Budget	Yr End Actual	Variance
Mote Park P+D	RC23	£150,270	£130,843	£19,427
Non-Paying Car Parks	RC21	-£20,840	-£20,401	-£439
P+D Car Parks	RC20	£1,254,210	£1,598,980	£344,770
Parking Services section (misc.)	SL10	-£50	£0	-£50
Sandling Road Car Park	RC25	-£115,130	-£131,594	£16,464
Total		£1,268,460	£1,577,828	£380,172

Transport Revenue

Area of Spend	Transport	Full Yr Budget	Yr End Actual	Variance
Socially Desirable Buses	RE11	-£64,130	-£60,770	-£3,360
Park and Ride	RE10	-£302,320	-£304,663	£2,343
Total		-£366,450	-£365,433	-£1,017

STRATEGIC PLANNING SUSTAINABILITY & TRANSPORTATION COMMITTEE

9 October **2018**

Local Enforcement Plan

Final Decision-Maker	Strategic Planning, Sustainability & Transportation Committee
Lead Manager	James Bailey – Development Manager
Lead Officer and Report Author	Rebecca Prideaux, Senior Enforcement Officer
Classification	Public
Wards affected	ALL

Executive Summary

A full review of the enforcement policy has been carried out in order to provide a more succinct version. The review of the Local Enforcement Plan aims to ensure that it is both effective and easy to understand for employees, Councillors, the wider members of the public and is compliant with the NPPF.

This report makes the following recommendations to this Committee:

1. That the new Local Enforcement Plan is adopted.

Timetable		
Meeting	Date	
Committee (SPS&T)	09/10/18	

Local Enforcement Plan

1. INTRODUCTION AND BACKGROUND

- 1.1 In May 2018 the Council instructed law firm Ivy Legal to undertake an Enforcement Service Review and to draft a new Enforcement Plan. Ivy Legal specialises in planning enforcement matters, has extensive experience in working in and with Local Authorities and has an in-depth understanding of how local authorities operate and how local authority decisions are made.
- 1.2 Effective planning enforcement is important as a means of maintaining public confidence in the planning system.
- 1.3 The National Planning Policy Framework says that Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. The NPPF also states that enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. The enforcement plan should establish how the Local Planning Authority will:
 - monitor the implementation of planning permissions
 - investigate alleged cases of unauthorised development
 - take action where it is appropriate to do so
- 1.4 The planning enforcement service is a reactive service, responding to complaints from councillors and members of the public. In practice planning enforcement is a lengthy process that requires careful assessment of planning merits of breaches both before action is taken, and in the form of an appeals process after action is taken. Further, planning enforcement action requires consideration of whether a planning breach is immune from action by virtue of the statutory limitations and careful consideration of other matters such as the reasonable time period of compliance. In drafting a local enforcement plan, consideration should be given to the planning enforcement process.
- 1.5 Maidstone Borough Council (MBC) covers an area which is just over 150 sq. miles with only 7% of that area being Green Belt protected. MBC is generally to the East and South of the town of Maidstone: as far north as the M2 motorway; east down the M20 to Lenham; south to a line including Staplehurst and Headcorn; and west towards Tonbridge. Generally speaking, it lies between the North Downs and the Weald, and covers the central part of the county.
- 1.6 MBC it is a very attractive area for potential developers due to its proximity to London and it also faces challenges relating to unauthorised Gypsy and Traveller encampments. The Council's current Enforcement Plan is outdated, does not reflect current guidance and requires a clearer structure.
- 1.7 The Enforcement Service Review provided an opportunity to review this plan and for members to have a real say in a new Local Enforcement Plan. Additionally, the Enforcement Service Review was intended to function as a review of the enforcement team's process and comparison with best practice.

The review also aimed to identify new key performance indicators (KPI's) which will drive Enforcement activities.

- 1.8 Currently the only KPI that the enforcement team have is a 21 day marker within which team members are to visit sites and provide an initial response to the complainer where new planning breaches have been reported. It is felt that this is not an effective measure as it doesn't match up with the priority given to each new case at the point of registration. Currently the enforcement team uses a Low, Medium or High priority marker but there are no corresponding timescales attached so the team works to the 21 day target in all cases.
- 1.9 The redevelopment of the current Enforcement Policy aims to ensure that it is both effective and easily to understand for employees, Councillors, the wider members of the public and is compliant with the NPPF.

The New Local Enforcement Plan

- 1.10. The National Planning Policy Framework says that an Enforcement Plan should set out how a local planning authority intends to monitor the implementation of planning permissions, investigate alleged cases of unauthorised developments and take action as appropriate. The purpose of a local authority's planning enforcement function is to monitor the implementation of planning permissions in a broad sense. It is not practicable to actively monitor all planning permissions granted. However, it is more feasible to adopt a reactive approach that responds effectively to incoming complaints about breaches of conditions.
- 1.11 In this way, clear service standards are set against which expectations can be managed. That said, while the Plan can be a driver for improvement of the service, it is equally important that aspirational elements are clearly identified as such and that it is not simply a statement of generic best practice.
- 1.12 It was intended that the new Local Enforcement Plan should demonstrate the borough's commitment to planning enforcement, should explain the service to residents and be a practical and accurate guide to what can be expected during the planning enforcement process.
- 1.13 The new draft Local Enforcement Plan was informed by input from the following:
 - Initial scope meetings with key stakeholders including enforcement officers and Members;
 - Discussions with Members to understand key requirements and levels of actions required for investigating breaches of planning and the priorities associated with that action;
 - Discussions with key officers to understand the levels of actions required for investigating breaches of planning control;
 - Appropriate benchmarking and research to inform the new policy;
 and

- Appropriate recommendations around appropriate KPI's and the performance management of the emerging policy.
- 1.14 The result was the development of new draft Local Enforcement Plan which is easy to follow, concise and clearly sets up through targeting where the Council's priorities lay.

The Emerging Local Enforcement Plan

1.15 An initial meeting with members was held on 12th July 2018 at which time the following matters were discussed.

A presentation of the purpose of an Enforcement Plan, with examples from other local authorities

Consultants from Ivy Legal made a presentation on the guidance provided in the NPPF and how to obtain best value from an enforcement plan. Inevitably, discussions led to expectations of an effective planning enforcement service. In practical terms, this meant extensive discussions around appropriate timescales for first response on new planning enforcement enquiries.

Reducing the content of the Enforcement Plan to make the new plan more user friendly and streamlined

The majority of members agreed that the current policy is quite lengthy and hard to read and that it would be better to see something more succinct and compact. The enforcement plans of other local authorities were discussed.

The Enforcement Plan as an educational tool

The majority of members agreed that there is so much online content available to members of the public, that it was not necessary to supply an extensive summary of legislation and guidance on planning enforcement within the enforcement plan. Members felt that it was important to have a compact and punchy document that is user friendly.

Site visit and response targets (linked to LPI's)

It was felt that although it is important to set new targets, these targets must be manageable and achievable. The majority agreed the current 21 day target was not working.

Several options were suggested and the main ones were:

- High/Medium/Low priority with 1 day/5 day/10 day target for carrying out the site visit and 1 day response time to update the complainant
- 1 day site visit and 1 day response time meaning that every case is giving the same priority and the same follow up.

- 1.16 One other suggestion was that priorities are not divided into the three-tiered High, Medium and Low. Members felt that different breaches are important to persons affected in different ways and so what may be a 'low' priority to one person could be very 'high' to another.
- 1.17 It was felt that where a case is given a 'low' ranking, it would essentially send a message that a complainant's concerns are not valid, and it may send a message to potential perpetrators that planning control for those development types can be violated with impunity.
- 1.18 It was suggested that by removing the 'low' classification no case would be given 'minimal' priority. Instead, the following prioritisations were discussed:
- **Priority 1** Site visit within 24 hrs for anything deemed urgent within a 24hr response time
- **Priority 2** Site visit within 10 days for anything deemed non-urgent (works that have ceased or can be dealt with in due course but still with a 24hr response time to update the complainant from the date of carrying out the site visit.
- 1.19 It was discussed that the priority classification would be identified by a Senior Enforcement Officer with the relevant experience to assess the case. Furthermore, Priority 2 has a <u>maximum</u> of 10 days which means that it could be visited at any time within that period.

Should we introduce targets for the issuing of notices when they are required?

The majority felt that this would be a good idea. It means that if an officer has responded to a case and provided a report to a senior officer and it was deemed that a notice is required, we would have a target date to issue that notice. However, it is difficult to attach specific timescales for issuing enforcement notices due to the often-complex nature of considering the planning merits of planning breaches, immunity considerations and other considerations required prior to the issuing of a notice.

Staffing and resources

It was discussed and noted that staffing and resources are an important issue that needs to be addressed. The main concerns were that the team is not adequately resourced regardless of which priorities were adopted in the enforcement plan. The Development Manager advised that the planning enforcement team was now fully staffed for the first time in 2 years, but that the team would benefit from targets to ensure expectations were met. Resources

beyond the enforcement team such as the legal department, are also impacted as they provide the legal advice and assistance when required.

Setting of KPI's

- 1.20 Following the meeting on 12th July 2018 a new Local Enforcement Plan was drafted taking on board the comments made by members at the previous meeting. The most important point which would be at the heart of the new enforcement plan was the setting of new (KPI's) for dealing with all new enforcement complaints.
- 1.21 A follow up meeting with members on 30th July 2018 presented the new draft enforcement plan which included amended KPI's which were further amended following discussions at that meeting:

Nature of Breach	Priority	<u>Target Site</u> <u>Visit</u>	Target Response Time
Activities that have the potential to have a detrimental effect on public safety or cause irreparable harm to the environment, especially in sensitive sites such as Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty etc. Unauthorised works to a listed building. Unauthorised works to protected trees (Trees subject to Protection Tree Preservation Orders and Trees in Conservation Areas) and removal of hedgerows protected under the Hedgerow Regulations that are in progress. Change of use of land for stationing of caravans and works associated with such changes of use.	1	As soon as possible (and at least within 1 working day)	Within 1 working day of site visit
Activities resulting in some disturbance and loss of amenity to third parties. Activities that are likely to be adversely affecting the environment, but not irreparably. Breach of planning conditions. Unauthorised works to listed buildings or protected trees and removal of hedgerows protected under the Hedgerow Regulations that have ceased.	2	Within 10 working days	Within 1 working day of site visit
Unauthorised works to listed buildings or protected trees and removal of hedgerows protected under the Hedgerow Regulations			

advertisement seriously affects public safety	
Untidy land issues and businesses from home.	
Unauthorised fences, walls & gates, Unauthorised telecommunications equipment or satellite dishes on residential buildings.	

1.22 Members discussed the importance of a quick response to new complaints to encourage perpetrators to cease planning breaches as soon as possible after they start. Immediate action may reduce the need for further action if breaches are stopped early.

2. AVAILABLE OPTIONS

Option 1 – Agree and approve for planning enforcement purposes

2.1 If the committee choses not to agree the adoption of the new local enforcement plan as proposed in the report above, then the implication of this will be that the Council will not have a succinct, up to date Local Enforcement Plan which aligns with the NPPF 2018. There are no financial implications with not adopting the new Local Enforcement Plan however it is considered that the current Enforcement policy is very wordy and difficult to interpret. The current policy does not have effective KPI's and treats all enforcement cases under the same priority.

Option 2 – Suggest changes

2.2 If the committee decide to make changes to the draft, they can then be incorporated into the LEP and adopted for enforcement purposes. The implication could be that if there are multiple changes, then this may delay the new LEP's adoption. Furthermore, subsequent changes may mean that the amended LEP will be undeliverable due to current staff resources. It may also raise an expectation from the public/members as to what the service can currently deliver.

Option 3 – Do nothing

2.3 If the committee decide not to accept the new LEP and keeps the existing enforcement policy, the implication of this would be that the KPI's will remain as they are which are not considered effective and don't reflect current priorities. The current enforcement policy is very wordy and quite difficult to navigate through and the matrix requirements are highly onerous on day to day effective enforcement.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

3.1 Option 1 as this would provide an up to date, compliant and succinct LEP with effective and customer orientated KPI's.

4. RISK

4.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 To date we have held two workshops for Councillors from planning committee and SPS&T to attend. During the workshops, feedback was taken on the current and proposed Local Enforcement Plan and this was taken back to the consultants and used as a benchmark for the draft report. The draft report was also presented at planning committee on 27/9/18 for comment and the following recommendations were made:
 - Members started by passing on there gratitude to the efforts that have been made by the enforcement team and congratulated the authors of the report for taking members suggestions into consideration.
 - Members requested that it was of the upmost importance that the enforcement team remain fully resourced. This was to ensure that the KPI's can be met and to make sure that the LEP can be implemented effectively.
 - Members requested that the Target Site Visit in the table shown under the heading 'Initial Prioritisation of Case Types', was amended from 'As soon as possible (and at least 1 working day), to 'Within 1 working day'.

All the above recommendations were accepted and the table has been amended.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 Following agreement of the recommendations in this report, officers will update the Councils website with the new LEP and will start using it on a day to day basis to cover all planning enforcement work.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	 We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. 	Head of Service or Manager
Risk Management	 Already covered in the risk section 	Head of Service or Manager
Financial	 The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation. 	Finance Team
Staffing	• N/A	Head of Service
Legal	It should be noted that members of the legal team work closely with planning enforcement officers to issue and/to enforce notices. Shorter timescales and increased targets may have an impact on the legal team which does not have a dedicated resource for planning enforcement.	
Privacy and Data Protection	 Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with current policy 	

Equalities	•	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Policy & Information Manager
Crime and Disorder	•	N/A	Head of Service or Manager
Procurement	•	N/A	Head of Service & Section 151 Officer

8. REPORT APPENDICES

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

- Appendix 1: Draft Local Enforcement Plan
- Appendix 2: Maidstone Borough Council Enforcement Procedure: Investigation and Negotiation
- Appendix 3: Enforcement Procedure Flow Chart: Formal Action and Remedying the Breach

9. BACKGROUND PAPERS

• N/A



LOCAL ENFORCEMENT PLAN

Updated September 2018



Introduction

This enforcement plan outlines the manner in which the Council will undertake its planning enforcement function and help ensure effective enforcement within the borough. The document covers the following matters:

Planning Policies

- National Policy
- Maidstone Development Plan
- Supplementary Planning Documents
- Neighbourhood Plans
- Article 4 Directions
- > What is and what is not a Breach of Planning Control?
- > Initial Prioritisation of Case Types
- > Taking Action
- > Procedure for Reporting Breaches
 - Reporting a breach
 - Next steps



Planning Policies

National Policy

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance

Maidstone Development Plan

Maidstone Borough Local Plan 2011-2031 (2017)

Supplementary Planning Documents

The Council have adopted supplementary planning documents (SPD) and endorsed supplementary guidance documents (SG). These provide additional guidance on local and national planning policies and can be found at

http://www.maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/local-plan-information/tier-3-primary-areas/planning-guidance

Neighbourhood Plans

- North Loose Adopted Plan
- Staplehurst Adopted Plan

Article 4 Directions

Article 4 Directions cover some of the borough's conservation areas. Under a Direction, any works that changes the external appearance of a building or affects its grounds may require planning permission from us.

In deciding whether to grant planning permission, we have a duty to protect the borough's heritage.

Conservation Areas covered by Article 4's are:

- Headcorn (part)
- Hollingbourne Eyhorne Street
- Lenham (part)
- Loose Valley (part)
- Maidstone Holy Trinity Church Area

For further details on Article 4 Directions in the Borough please find the following link: http://www.maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/heritage-and-landscape/tier-3-primary-areas/conservation-areas



What is and what is not a breach of planning control?

A breach of planning control could involve such matters as the unauthorised construction of a building or extension, a material change of use of land and a range of other matters defined as 'development'. Examples of breaches are:

- Unauthorised works to Listed Buildings;
- Unauthorised works to trees subject to a Tree Preservation Order or in a conservation area; and removal of hedgerows protected under the Hedgerow Regulations;
- Breaches of conditions attached to planning permissions;
- Not building in accordance with the approved plans of planning permissions;
- Untidy land which has an impact on the amenity of the area; and
- Unauthorised engineering operations such as raising ground levels.

Often changes of use of land require an assessment of fact and degree to come to a decision as to whether a material change of use has occurred.

The following examples are NOT normally breaches of planning control:

- Internal works to a building that is not listed;
- Parking of commercial vehicles on the highway or on grass verges:
- Running a business from home when the residential use remains the primary use:
- Land ownership disputes or trespass issues;
- Infringements of covenants in property Deeds;
- Any works that are deemed to be 'permitted development' under the relevant Government regulations (for example extensions within specified size limits).

Even where a matter constitutes a breach of planning control, it may not always be appropriate to take action, for example where a breach may have secured planning consent had an application for planning permission been made.

Initial Prioritisation of Case Types

Once received, cases will be categorised in order of priority. Priority may change depending on the findings of a site visit and initial review.

Activities that may cause irreparable harm to the environment are a priority, as a fast response may stop the breach or allow officers to gather evidence for a prosecution or injunctive action. Similarly, a fast response is appropriate for listed buildings and protected trees.

Due to the high numbers of enforcement notices recently issued in respect of changes in use of land for stationing of caravans, it is considered appropriate to include this breach type in Priority 1. Should this breach type reduce in frequency, the Head of Planning and Development may re-categorise this breach type to 'Priority 2'.

Matters categorised as 'Priority 2' may be assigned a 'Priority 1' designation where a Senior Enforcement Officer considers it appropriate.



The table below sets out the categorisation of priorities by the nature of the breach. The Target Site Visit column indicates the time within which a site visit will take place. The Target Response Time indicates the time within which a complainant will be notified of the results of the site visit and the next steps to be taken.

Nature of Breach	Priority	Target Site Visit	Target Response Time
Activities that have the potential to have a detrimental effect on public safety or cause irreparable harm to the environment, especially in sensitive sites such as Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty etc.	1	Within1 working day of report being received	Within1 working day of site visit
Unauthorised works to a listed building where works are on-going			
Change of use of land for stationing of caravans and works associated with such changes of use.			
Unauthorised works to protected trees (Trees subject to Protection Tree Preservation Orders and Trees in Conservation Areas) and removal of hedgerows protected under the Hedgerow Regulations that are in progress.			
Activities resulting in some disturbance and loss of amenity to third parties.	2	Within 10 working days of	Within1 working day of site visit
Activities that are likely to be adversely affecting the environment, but not irreparably.		the report being received	
Breach of planning conditions.			
Unauthorised works to listed buildings that have ceased.			
Works to protected trees (Trees subject to Protection Tree Preservation Orders and Trees in Conservation Areas) and removal of hedgerows protected under the Hedgerow Regulations that have ceased.			
Unauthorised advertisements (unless the advertisement seriously affects public safety)			
Untidy land issues, Businesses from home.			
Unauthorised fences, walls & gates, telecommunications equipment or satellite dishes on residential buildings.			



Taking action

The prioritisation of enforcement action after an initial site visit can depend on:

- Statutory time limits within which enforcement action may be taken.
- Previous case history.
- The availability of any witnesses and their willingness to co-operate.
- Blatant disregard of the law involved in the breach or if it was considered to be a genuine misunderstanding.
- Willingness of the contravener to rectify the breach.
- Likelihood of the offence being repeated.
- The overall probable public benefit of taking formal action.

Where appropriate, the Council will take enforcement action against breaches of planning control. The below table sets out the main notice types the Council may utilise in carrying out its enforcement function, together with potential remedies for non-compliance with these notices. Please also see the hyperlink which will take you directly to the NPPG where further information can be found.

https://www.gov.uk/guidance/ensuring-effective-enforcement

Notice type	Description	Remedy for non- compliance
Planning Contravention Notice	Requires persons to provide information to specific questions relating to a potential breach of planning control	Prosecution
Temporary Stop Notice	Requires unauthorised activities to cease immediately for a period of up to 28 days	Prosecution and/or Injunction
Breach of Condition Notice	Requires compliance with conditions set out in a planning permission	Prosecution and/or Injunction
Enforcement Notice	Requires particular steps to be taken or activities to cease in order to remedy a breach	Prosecution and/or Direct Action and/or Injunction
Stop Notice	Requires unauthorised activities to cease within three days for a period of up to 28 days in conjunction with a related Enforcement Notice.	Prosecution and/or Injunction
Section 215 Notice	Secures the proper maintenance of land	Prosecution and/or Direct Action and/or Injunction



Please note that there is an inherent right of appeal against enforcement notices to the Secretary of State and against section 215 notices to the Magistrates' Court. There is no right of appeal against Breach of Condition Notices.

Injunctions are used to prevent or stop unauthorised development but are only used in limited circumstances.

Failure to comply with a notice is a criminal offence and prosecution proceedings may be brought where compliance with valid, effective enforcement notices are not achieved.

Persistent contraveners of planning control are not tolerated, and an appropriate level of resources will be allocated to tackle the problems they cause.

Procedure for reporting breaches

Reporting a breach

To help us deal with your case as soon as possible it is important to provide as much information as you can. Below is a list of the type of information that would assist us in dealing with your complaint:

- An accurate description of the location or address for the particular site;
- A detailed description of the activities taking place and why they are cause for concern;
- Names, addresses and phone numbers of those persons responsible for the alleged breach or the land owners;
- The date and times of when the alleged breach took place;
- Any other information or evidence (including photos) that may be able to assist;
- Your name and address or e mail address.

Complaints about alleged breaches can be made by e-mail; letter; or telephone providing the complainant gives their name, address and telephone number. The preferred method of receiving complaints is via the MBC website:

https://self.maidstone.gov.uk/service/report a planning enforcement breach

Anonymity & confidentiality

We do not usually investigate anonymous complaints. Where complainants wish to remain anonymous, they are encouraged to speak with their elected Ward member or Parish Council representative.

Every effort is made to safeguard the confidentiality of any private individual who reports a potential breach of planning control. If an appeal is made against an enforcement notice to the Planning Inspectorate any complainant will be notified and asked if they wish to submit additional representations or to appear independently at a public inquiry or hearing to support the Council's case. The strength of local support is often crucial to the Council's success on appeal.



At all stages of the enforcement process the knowledge and information held by members of the general public and residents' groups will supplement that available to the Council from official records and from site inspections. The success of some further enforcement actions may depend on evidence from witnesses prepared to provide statements for Court.

Next steps

When an enquiry into a potential breach of planning control is received it will be acknowledged by email or post. An investigation into the enquiry will then begin. The enforcement process followed by Maidstone Council will follow the Flowchart 1 for Investigation & Negotiations and Flowchart 2 for Formal Action.

The Council will respond to enquires made by customers in relation to specific enforcement cases depending on the priority of the case.

All **Priority 1** cases will have a site visit within one working day. Following the site visit, the complainant will be updated within one working day following the initial visit.

All **Priority 2** cases will receive a site visit within 10 working days of the case being set up and the complainant will again receive an update within one working day following the initial visits.

Routine updates on reports of a potential breach of planning control will not be provided during the course of an investigation. However, the complainant will be updated once a decision has been made or when a case is closed.

It is important to note that planning enforcement can be a lengthy and legally complex process and the time taken to reach a satisfactory resolution can vary considerably between investigations.

Maidstone Borough Council Enforcement Procedure: Investigation and Negotiation Either no further action **Receive Complaint** required, or action cannot be taken Carry out site visit and/or check relevant records Is there a breach of planning control? No Close Case Is it possible Invite retrospective planning permission planning Yes may be granted application NO Is it expedient to Has an application take formal been submitted No enforcement action? YES Has planning Seek authorisation to take formal enforcement action permission been Close Case No Yes approved Close Case Authorisation granted? **INITIATE FORMAL ACTION** 51

Maidstone Borough Council – Enforcement Procedure Flow Chart: Formal action and remedying the Breach Either no further action **FORMAL ACTION INITIATED** required, or be taken injunction or Does the breach require an immediate prepare report for stop notice/ TSN injunction/stop notice/ temporary stop notice No Obtain ownership details Has the Breach of **Condition Notice** been complied Yes **Breach of Condition** No No Refer to Legal Services to initiate a **Enforcement Notice** prosecution Respond to the Has an appeal been appeal Yes made against the notice? No Has the Inspect the works at the end of appeal been **Close Case** No Yes allowed? the compliance period Has the Notice been complied with Close Case Yes No Take appropriateaction: Prosectuion **Direct Action** Injunction Yes Close Case Legal Agreement No 52

STRATEGIC PLANNING SUSTAINABILITY & TRANSPORTATION COMMITTEE

9th October 2018

Maidstone Local Plan Review: Broad Spatial Options

Final Decision-Maker	Strategic Planning, Sustainability & Transportation Committee
Lead Head of Service/Lead Director	Rob Jarman, Head of Planning & Development
Lead Officer and Report Author	Sarah Lee, Principal Planning Officer (Strategic Planning)
Classification	Public
Wards affected	All

Executive Summary

In July, Council agreed the Local Development Scheme for the Local Plan Review and is currently developing a new Strategic Plan, which will set out a key vision and series of objectives for the future of the borough. Following on from this, an important step in the preparation of the LPR, and in anticipation of the first 'Issues & Options' public consultation scheduled for July 2019, will be the identification of broad spatial options for how planned new development will be distributed in the borough. Taking an objective, evidence based approach to the identification and ultimate selection of the spatial strategy will be important to the LPR's soundness at Examination. This report provides background on the influences on the identification of the broad spatial options and sets out the immediate next steps.

This report makes the following recommendations to this Committee:

- 1. That officers be instructed to progress the identification of broad spatial options for the Local Plan Review.
- 2. That a report outlining the Call for Sites information package be submitted the Strategic Planning, Sustainability and Transportation Committee for approval prior to publication.

Timetable	
Meeting	Date
Strategic Planning, Sustainability & Transportation Committee	9 th October 2018

Maidstone Local Plan Review: Broad Spatial Options

1. INTRODUCTION AND BACKGROUND

Introduction

- 1.1 In July the Committee considered a report which signalled the start of the Local Plan Review (LPR) process. Council subsequently agreed the 'Local Development Scheme' (the LPR timetable) and also agreed specific amendments to the July SPST report to underline that the LPR should, amongst all the other things, maintain and enhance the natural and historic environment including air quality and that 'conceptual masterplanning' should precede a Call for Sites.
- 1.2 Since the July report, the Government has issued the revised National Planning Policy Framework (NPPF) with which the LPR will need to conform.
- 1.3 Further context for the LPR is provided by the Council's Strategic Plan, which will set out a key vision and series of objectives for the future of the borough. A report on draft Strategic Plan themes is a separate item on this agenda and thereafter a finalised version of the Strategic Plan is due to be considered at Council on 12th December. These timings will enable the completed Strategic Plan to provide both a steer and starting point for the LPR.
- 1.4 The purpose of this report is to provide background on the influences on the identification of the broad spatial options for the LPR and to outline the next steps. A workshop was held on 3rd September for Members to have an early and informal discussion about the factors which will influence the identification of the broad spatial options for the LPR.

New housing requirement

1.5 The LPR will include a new h

1.5 The LPR will include a new housing target. Since the Housing White Paper in February 2017, the Government has been advocating the use of a standard method to calculate an authority's housing requirement figure. This has now come to fruition in the revised NPPF which directs councils to use the standardised calculation¹ to derive the 'local housing need' figure.

1.6 The inputs to the standardised calculation are a) the average annual household increase over the forthcoming 10 year period using the latest Ministry of Housing, Communities and Local Government sub national household projections and b) a housing affordability factor for the borough generated by the Government based on the ratio between median workplace earnings and average house price. Details of the formula calculation are available here;

¹ NPPF states that the standard approach should be followed "unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals." (paragraph 60)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728247/How_is_a_minimum_annual_local_housing need figure calculated using the standard method.pdf

- 1.7 The current working estimate for the 'local housing need' figure is 1,058 homes/year. This figure stems from the latest 2016-based sub-national household projections, issued by the Office of National Statistics on 20th September. These supersede the 2014-based projections which resulted in an annual requirement of some 1,200 homes for this borough using the formula. This substantial downward change should be treated with caution; such reductions have been replicated elsewhere in the country and the Government has already signalled that it may adjust the formula to ensure its application results in a national requirement of 300,000 new homes/year.
- 1.8 In any event, this figure should not be regarded as the final figure. It will change through the duration of the LPR's preparation because;
 - The 10 year period for calculating the average household growth element will roll forward 1 year each year
 - The affordability data is updated by the Government annually
 - Updated sub national household projections are released every 2 years – there will be at least one more release before the LPR is submitted for Examination
- 1.9 The formula calculation is currently capped and should not exceed a 40% increase in the housing requirement in an up to date Local Plan. This should mean that the borough's figure should not exceed 1,236 homes/year². The calculation excludes Duty to Co-operate approaches from neighbouring authorities which may be forthcoming and is expressed in the NPPF as a 'minimum' requirement. To illustrate, the latest version of the emerging Sevenoaks Local Plan considered at the Committee's September meeting shows a shortfall of at least 578 homes against the district's objectively assessed need. Whilst the emerging London Plan aims to meet the capital's housing needs within its own boundaries, this will require a virtual doubling in the average rate of completions to 65,000 new homes/year. It can be expected that some London boroughs will find their individual targets highly challenging to achieve.
- 1.10 Maidstone borough's new figure will apply from part way through the Plan period. We expect this to be from 2022 which is within 5 years of the MBLP's adoption and coincides with the point the LPR will be adopted. An additional 175 homes will be needed each year between 2022 and 2031 to 'top up' the MBLP's 883 annual housing requirement to 1,058 and thereafter the full 1,058 requirement will be needed year on year to the end date of the LPR.
- 1.11 To illustrate, this could mean the LPR would be planning for 7,923 additional homes if the end date of the Plan is 2037. This is the earliest end date possible, per the requirements of the National Planning Policy Framework and the 15 year time period is used in the majority of local authority's Local

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² 883 x 140% = 1,236

Plans, including Maidstone's adopted Local Plan. It is contingent on the current LPR timetable keeping on track. A longer plan period is more unusual given the additional evidence base requirements, but could be to 2042, and this would result in a requirement for 13,213 additional homes. These figures depend on the delivery of the 17,660 homes in the MBLP remaining on target.

1.12 The updated NPPF maintains the Government's stance that needs should be met in full; that is the starting point. This is articulated in the presumption in favour of sustainable development as follows;

"a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change; b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas"³.

Broad Spatial Options – an introduction

- 1.13 A key question for the LPR is how the housing, and the other types of development needed, should be distributed in the borough i.e. what the spatial strategy should be.
- 1.14 The alternative ways that this could be achieved will be expressed in the early stages of the LPR preparation as broad spatial options. It will be important for the Committee to consider the different, realistic ways that the required housing numbers can be achieved and, in due course, for the selection of the preferred option to be both transparent and objective and based on a reasoned understanding and consideration of the alternatives. This is affirmed in the Tests of Soundness which require the plan, amongst other things, to be;

"Justified – an appropriate strategy, <u>taking into account the</u> <u>reasonable alternatives</u>, and based on proportionate evidence;"⁴

1.15 The **Sustainability Appraisal (incorporating Strategic Environmental Assessment)** has an important role in influencing and impacting on the content of the LPR, including on this option selection process. It is integral to the local plan preparation process. The SA is an evidence document prepared in an iterative way and in parallel with the evolution of the LPR and which will, amongst other things, provide an assessment of the overall and relative sustainability of the emerging options. The National Planning Policy Guidance on sustainability appraisal specifically confirms that;

"Reasonable alternatives should be identified and considered at an early stage in the plan making process, as the assessment of these should inform the local planning authority in choosing its preferred approach"⁵

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³ Paragraph 60

⁴ Paragraph 35

⁵ Paragraph: 017 Reference ID: 11-017-20140306

- 1.16 In short, this means that distinct and realistic options will need to be identified for what the spatial distribution could be and then these will need to be assessed in a transparent and reasoned way, in particular through the SA process, so that this Committee (and ultimately Council) is armed with sufficient information to conclude on the best approach for the LPR. This is crucial to ensure that the process of selecting the preferred spatial strategy is, and is seen to be, objective. To do otherwise would be a risk to the soundness of the LPR. A recent Inspector's letter to the North Essex authorities⁶ underlines the importance of the SA process and the need for an open minded approach to decision-making. The Inspector found that the SA failed to justify the authorities' favoured spatial approach which centred on the delivery of three new garden communities. The authorities could not demonstrate that the chosen spatial strategy was the most appropriate one when compared with the reasonable alternatives. The Inspector considered that, in this respect, the SA was likely to be in breach the relevant legal requirements.
- 1.17 The types of sites, in generic terms, which could feature in the future spatial options are briefly described in the following paragraphs.
- 1.18 **Town centre** the town centre is a focus for facilities and services and is the best connected location in the borough by public transport. The current MBLP allocates five specific sites in the town centre⁷ for residential or residential-led redevelopment. The town centre is also identified as a broad location for a further 940 homes. The current Town Centre Opportunity Areas stream of work will help reveal further, future potential for residential development which could be a foundation for future, specific site allocations in the LPR.
- 1.19 The Government sees town centres as key locations for more housing in addition to their function as hubs for commercial, shopping and community services. The revised NPPF now incorporates a specific section about making the best use of land which, amongst other things, expects Local Plans to achieve significantly higher densities in town centres;

"Plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate"

1.20 A balance will need to be struck between achieving increased densities and creating good quality places to live; this is a point consistently made by town centre ward Members. Some sites will be better suited to higher

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⁶ https://www.braintree.gov.uk/downloads/file/7906/ied011_-_inspectors_section_1_post-hearing_letter_to_neas_-_8_june_2018

⁷ Wrens Cross (60 dwellings), Maidstone East (210), Medway Street car park (60), King Street Car Park (53); Mote Rd and Baltic Wharf

⁸ Paragraph 123

densities for example by increased storey heights or because they are particularly well served by public transport.

- 1.21 **Rest of urban area** the MBLP allocates a number of sites⁹ in the built up area of Maidstone outside the town centre, generally former institutional or commercial sites. In the mid-2000s, housing associations led a number of regeneration schemes to redevelop areas of social housing in the borough. These initiatives sought to upgrade the housing stock and achieved a better balance of dwelling sizes however the net increase in the number of homes tended to be minimal (or even negative). The opportunity for further estate regeneration could be explored as part of the research for the LPR but a realistic view of delivery will need to be taken, especially in respect of the availability of funding to Registered Providers for such schemes.
- 1.22 **Edge of Maidstone**. Further greenfield sites are allocated in the MBLP at the edge of the town, focused to the north-west and south east.
- 1.23 **In and at the edge of the most sustainable village**s next in the settlement hierarchy are the 5 Rural Services Centres followed by the 5 Larger Villages. The MBLP directs a lower quantum of new housing to greenfield sites at the edge of these villages.
- 1.24 **Countryside sites** small residential sites in the countryside, away from the identified villages and removed from services and public transport connections generally score more poorly in sustainability terms. The countryside housing allocations in the MBLP are limited in number and predominantly on previously developed land.
- 1.25 **Garden Communities** the Government is alive to the role that new free-standing settlements and major extensions to existing towns and villages can have in providing new housing and has included a new section in the NPPF;

"The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way"10.

1.26 Garden communities are large scale proposals. The Government defines 'garden villages' as being of between 1,500 and 10,000 homes and 'garden towns' being 10,000+ homes¹¹. Garden communities will be a longer term approach; proposals commenced in one plan period are likely to roll on into subsequent periods. Invicta Barracks is an example of a larger scale development which will deliver housing in more than one plan period with

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⁹ 1,630 dwellings including 500 on Invicta Barracks (out of 1,300).

¹⁰ Paragraph 72

¹¹ Garden Communities Prospectus (August 2018)

800 out of a total of 1,300 homes programmed for post 2031. A strategy which included new settlement/s would be better matched to a plan with a longer time horizon, say to 2042.

- 1.27 **Cross cutting brownfield sites and small sites** the NPPF includes a new requirement for Local Plans to identify sites for at least 10% of the housing requirement on small sites of 1ha or less¹². This has the objective of diversifying participation in the house building market to help boost delivery. The NPPF also includes the expectation that the best use will be made of brownfield sites¹³.
- 1.28 The revised NPPF still allows for windfall sites (i.e. unidentified sites) to be included as part of future housing supply calculations provided there is convincing evidence that the sites will come forward at the rate proposed, usually obtained by looking at past trends. The revised NPPF defines a windfall site as one not identified in the development plan whereas previously the definition was limited to previously developed sites. This change should mean that an increase to the annual windfall allowance can be justified.
- 1.29 With the exception of new garden communities, the MBLP includes all these types of sites to greater or lesser degree. The 'dispersed' spatial strategy of the MBLP directs the new housing at the most sustainable settlements in the borough with established services and facilities. This was a pragmatic approach which has proved highly deliverable, resulting in new homes being built in locations where the market (housebuilding firms) naturally gravitates, most notably greenfield sites at the edge of settlements.
- 1.30 The items in the list above are generalised types of sites and they are not discrete options in themselves. A discussion about how we will translate this list into possible spatial options is included under 'next steps'.

Ensuring a continuous housing supply

- 1.31 The LPR will not simply have to plan for the total local housing need figure, it will also need to include a selection of sites which sustains housebuilding at the required rate year on year. This is tested through the 5 year housing land supply position which measures the future supply pipeline and also the Housing Delivery Test which measures whether building targets have been achieved on the ground. For the council to maximise and maintain its control over future residential development decisions, both measures need to be met.
- 1.32 The implication of this is that the LPR must be realistic about the timing and rates of delivery from the different types of sites. Over-optimistic assumptions, or a focus on too limited a market in terms of type or location of sites, could mean that the LPR fails to plan for a sufficient, continuous housebuilding with the outcome that the 5 year supply could fall away

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¹² Paragraph 68

¹³ Paragraph 117.

- and/or that delivery drops to the extent that the Council fails to meet the Housing Delivery Test
- 1.33 One illustration of this point is around the potential role of new free-standing settlement/s and/or major settlement extensions which, as noted earlier in the report, is now specifically recognised by the Government in the NPPF. Nathaniel Lichfield & Partners has researched the speed and rate of delivery of large scale housing developments on 70 sites of between 500 and 15,000 homes from across the country¹⁴. This found that for large sites it took on average 3.9 years from a site's first promotion (for example, a submission to a Call for Sites) to the point a first planning application was submitted. Thereafter the period of planning approval to the first completion is in the order of 5.3 to 6.9 years. This points to an overall lead in time of approximately 10 years before these largest scale sites start to deliver new homes. Further, the research found that the build out rate for developments of 2,000+ homes was on average 161 homes/year. The highest rate a site achieved, 321 homes/year, was sustained for just a three year period.
- 1.34 The implication of this analysis is twofold. Firstly, any Local Plan which includes new settlements and/or major settlement extensions as part of its spatial strategy would rely on advanced masterplanning work to give a Local Plan Inspector assurance that the development and any essential infrastructure will actually be delivered at the time proposed. The level of detail required will depend on how early (or late) in the plan period the development is programmed.
- 1.35 Secondly, the long lead in time for larger developments and projected build out rates point to the need for a mix of different sizes of sites to ensure supply is sustained at the required levels throughout the plan period. For example, a new settlement approach would be insufficient on its own. In this scenario suitable sites elsewhere in the borough, potentially including sites in the town centre, in and at the edge of Maidstone and the villages, would also be needed to a) maintain housing supply whilst a new settlement comes on stream; and b) to bridge the gap each year between the number of completions that can be achieved in a new settlement and the borough requirement for some 1,058 new homes.

Overview of constraints in the borough

- 1.36 The suitability of different sites and locations for new housing will be influenced by, amongst other things, the presence of constraints, as well as opportunities. To illustrate, the NPPF places the highest level of importance on the following environmental designations¹⁵;
 - Areas of Outstanding Natural Beauty
 - International nature conservation sites (Special Areas of Conservation)
 - Sites of Special Scientific Interest
 - Green Belt

¹⁴ 'Start to Finish – how quickly to large-scale housing sites deliver?' (November 2016) https://lichfields.uk/media/1728/start-to-finish.pdf

¹⁵ Paragraph 11, footnote 6

- Flood risk
- Ancient woodland and veteran trees
- Designated heritage assets (conservation areas, listed buildings, scheduled ancient monuments)
- 1.37 There will also be a wider range of environmental considerations which could factor into the selection of options (and ultimately individual sites). These are not absolute constraints; they will need to be weighed along with other relevant considerations; for example
 - Locally valued landscapes
 - Local nature conservation sites
 - · Highest quality agricultural land
 - Value of land for future minerals extraction
 - Air Quality Management Area
- 1.38 In all instances, the scale and significance of the impact of development on such factors will be part of the consideration as will whether impacts can be avoided or appropriately mitigated.
- 1.39 Environmental considerations are part of the picture. The 'next steps' section touches on other high level factors which will influence the choices to be made in the plan. Understanding the capacity of existing local infrastructure highways being a prominent example to withstand the increased growth demands (both the amount and location of development) will be a critical workstream for the LPR. In addition to identifying locations of spare capacity, additional work will be done with the responsible agencies where insufficient or constrained capacity is identified to determine whether capacity can be increased or other alternative solutions found so that the constraint is not demonstrably 'over-riding'. Using the example of highways, this involves working with KCC colleagues to look at the capacity position on primary routes and junctions and how could be impacted and addressed by development. This solution-focused approach is inherent to the 'positive planning' against which the plan will be tested.
- 1.40 It is worth underlining that, by setting out a positive strategy for where growth should go, taking account of constraints and overall sustainability, the LPR will also be directing the opposite i.e. the locations where development will be resisted. It is only by doing the former that the Council can maximise its control over the areas it wishes to protect from inappropriate development.

Next steps

- 1.41 The resolution from Council in July affirms Members' commitment to direct, and take ownership of, the identification of spatial options from the outset. The broad spatial options will be an important part of the 'Issues and Options' Regulation 18 consultation scheduled for July 2019. This will be the first opportunity for widespread views to be sought on the scope and direction of the LPR and the key planning issues it will tackle.
- 1.42 However it is apparent that significant work will be required in the meantime. As noted previously, it is very unlikely that a continuation of the council's current approach would secure the uplift in supply that is needed

as a result of the Government's new housing requirements. Regardless of the future options and the eventual preferred option, it will be fundamental for the council to meet the Government's tests for housing delivery, namely the 5 year supply and the Housing Delivery Test. Unless the council is able to demonstrate these, it risks reverting to a 'planning by appeal' scenario. Further work around the 5 year supply and Housing Delivery Test will be an essential component in the work on the evaluation of future spatial options in the LPR.

- 1.43 Furthermore, given the significant gap between current supply and future requirements, it will be important for the council to be clear with all parties, and in particular developers, how the existing spatial approach is delivering and also its limitations. The MBLP has relied on a blending of approaches to deliver its housing target of 883 units/annum. Before we undertake a Call for Sites exercise, it is clear that further work will be necessary to analyse the components of the existing spatial approach town centre sites, development in and at the edge of Maidstone town and lesser amounts at the villages plus windfall sites and their respective contributions to housing delivery.
- 1.44 We will also be undertaking further work to understand how these and other approaches could play a role in the new spatial options. It is already apparent that further work is required to inform members, developers and the public as to the nature of the situation faced by the council and the ways in which this could be addressed in future before we undertake a Call for Sites exercise. As previously noted, work will need to be done to demonstrate what combination of sites can achieve the increased level of supply, taking account of the fact that individual sites can only deliver a certain number of homes each year. Earlier in the report it is acknowledged that infrastructure planning alone will be a substantial workstream.
- 1.45 Once work has progressed, a further report will be brought to this Committee focusing on the proposed approach to the Call for Sites exercise including the information package to be provided to the development industry as part of that exercise.
- 1.46 It is already considered that there will be an opportunity for the development industry to demonstrate that the sites which they put forward will contribute to the council's delivery of housing and the various approaches that are apparent. The council will need to apply a consistent approach to the submitted sites and one of the most fundamental elements of the approach will be a demonstration that sites are deliverable. Prior to the Call for Sites exercise, officers will also draft guidance for those submitting sites which will encourage developers to demonstrate matters such as deliverability with their submissions.
- 1.47 In addition, in order to inform the Call for Sites exercise, officers will be undertaking work to set out the national and local constraints which will help inform the spatial approaches that are taken forward and this will also be presented to Members as part of the information package that will accompany the Call for Sites exercise itself. In addition, the package could signal some high level objectives the council wants to achieve through new

- development. It could be appropriate for this to cross-relate to the content in the new Strategic Plan with respect to 'good growth'.
- 1.48 Importantly this approach to the Call for Sites exercise would not commit the council to any particular future spatial approach. Its purpose would be to help generate an effective and informed response to the Call for Sites which in turn would be used by the Council to help refine the potential options through an objective process.
- 1.49 The Call for Sites is currently scheduled to commence in February 2019.
- 1.50 Greater understanding of the realism of the broad spatial options will come with knowledge about which specific sites/locations are available, suitable and deliverable when assessed against an objective evaluation framework and this finer grain information will result from further evidence gathering, most notably the Call for Sites and Strategic Housing Land Availability Assessment (SHLAA). The Council will consider all the categories of sites from earlier in the report (paragraphs 1.16-1.26) as it refines the spatial options, including the potentially new approach for this borough of new settlements or major settlement extensions, in line with paragraph 72 of the revised NPPF.
- 1.51 The findings from the site assessments, the outcomes of the 'issues and options' consultation, the SA interim findings and other relevant evidence will all help inform the refinement of the spatial options leading to the identification of a favoured option in the 'preferred option' Regulation 18 consultation document scheduled for February/March 2020. The justification for the selection of the preferred approach will need to be clearly recorded, including setting out the reasons why the alternative 'reasonable options' are not being pursued. This points towards a comparative assessment of the different options against criteria, perhaps in a matrix style format. Important headline criteria include;
 - Deliverability the selected spatial strategy must result in the new homes and other development needed being built in the required numbers, at the time needed and at the rate needed.
 - National planning guidance and legislation the Government's direction over the planning process is considerable set out in the NPPF and NPPG as well as regulations and legislation. The strategy (and the detailed content of the LPR) will need to comply with this national framework
 - Overall sustainability is the strategy the one that most successfully balances social, environmental and economic drivers in the round? The SA is a key document to compare the sustainability of the reasonable options.
 - Consultation and engagement the LPR will go through the specific stages of public consultation and also engagement with key experts e.g. infrastructure providers, agencies like Historic England, Environment Agency, Highways England, KCC and adjoining authorities etc
 - Infrastructure implications does the strategy make sufficient provision for the timely delivery of the infrastructure generated by the amount and location of development e.g. infrastructure for

- transportation, telecommunications, water supply, wastewater, flood risk, education, health, sports, open and green space etc? The detail will be set out in an updated Infrastructure Delivery Plan.
- Viability linked to both deliverability and infrastructure, the LPR and its policy requirements must be viable in overall terms, otherwise the planned development will not happen.
- 1.52 A further Members' workshop will be held to cover some of these matters.

2. AVAILABLE OPTIONS

- 2.1 Option 1 that the Committee instructs officers to undertake the necessary preparatory work to establish broad spatial options for inclusion in the Reg 18 'issues and options' consultation scheduled for July 2018.
- 2.2 Option 2 that the Committee instructs officers not to undertake any preparatory work at this stage on the broad spatial options.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

3.1 Council agreed the Local Development Scheme in July which sets out the timetable for the LPR. The 'Issues and Options' consultation is scheduled for July 2019. Whilst the content of such 'informal' stages of public consultation are not prescribed in regulation or guidance, it is an early opportunity to obtain wider views on initial aspects of the plan and a key element will how development could be distributed i.e. broad spatial options. A meaningful consultation is likely to include some reference to spatial options. The SA process also requires options to be assessed. An instruction to delay progress with this work (Option 2) could impact on the achievement of the milestones in the LDS. Both this report and its predecessor in July have signalled the benefits to the council of continuing to have an up to date Local Plan in place. For this reason, Option 1 is recommended.

4. RISK

- 4.1 The report underlines the requirement for the identification, refinement and selection of spatial options to be undertaken in an objective and transparent manner, informed by evidence, in particular (but not exclusively) the findings of the SA/SEA process which will be undertaken in an iterative way in parallel with the evolution of the LPR. Deviating from these requirements is a risk to the soundness of the LPR.
- 4.2 More generally, the risks associated with the recommendation to progress the identification of broad spatial options, including the risks if the committee does not act as recommended, have been considered in line with the Council's Risk Management Framework. The scenario which has been

considered is 'failure to progress the LPR to timetable'. That consideration has rated the risk to service delivery as 'RED', primarily as this would represent a failure (or delay) to the plan's contribution to council priorities in respect of 'a home for everyone', 'providing a range of employment opportunities and skills required across out borough', 'securing improvements to the transport infrastructure in our borough', 'regenerating the town centre', 'encouraging good health and wellbeing' and 'respecting the heritage and character of our borough'.

- 4.3 To mitigate this risk, officers are taking a programme management approach to advancing the LPR. The LDS agreed by Council in July provides the overall timetable for the key stages of the LPR process.
- 4.4 This overall approach is considered sufficient to bring the impact and likelihood of the identified risks within acceptable levels. We will continue to monitor these risks as per the Policy.

5. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The LPR, as the primary long term spatial plan for the borough, will contribute to the achievement of the council's priorities in respect of 'a home for everyone', 'providing a range of employment opportunities and skills required across out borough', 'securing improvements to the transport infrastructure in our borough', 'regenerating the town centre', 'encouraging good health and wellbeing' and 'respecting the heritage and character of our borough'	Rob Jarman, Head of Planning & Development
Risk Management	Please refer to Section 4 - Risk.	Rob Jarman, Head of Planning & Development
Financial	Funding has been set aside in the Medium Term Financial Strategy for the Local Plan Review. The action recommended in this report	Suzan Jones, Accountancy Assistant

	does not require additional, specific funding. Financial monitoring will be an important component of the programme management arrangements for the LPR so that any divergences from the agreed budget can be anticipated, quantified and addressed.	
Staffing	Staff resources are being actively managed. There is a current advertised vacancy for an additional principal planning officer in the Strategic Planning team. The selective use of agency staff will be explored if permanent recruitment is not successful. Collation of the LPR evidence base will require the commissioning of external, specialist expertise to deliver specific tasks.	Rob Jarman, Head of Planning & Development
Legal	The Council is obliged to undertake the local plan review in line with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the procedures set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).	Cheryl Parks, Mid Kent Legal Services (Planning)
	In particular a Strategic Environmental Assessment must be prepared and considered against all options being considered as part of the spatial strategy for the distribution of housing. This includes the possibility of planning for new settlements together with other alternatives to enable the Council to lawfully identify a preferred option in accordance with the	

Privacy and Data Protection	issues arising to ensure continuity and consistency of advice. The LPR process in its entirety will result in increased volume of data held by the Council, most notably the personal data of those who respond to the consultation stages on the Local Plan Review. This data will be	Cheryl Parks, Mid Kent Legal Services (Planning)
Equalities	held and processed in accordance with the requirements of the GDPR. The recommendation does not	Equalities and
Equalities	propose a change in service therefore will not require an equalities impact assessment at this stage. An Equalities Impact Assessment will be undertaken on the draft LPR itself when that stage is reached.	Equalities and Corporate Policy Officer
Crime and Disorder	No specific implications at this stage.	Rob Jarman, Head of Planning & Development
Procurement	No specific implications arising from the recommendation in this report.	Rob Jarman, Head of Planning & Development; & Section 151 Officer

6. BACKGROUND PAPERS

Nil

Strategic Planning, Sustainability and Transportation Committee

9 October 2018

Development of the New Strategic Plan

Final Decision-Maker	Council
Lead Director	Alison Broom, Chief Executive
Lead Officer and Report Author	Alison Broom, Chief Executive and Angela Woodhouse, Head of Policy, Communications and Governance
Classification	Public
Wards affected	All

Executive Summary

This report sets out the draft vision, objectives and outcomes for committee consideration following the workshops and events with Councillors and the Leadership Team.

This report makes the following recommendation to this Committee:

Give feedback on the draft vision, objectives and outcomes to Policy and Resources Committee as part of the development of the new Strategic Plan.

Timetable	
Meeting	Date
HCLC	2 October 2018
Strategic Planning Sustainability and Transportation	9 October 2018
Communities, Housing and Environment	16 October 2018
Policy and Resources	24 October 2018
Policy and Resources	28 November 2018
Council	12 December 2018

Development of the New Strategic Plan

1. INTRODUCTION AND BACKGROUND

- 1.1 Policy and Resources Committee agreed in July 2018 to a corporate planning timetable for the creation of a new Strategic Plan to run concurrently with the Medium Term Financial Strategy from 2019-2024.
- 1.2 The timetable included councillor workshops to develop the Strategic Plan prior to consultation with stakeholders and service committee review in October. The timetable as agreed is set out in **Appendix A.**
- 1.3 This report provides an update on the work undertaken so far to develop the plan, the draft vision, objectives and outcomes for committee review and consideration.

2. ACTION TAKEN SO FAR

- 2.1 Four workshops were held covering the four emerging themes of the Council's future strategic plan. The numbers in brackets represent the number of Councillor attendees at each workshop:
 - Creating a great place for living and visiting (17)
 - Great communities by design (16)
 - People are healthy and safe (10)
 - Prosperity Working in the Borough (13)
- 2.2 The purpose of the workshops was for Councillors to consider the objectives and outcomes the Council should aspire to in the new Strategic Plan, considering what the Council could do to achieve these objectives alone and working with others. All presentations and information shared and gathered at each workshop has been circulated to all Councillors.
- 2.3 In terms of the vision for the Strategic Plan, it has been identified from conversations with Members that our vision needed to go beyond the 5 years of the strategic plan to ensure it leads all policies and strategies of the Council and really sets out where we want to be in the future. As such it is proposed that the Vision covers the period to 2045. The draft vision is set out in **Appendix B**.
- 2.4 Wider Leadership Team considered the outputs from the workshops and as a result it is recommended that the number of objectives is reduced from the figure of 12 originally discussed with Members to 8, and the categorisation of objectives into four 'pillars' is removed. This recommendation is made to reduce duplication and complexity, based on Member consideration of how future outcomes could be achieved, because there was a degree of repetition and overlap across the original twelve draft objectives. A table mapping the bullet points from the workshops onto the draft outcomes can be found at **Appendix C**.

2.5 Policy and Resources Committee agreed the draft vision, objectives and outcomes attached at **Appendix B** should go out to consultation at its meeting on 19 September 2018.

3. AVAILABLE OPTIONS

- 3.1 The Committee is asked to consider and review the draft vision, objectives and outcomes attached at **Appendix B**. Any changes and comments will be considered by the Policy and Resources Committee in November alongside all other consultation results.
- 3.2 The Committee is asked to consider **Appendix B** in its entirety rather than through the lens of its terms of reference. The review by the Committee is part of the consultation timetable agreed by Policy and Resources Committee.
- 3.3 The Committee could choose not to comment on **Appendix B.** However, in doing so they would miss an opportunity to influence the Strategic Plan's development.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 The Committee is asked to consider and review Appendix B and submit its feedback to the Policy and Resources Committee for consideration at their meeting in November 2018.

5. RISK

5.1 Risks associated with the delivery of the Strategic Plan will be set out in the Risk Management Framework and operationally through the service planning process.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 The draft vision, objectives and outcomes will be used to consult the public on the Council's priorities. This consultation will be linked to the statutory consultation on priorities for the annual budget. The timetable for consultation is set out in **Appendix A**.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 Following the approval of the vision, objectives and outcomes, consultation will be carried out as outlined in the report.

7.2 Results of the consultation will be reported to Policy and Resources Committee in November 2018, with the Medium Term Financial Strategy and Strategic Plan going to Council on 12 December 2018.

8. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The Strategic Plan sets the Corporate Priorities	Head of Policy, Communications and Governance
Risk Management	Already covered in the risk section	Head of Policy, Communications and Governance
Financial	Financial implications of the Strategic Plan will be addressed by developing an updated Medium Term Financial Strategy in parallel with the Strategic Plan.	Section 151 Officer & Finance Team
Staffing	Creating a new strategic plan will have staffing implications for the Policy and Information Team and Leadership Team.	Head of Policy, Communications and Governance
Legal	There are no legal implications	
Privacy and Data Protection	All data collected as part of the Strategic Plan process will be processed in accordance with the Data Protection Act	Head of Policy, Communications and Governance
Equalities	Equalities will need to be taken into account when we plan the consultation and any service changes resulting from the budget	Head of Policy, Communications and Governance
Crime and Disorder	Crime and Disorder will be considered during the strategic plan process	Head of Policy, Communications and Governance
Procurement	N/A	Head of Policy, Communications and Governance

9. REPORT APPENDICES

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

• Appendix A: Corporate Planning Timetable

- Appendix B: Draft Vision, Objectives and Outcomes
- Appendix C: Map of workshop notes to Objectives and Outcomes

10. BACKGROUND PAPERS

None

Appendix A

Corporate Planning Timetable

Date	Action
12 June 2018	All Member Workshop on the Strategic Plan
22 June 2018	Leaders' Forum to look at results of the workshop and consider the themes for the follow up member workshops
W/c 25 June 2018	Summary of workshop outcomes issued to all Members.
W/c 6 August	Workshops held on themes involving Councillors, Officers, External Support as appropriate
June - September	Data Collection to inform the Strategic Plan including key stakeholder priorities, resident survey data and performance information. This will be reported to Committee with Strategic Plan themes
13 September	Leaders' Forum to consider the themes, actions, analysis and stakeholder engagement
19 September	Draft Vision, Objectives and Outcomes agreed by Policy and Resources Committee for wider consideration and consultation.
September – October	Resident and Stakeholder Consultation to inform the Strategic Plan and Medium Term Financial Strategy. Where the engagement is primarily carried out digitally, provision will be made for including those who cannot access consultation in this way. We will involve the Communications Member Sounding Board. Service Planning – Heads of Service and Unit
	Managers
October 2018	Draft Strategic Plan Themes to Service Committees
November 2018	Medium term Financial Strategy to Service Committees
28 November 2018	Strategic Plan to Policy and Resources Committee
12 December 2018	Medium Term Financial Strategy and Strategic Plan to Council

Draft Vision

"A borough of opportunity that works for everyone that residents are proud to be part of."

Draft Objectives and Outcomes

1. Objective: Great Environmental Quality

Outcomes:

- 1. The borough's biodiversity and green corridors are improved
- 2. More residents participate in taking care of the environment
- 3. The carbon footprint of the borough is reduced
- 4. Everyone has access to high quality and attractive parks and green spaces
- 5. More waste is treated locally and used as valuable resource
- 6. A borough which is recognised as being clean and well cared for

2. Objective: Well Connected Safe and Empowered Communities

Outcomes:

- 1. A borough where more people feel safe
- 2. The harm caused by crime and anti-social behaviour is reduced
- 3. More investment in community infrastructure
- 4. A diverse range of community activity enabled by the Council
- 5. A borough with more neighbourhood plans
- 6. Community creativity is encouraged and enabled

3. Objective: Embracing Growth

Outcomes:

- 1. New places are created that are well designed and connected
- 2. The council leads the master planning and invests in the creation of new places
- 3. All new homes are built to a high quality of environmental and renewable building standards
- 4. The housing need is met for all
- 5. Communities are engaged in planning growth of their place.

4. Objective: Renowned for Heritage and Culture

Outcomes:

- 1. The value of tourism is increased
- 2. Well established and promoted cultural quarter
- 3. A destination that hosts high quality festivals and events and celebrates diversity
- 4. Increased resident participation in cultural and heritage activities
- 5. Everyone knows we are the County town of Kent

5. Objective: A Decent Home for Everyone

Outcomes:

- 1. Homelessness and rough sleeping is prevented
- 2. Residents have a decent home
- 3. The borough has a range of housing type and tenure to meet residents needs
- 4. The accommodation needs of the Gypsy and Traveller community are met
- 5. We have enabled and delivered affordable housing

6. Objective: Better Transport Systems

Outcomes:

- 1. The transport system supports the growth in homes and jobs
- 2. Sustainable travel options are invested in and improved
- 3. Greater joined up decision making for transport
- 4. The air quality impacts of transport are reduced

7. Objective: People Fulfil their Potential

Outcomes:

- 1. Deprivation is reduced
- 2. Skills levels and earning potential of our residents are raised
- 3. Health and well-being inequalities are reduced
- 4. Social mobility is improved

8. Objective: A Thriving Economy

Outcomes:

- 1. Business start-ups and survival rates are improved and we are the best in Kent
- 2. A revitalised town centre
- 3. Inward investment is increased from the South East and beyond
- 4. Improved high speed broadband
- 5. The Kent Medical Campus is delivered

Workshop feedback mapped to Outcomes

Outcome	June Workshop	August Workshop
	Objective: Great Environment	al Quality
The borough's	Also conserve natural environment	More trees and looked after
biodiversity and	Need more conservation areas, green land and AONB	Right tree for right place
green corridors are	Make space to plant trees	Ownership of trees and verges – standardisation (cost saving) of
improved	There is green space but lots of poor green space – mixture of	maintenance KCC and MBC
	wild and managed.	New homes 1 tree per room
	Have a green land ridge AONB	Green corridors connecting communities
	When trees are planted make sure developers look after	Accessible open space
	them.	Reduce housing density in residential developments to allow for
	Look at stewardship to look after the green spaces.	wider roads, more communal space (and trees). (Downside:
	Plant more trees work with landowners e.g. Golding Homes.	more land will be required to reach housing demand).
	Council need to do more to preserve green.	
	Failed to keep green space and trees	
	Open space should be managed for the environment, at least	
	a part should be wildlife.	
	Work with other organisations to apply for grants.	
	Parishes can do more and purchase land to keep it green, the	
	borough should do the same.	
	Better management of green spaces, including more green	
	spaces, hubs and also qualitative.	
	Put money in a pot for council for a larger, better open space	
	that is strategically planned.	
	Don't do token gestures – do a large, well run, properly	
	managed green space.	
	More and better green space, some wild, some managed.	
	Need to do more to conserve the best bits of the built and	
	natural environment	
	We will Conserve the best bits of the natural and built	

Outcome	June Workshop	August Workshop
	Objective: Great Environment	al Quality
More residents participate in taking care of the	environment We will Facilitate the management of green spaces including for wildlife. Green – what is greening for developments? Land bank, more strategic planning for green spaces. How do we maintain it? Littering - fly tip. Future planning – give % land to PO/MBC, eg allocate S106 to one project. Recycling mascot – equivalent for being active to primary schools in Mote Park area. Sacks of clothes in alleyway – need to educate people of all	People taking responsibility More school involvement in clean and green agenda Co-operative model – residents taking equal responsibility for
environment	backgrounds. Biodiversity has to be up the agenda – engage the schools – educate	their communities/environment
The carbon footprint of the footprint of the borough is reduced	Air quality pollution monitoring Air quality issues. Air quality. Pollution – especially in Maidstone – keep the town clean and the villages. Air pollution Pollution – location of jobs and proximity to new homes.	Trees linked to Air Quality
Everyone has access to high quality and attractive parks and green spaces	We Will commit to delivering our Parks and Open spaces 10 year strategic plan Losing green areas. Access to parks (without charges) Green and blue spaces. More facilities in parks and quiet places. More environmentally friendly places. Efficient green places Green spaces Better transport links to park areas.	A park for everyone How do people get to Mote Park Creating spaces for people to mix Better space standards
More waste is treated locally and used as	Recycling is now very good, won't improve much more. Waste.	Invest in food waste recycling to power etc Free bins
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Outcome	June Workshop	August Workshop
Objective: Great Environmental Quality		
valuable resource	Energy.	
	Need more waste facilities and open tips.	
	Fly tipping – needs charges reduced and facilities to be	
	accessible.	
	Not enough provision for waste – creates fly tipping,	
	especially need facilities in the north.	
	Fly Tipping – protect the countryside, more facilities needed.	
A borough which is	Attractiveness of Maidstone as a place to visit / live.	More enforcement – dog fouling etc
recognised as being	Clean the gullies in the villages.	Less noisy borough
clean and well cared	Need to do better cleaning streets because of the pollution.	Move away from strimmer's? less noise pollution etc
for	Fly tipping an issue – needs moving.	
	Cleanliness is a big issue in the villages.	
	Dog fouling is a key issue that is consistently reported. I am	
	yet to see an enforcement officer in my village (3.5 yrs). The	
	town looks very clean on Saturday mornings.	

Outcome	June Workshop	August Workshop
	Objective: Well Connected Safe and Empo	owered Communities
A borough where	Clean safe environment (less crime.)	
more people feel safe		
The harm caused by		
crime and anti-social		
behaviour is reduced		
More investment in	Community opportunities through improvement projects and	
community	local schemes that can be delivered on a voluntary basis and	
infrastructure	help promote cohesion.	
	Development can help save local community facilities in rural	
	areas.	
	Better use of technology to connect people –	
	apps/geolocation.	
	More S106 funds for community infrastructure halls/ groups.	
A diverse range of	Focus on the town centre – social hub should be	
community activity	evolving.	
enabled by the	Enabling/Supporting Community Development Groups	
Council	Councillors championing issues and change. More community groups particularly in areas of	
	deprivation.	
	Breaking down into smaller communities not wards –	
	working in neighbourhoods.	
	More publicity for community groups etc	
	Increase Residents Associations etc.	
	We have a key role as influences and enablers	
	More support and involvement for community groups	
	e.g. rural café bus, coffee club in the museum.	
	Trial small community groups built by communities	
	with ward councillors Trialling small neighbourhood/community groups	
	working with Councillors to address local needs and	
	issues.	
	Promoting greater resilience amongst local	
	communities to assist people within their areas.	

Outcome	June Workshop	August Workshop	
	Objective: Well Connected Safe and Empowered Communities		
	Community involvement to promote better inclusion. Children have a strong identity with the Borough – their impact on friends/family, working with this group. Communication promoting what is already out there. Recognise and deal with those smaller communities. Connecting to the right places. Make the most of the ward councillors and their local knowledge. Operating as the signposting body.		
A borough with more neighbourhood plans			
Community creativity			
is encouraged and			
enabled			

Outcome	June Workshop	August Workshop		
	Objective: Embracing Growth			
New places are	New town	New housing developed – accessible for bin lorries		
created that are well	(jobs) Linking in with development within the borough.	Reduce housing density in residential developments to allow for		
designed and	When we build include transport	wider roads, more communal space (and trees). (Downside:		
connected	Respect our rural communities by not over-developing and we	more land will be required to reach housing demand).		
	will create a new garden village	Stop retrospective planning permission for gypsy/travellers and		
	Giving people an area to go to get together.	have more designated and suitable sites		
	Give each community heart.	London Best use of land		
	Develop new hamlets not expand the towns.	Residential environments to reflect our aspirations for higher		
	Hub and spokes of hamlets through Maidstone	quality jobs		
	Garden village, single settlement with new school and doctors	Integration and sense of communities and transport & amenities		
	etc. Active forward.	in a new place		
	Build housing with people's wellbeing in mind, space between			
	buildings, giving people space between each other.			
	Influence planning process for GP clinics.			
	Build a new settlement east of Lenham			
	Need to work with infrastructure providers' e.g. KCC we can			
	be naive on how we deal with them.			
	Delivery of services as villages/towns expand.			
	Create a new garden village and stop growing current villages			
	beyond their boundaries.			
	Schools/nursery provision – are they in the right place and			
	connected to communities.			
	Development, like growth, has negative perception – we need			
	to show the positives it brings.			
	Garden settlements – ring-fence green spaces/new spaces.			
	Densities of housing – still need quality and need space for			
	green space.			
	We Will Develop homes and neighbourhoods that enable our			
	residents to live healthier lifestyles and community by design.			
	We Will Ensure regeneration is designed with well-being in			
	mind			

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	Outcome	June Workshop	August Workshop
-		Objective: Embracing Gro	pwth
		We Will Invest in open space (not just green) development and shaping We Will Align our policies on housing, economic development and open spaces We Will work with our developers and residents to enable communities to shape their own areas	
83	The council leads the master planning and invests in the creation of new places	Political appetite to change parameters – planning. Building flexibility into plans and policies Good planning standards, members very engaged. Use health developer's money to bring forward these houses. Try to be holistic with developer contributions to help local communities Get ahead of the game & plan sustainable communities now Look to other societies who do manage housing and town centres are optimal – esp. good for transport inc. trains. Lobby the government to relax AONB rules. Create garden villages. We Will Work with developers in a meaningful way. Including: Set specific and clear terms for engaging with local community we will encouraging them to fill the education & skills deficit we will work with developers to secure infrastructure first we will start planning now for post 2031 to ensure the requisite infrastructure to deliver: O A new town New village hamlets across the borough. O we will Work with developers to bring forward	Be the master planner Develop our Members more to recognise good design and improvement/design audits to development policy Gain greater control over land to be developed and break up land into smaller plots or smaller developers and faster delivery Buying land for development – enable control o From other large landowners (MOD) Future "new towns"/communities o Compulsory purchase
	All new homes are	 A variety of housing A larger settlement with infrastructure Redevelopment of Park Wood?	Quality built and maintainable homes

Outcome	June Workshop	August Workshop
	Objective: Embracing Gro	owth
built to a high quality of environmental and renewable building standards	Lobby Government on infrastructure required to deliver Urban areas – not letting them decline. Need to do better at conservation of buildings and maintenance. Sutton Road – Old Sutton School parking issues, roads narrow too high density.	Life-long homes/living – modifiable to meet changing needs of the individual Better quality built houses to environmental standards Eco standards Run efficiently Integrated CHP on new housing developments Greater distinctiveness in design of houses – less blah Higher quality of housing – more distinctive housing reflecting local building styles and building for future with new designers Higher quality of Environmental and Renewable building standard
The housing need is met for all	Diminishing our stock of bungalows – encourage developers?? Build more. Homes for life long living – encouraging independent living. Affordable elderly accommodation Working with developers around access to advice and support around buying your own home. Create lifetime living properties – whole lifetime houses. Work with developers to get a diversity of dwellings built Too many people in too small developments Needs open space and decent gardens. Too cramped in town. More bungalows for the elderly. Create mixed communities not just 3 bed houses. Use empty garage spaces to build new homes. Provide smaller homes that the elderly would want to help them downsize. Bedsits also want a car. Need to reduce housing density. Develop all 3 at same time – housing, economic development and open space – the latter has been left behind.	built in the borough Address better elderly, disabled and mental health issues – particularly for those in owner occupational

Outcome	June Workshop	August Workshop
	Objective: Embracing Gro	owth
	Look at building Hamlets outside our villages. Mini towns being built in the villages.	
Communities are engaged in planning growth of their place.	Work with developers to get better community engagement by design. Issue for older generation who are capital rich but cash poor and an issue for rural areas. Do we actually understand what an older person may want? How do we get developers to understand? Towns change over time but people remember it as it used to be – show how it has already changed.	Create a sense of community in new places • What does this mean • Does it include infrastructure • Learn from Langley Park i.e. know what the components are Critical mass that enables new community Integration of new and existing community Social mix Creating community & resilience

August

Outcome

June

Outcome	June	August
	Objective: Renowned for Heritage and Culture	
of Kent	Urban/Rural – Maidstone Identity	
	Promoting the county town of Kent.	
	Promoting a positive identity for Maidstone. 365 campaign –	
	build on that.	

Outcome	June	August
	Objective: A Decent Home for	Everyone
Homelessness and rough sleeping is prevented	Hostel – option to open.	
Residents have a decent home	No decent home affects jobs	Everyone to be in a decent home, in the tenure they would like
The borough has a range of housing type and tenure to meet residents needs	Encouraging greater community inclusion through promoting more use of co-operative housing. Loss of key worker schemes more shared ownership. Give a housing mix. Cost of an area where it is possible to meet – this comes with a cost. Providing a range of housing in urban areas where constraints make it more difficult to provide affordable housing but that is where the need is most. Accessibility to housing. Removing the stigma of social housing. Housing waiting list.	Different models of housing schemes/energy purchasing schemes Tenure mix Mix of tenure to improve social integration and the number of social interactions between social classes
The accommodation needs of Gypsy and Traveller community are met	Working with neighbour authorities on G & T. GTAA has been met and over-supplied (normal G&T sites). a few tweaks to Local Plan, e.g. G&T site size	
We have enabled and delivered affordable housing	Wider role for property company as an enabler Sitting on a time bomb. w/renters around affordability. Buying into housing provision. Affordability gap, rent – buying. Build affordable houses Build affordable houses Town lets are the way forward. Property company focussed on our top priorities – homelessness we will Expand the delivery programme of Council's property company (inc. borrowing)	Greater amount of affordable homes that are buy/rent – MBC being shared equity partner Investing in housing

Outcome	June	August
	Objective: Better Transport S	Systems
The transport system	Congestion.	Parking
supports the growth	Availability of transport between homes and jobs e.g. town	Leeds Langley Relief Road
in homes and jobs	centre bus routes.	
	Ban cars in town centre	
	Restrict use of private cars in town centre	
	Town centre congestion charge.	
	Reduce cars in our town centre	
	It's better in school holidays.	
	Maidstone congestion needs fixing – all times of day, puts	
	people off coming to the town.	
	Ring road around the Town Centre.	
	Congestion very poor	
	Issues of congestion including Willington Street.	
	we will Restrict use of private cars in the town centre	
	Bigger roads – build developments with ability to	
	accommodate more links rather than doing it later.	
	Congestion charge for TC – ban cars in the town centre.	
	we will Build the Leeds/Langley Bypass	
	Impact of transport – community transport, transport around	
	Maidstone.	
	Integrated transport – i.e. from rural areas into the urban for	
	schools.	
	Parking should be under developments.	
	New schools, especially secondary school – but not causing	
	congestion.	
	we will New Bridge over the River Medway	
	We will Encourage more parking provision	
	we will Encourage the allocation of land at J8 to be developed	
	we will Enable larger, more flexible development at Junction 8	

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Outcome	June	August	
	Objective: Better Transport Systems		
Sustainable travel	Investment in public transport.	Cycleways	
options are invested	Improvements to bus routes / modernising public transport.		
in and improved	Availability of transport between homes and jobs e.g. town		
	centre bus routes.		
	Public transport cost can be prohibitive.		
	Improve park and ride and increase the number of sites.		
	Council Bus Service		
	Optimise river – park and sail.		
	Reduce the parking in the town centre to encourage use of		
	the park and ride.		
	Improve cycling oppurtunities – realistic transport		
	assessments.		
	Rapid transit – would cost too much.		
	Need alternatives to car.		
	Bus services need to be improved.		
	Transport facilities for elderly poor.		
	Transport for disabled also poor.		
	Make more cycle routes – regeneration?? Time??		
	Smaller, frequent buses.		
	We Will Take control of our own public transport to improve		
	connectivity, accessibility and environmental impact		
	We Will Have a public transport network that is electric and		
	restricted access to vehicles in the town		
	we will Invest in public transport provision		
	we will Increase the number of park & ride sites		
	think forward – get ahead of the move to electric cars.		
	MBC bus service.		
	Not enough buses		
	We will Research alternative means of transport to the car		
	especially to and from the town centre		
	Will there be enough energy eg electric cars.		

Outcome	June	August
Objective: Better Transport Systems		
	Extend footpath network.	
	Free transport (bus pass) / not paying for it	
	Establishing more foot paths	
	Rapid transit – would cost too much.	
	Need alternatives to car.	
	Can we meet power demand – electric cars etc.	
	Deals with cars and buses in town centre.	
Greater joined up	Looking beyond our boundaries, working with our partners.	Critical mass in order to justify infrastructure and amenities
decision making for	Greater role in regulating bus service.	
transport	Highways infrastructure.	
	Borough wide bus partnership.	
	Move S106 contributions for transport.	
	Closer working relationship with bus companies.	
	Arriva: to tell us what 5-10 year plan.	
	Utilities clogging up roads.	
	New point to point transport system – alternative to the road	
The air quality	20mph zone will help safety but creates more pollution and	Less dense communities – more trees and better air quality
impacts of transport	has health repercussions.	
are reduced		

Outcome	June	August	
	Objective: People fulfil their potential		
Deprivation is	Child poverty – reasons why children cannot attend school	Energy efficiency – affordable to run	
reduced	and lack of sanitary products for females.		
	Inequality can be demonstrated as pockets in areas not		
	normally associated within deprivation e.g. Marden.		
Skills levels and	Highly skilled, highly paid jobs		
earning potential are	Encourage job creation in Maidstone.		
raised	Apprenticeships providing more opportunity for jobs.		
	Zero hours contracts.		

Outcome	June	August
	Objective: People fulfil their p	potential
	Encourage businesses into the borough for apprenticeships.	
	Low prospects, no jobs, no motivation	
	No motivation	
	Schools discouraging apprenticeships.	
	Unemployment.	
	How can developers be encouraged to provide more	
	apprenticeship/employment opportunities on new housing	
	developments?	
	School funders for children who can't afford them.	
	Encourage more education facilities in Kent/Maidstone.	
	Education schools influence.	
	Improved education needs to be tackled as well as economic	
	growth.	
	Reducing the divide between those that go to university and	
	those that don't.	
	Wealth distribution through an adequate range of	
	employment.	
	University / HE campus.	
	We will Attract a new university	
	Facilitate supply of affordable business premises in exchange	
	for work experience and apprenticeships.	
	Jobs that cater for local community – rural areas – agriculture.	
	Only provide jobs which match skillset of current population.	
	Range of employment opportunities within borough.	
	we will Encourage entrepreneurship. Promote skills & career	
	opportunities in our primary schools –ward member matched	
	with local business to establish relationship	
	we will For premises which we own, offer affordable/lower	
	rent in exchange for work experience/apprenticeships	
Health and well being	We Will Commit to delivering our Health and Wellbeing Action	
inequalities are	Plan	

Outcome	June	August	
	Objective: People fulfil their potential		
reduced	We Will Have a joined up approach in working with our partners and community to improve the health and lifestyles of our residents including sports. More facilities for exercise (e.g. in parks.) Hold seminars and invite large business to improve mental health in businesses. Diet and lifestyle Inequality between areas. Some areas are a lot nicer than others. Greater relationship with CCG section 106-spending on things such as green spaces. Encourage people to be healthier. Joined up thinking for sport activities co-ordinating sport and leisure. Sports co-ordination. For health and wellbeing throughout MBC and HCL. New businesses that offer healthy food, incentivise businesses.		
	Stop planning permission for fast food places.		
Social mobility is improved		Mobility standards	

Outcome	June	August
	Objective: A Thriving Ecor	nomy
Business start-ups	Encourage support for local businesses.	
and survival rates are	Continued support for start-ups.	
improved and we are	Councillors supporting farming diversification.	
the best in Kent	Support creative industries	
	Creating opportunity for business to acquire freehold –	
	council to facilitate	
	Room for businesses to grow.	
	Expand business terrace into industrial sector.	
	Extension of Business Terrace to support development of	
	maturing businesses.	
	we will Expand to encourage start-up businesses and support	
	expansion.	
A revitalised town	Pedestrianize heart of town centre, better use of Jubilee	
centre	Square – connecting town squares.	
	Focus on the town centre – social hub should be evolving.	
	Town Centre is the cultural centre	
	Art in Town Centre, diversity, draw.	
	Make Town Centre resilient	
	Want a busy town centre - needs to be busy.	
	Concentrate the town centre it's too spread out	
	Town centre – not attractive.	
	Maidstone should be a better place to shop – needs more	
	variety.	
	Maidstone East – must be good quality including design.	
	we will Deliver the commercial office space element of	
	Maidstone East ASAP	
Inward investment is	Attracting businesses to match the skill set of an area.	Investments need to have a return/increase revenue
increased from the	Availability of highly paid jobs to encourage people to work	Attract investors – long term investments in the Borough
South East and	in the borough not in London.	Diverse investments – spreading risk
beyond	Marketing Maidstone – smart town, smart people 'open for	Multiple sectors
	business.'	Large scale borrowing – PWLB

Outcome	June	August
	Objective: A Thriving Ecor	nomy
	Making businesses feel welcome – overcoming the past. Actively marketing Maidstone to businesses – target the London market. Incentives to attract businesses to rural areas. Take opportunities on key sites eg Invicta Barracks. Need to take opportunities for key sites eg Invicta Barracks and influence. Planning policy? Availability of business premises competing with other areas Early review of employment land supply and need (local plan review) Flexibility to adapt large allocated employment sites to suit business need. (i.e. present large employers leaving). we will Market Maidstone for inward investment we will Acquire land/premises to create new space for the light industrial sector for rent and freehold purchase we will Have a consistent and positive to new business applications we will Take control by buying land for commercial development we will Allocate additional employment land in the Local plan & have clear policies	
Improved high speed	that Planning committee will adhere to. Homeworkers need broadband supply.	
broadband	Homeworking – broadband supply.	
	Broadband supply.	
	Connectivity	
	Rural amenities – 3G/4G patches, swimming pools.	
The Kent Medical	Ensuring Kent Medical Campus delivers.	
Campus is delivered		