

MAIDSTONE BOROUGH COUNCIL

HOUSING, HEALTH AND ENVIRONMENT POLICY ADVISORY COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 7 SEPTEMBER 2023

Attendees:

Committee Members:	Councillor Knatchbull (Chairman) and Councillors Forecast, Jeffery, Joy, Khadka, Mortimer, Springett, Webb and D Wilkinson
Cabinet Members:	Councillor Garten, Cabinet Member for Environmental Services and Councillor Lottie Parfitt-Reid, Cabinet Member for Housing and Health
Visiting Members:	Councillors English and S Thompson

33. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Hastie, Riordan and Rose.

34. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

- Councillor Forecast for Councillor Hastie.
- Councillor Webb for Councillor Riordan.
- Councillor D Wilkinson for Councillor Rose.

35. URGENT ITEMS

There were no urgent items.

36. NOTIFICATION OF VISITING MEMBERS

Councillor English was present as a Visiting Member for Item 10 – Member Agenda Item Request from Stuart Jeffery – Toilet Provision, Item 11 – Member Agenda Item Request from Stuart Jeffery – Rivers Task Force, Item 14 – Waste Crime Fixed Penalty Notices and Item 17 – Tackling Anti-Social Behaviour Relating to Dogs: Updating our Enforcement Tools.

Councillor S Thompson was present as a Visiting Member for Item 10 – Member Agenda Item Request from Stuart Jeffery – Toilet Provision, and Item 11 – Member Agenda Item Request from Stuart Jeffery – Rivers Task Force.

37. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

38. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

39. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PUBLIC DUE TO THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION

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

40. MINUTES OF THE MEETING HELD ON 11 JULY 2023

RESOLVED: That the Minutes of the meeting held on 11 July 2023 be approved as a correct record and signed.

41. FORWARD PLAN RELATING TO THE COMMITTEE'S TERMS OF REFERENCE

RESOLVED: That the Forward Plan relating to the Committee's Terms of Reference be noted.

42. MEMBER AGENDA ITEM REQUEST FROM CLLR STUART JEFFERY - TOILET PROVISION

Councillor Stuart Jeffery introduced the report and stated that it addressed two issues: signage in the town centre for public toilets and the condition of public toilets, particularly the facilities at Mid Kent Shopping Centre and asked the Committee to consider requesting an Officer report on the issue be sent to Cabinet.

The Cabinet Member for Environmental Services stated that signage for public toilets was an operational decision which the Head of Environmental Services and Public Realm can assist with. It was stated that the council utilised a Community Toilet Scheme, where the council paid businesses in the town centre to open their toilets to the public to improve availability, and that the council could consider advertising for more businesses to join the scheme. The importance of renewing public toilets was raised as anti-social behaviour had impacted the facilities at Mid Kent Shopping Centre and other facilities in the borough were reaching the end of their use.

The Committee expressed support for signage of public toilets in the town centre to be improved and that Maidstone's visitor economy would benefit from improved public toilet conditions. Several Members of the Committee expressed concern that a report to Cabinet on the issue was not necessary if the Cabinet Member for Environmental Services could demonstrate that action on public toilet signage in the town centre was being undertaken.

The Head of Environmental Services and Public Realm stated that a 12 week programme addressing the signage of public toilets and reviewing the community toilet scheme would be conducted. It was emphasised that the refurbishment of public toilets would take significantly more work and would require capital investment and work with the Property Services Team to determine which facilities would need refurbishment.

The Committee supported the 12 week programme and understanding the nature of the work requested information on the refurbishment on public toilets from the Cabinet Member for Environmental Services.

RESOLVED: That no further action be taken on the Member Agenda Item Request, and the information on the 12 week programme and the refurbishment on public toilets be provided to the Committee by the Cabinet Member for Environmental Services.

43. MEMBER AGENDA ITEM REQUEST FROM CLLR STUART JEFFERY - RIVERS TASK FORCE

Cllr Jeffery introduced the item and stated there were concerns regarding the cleanliness of the River Medway in Maidstone. It was stated that the Overview and Scrutiny Working Group on the Water Management Cycle had sent an interim report to the Cabinet but that a stakeholder group comprising the Leader of the Council and water management companies in the county could be arranged. It was proposed to send a report to Cabinet to discuss the matter.

Several Members of the Committee agreed that a report to Cabinet on issues regarding the River Medway and River Len would be sufficient, but that it would be more appropriate to schedule it for another Cabinet meeting to allow for a petition on a similar matter to be discussed at the next Cabinet meeting. During the discussion, concern was expressed that not all the stakeholders included in the Member Agenda Item Request may accept an invitation to join a stakeholder group with the Council.

In response to concerns regarding the amount of stakeholders invited, the Cabinet Member for Environmental Services emphasised that it would be difficult to facilitate a stakeholder group with so many significant stakeholders. It was stated that the Overview and Scrutiny's Working Group on the Water Management Cycle had previously contacted stakeholders in the sector and some stakeholders had not engaged.

RESOLVED: To request that an officer report on the Member Agenda Item Request from Cllr Stuart Jeffery - Rivers Task Force be presented directly to the Cabinet at the next meeting after they considered the petition on the same subject, containing costs and benefits of the scheme.

44. 1ST QUARTER FINANCIAL UPDATE & PERFORMANCE MONITORING REPORT

The Cabinet Member for Housing and Health introduced the report and stated that it was to update the Committee on finances and Key Performance Indicators (KPIs) relating to its services and provide an update on the UK Shared Prosperity Fund.

It was stated that:

- The finance budget for Housing, Health and Environment services was currently £795,000 compared to a budget of £632,000, resulting in a £163,000 overspend.

- The largest variance in budget was from homeless temporary accommodation.
- The end of year forecast variance for Housing, Health and Environment services was predicted to be an £818,000 overspend.
- Largest variances by the end of year forecast predicted to be from private rented homes and the 1,000 Affordable Homes Programme.
- 50% of the KPIs for Housing, Health and Environment services were achieved.
- Progress had been made on projects the UK Shared Prosperity Fund was funding.

The Committee considered the update and raised concerns and questions relating to the KPIs, and that only 50% had been achieved for Housing, Health and Environment services, notably those related to the Public Realm and Community Safety had not been achieved.

In response to concerns regarding Community Safety KPIs, the Cabinet Member for Health and Housing confirmed that they had held a meeting with the Minister for Justice and the Kent Police and Crime Commissioner, where reassurances had been given that the Police Officers would still patrol each Maidstone ward and that a new model of policing would be in place in March 2024.

In response to concerns regarding Public Realm KPIs, the Head of Environmental Services and Public Realm stated a recent survey of the A249 for litter had impacted the KPIs relating to Public Realm but that the timing of the survey was so that it take place before the Kent County Show in July 2023.

RESOLVED: To note:

1. The Revenue position as at the end of Quarter 1 for 2023/24, including the actions being taken or proposed to improve the position, where significant variances have been identified;
2. The Capital position at the end of Quarter 1 for 2023/24;
3. The Performance position as at Quarter 1 for 2023/24, including the actions being taken or proposed to improve the position, where significant issues have been identified; and
4. That the UK Shared Prosperity Fund update, attached at Appendix 3 to the report be noted.

45. MEDIUM TERM FINANCIAL STRATEGY AND BUDGET PROPOSALS

The Cabinet Member for Housing and Health introduced the item and stated it formed part of the finance strategy and budget proposals for the Committee's services. The Medium Term Financial Strategy had been modelled on scenarios outlined in Appendix A of the report, specifically Scenario 4.

It was stated that:

- Current projections represented a budget gap of £900k in 2024/25.

- Council tax was predicted to rise by 3% for 2024/25 subject to a referendum limit.
- Fees and charges for 2024/25 were predicted to rise by 5%, which reflects price and volume increase.
- Savings for Committee services were outlined in Appendix B to the report which would come to Full Council in February 2024.

The Committee expressed approval of disposing of the public conveniences at the Mid Kent shopping centre outlined in the report but several members of the Committee raised concerns that parking fees had not been increased but that garden waste fees had increased in the previous financial year. It was noted that the report proposed for the surplus budget for community protection to be removed and that the Council should withdraw from the Kent Resource Partnership.

In response to concerns regarding parking fees, the Cabinet Member for Housing and Health stated the Head of Housing had advised that an increase to parking at the end of the pandemic would have reduced revenue and that an annual review of parking charges would be conducted by Cabinet. Addressing concerns regarding the community protection surplus, the Cabinet Member for the Environmental Services stated that community protection would now be funded by the Police Crime Commissioner and that the £11,000 saving could be used to balance the Council's budget. It was also stated that while garden waste fees had increased, they had increased below inflation.

In response to concerns regarding the Council withdrawing from the Kent Resource Partnership the Head of Environmental Services and Public Realm stated that the proposal was an officer recommendation and that the majority of the £15,000 the Council contributed to the partnership was spent on officers and not delivery of recycling.

RESOLVED to RECOMMEND to Cabinet:

1. That the draft Medium Term Financial Strategy for 2024/25 to 2028/29 set out in Appendix A to the report be approved;
2. That the budget proposals set out in Appendix B to the report be approved.

46. **WASTE CRIME FIXED PENALTY NOTICES**

The Cabinet Member for Environmental Services introduced the report and stated that the Government had changed the statutory limits on waste crime fixed penalty notices (FPNs) and that the Council had to reflect this in its fixed penalty prices appropriately. It was proposed to create two levels of FPNs that separated single and repeat offenders and the impact of the offence, whereas the majority of the Council's FPN charges were currently set to the maximum limit. It was emphasised that the Council had to balance the affordability of the FPNs, acting as a deterrent and reducing challenges in court.

The Committee expressed support for the two levels of FPNs and enquired whether the price of FPNs could include the administrative costs of issuing an FPN.

The Head of Environmental Services and Public Realm clarified that this could only be achieved if the FPN was challenged in court, and that any increase in income from FPNs was ring-fenced to the Crime and Enforcement Team.

RESOLVED to RECOMMEND to the CABINET:

1. To agree the two-tiered Fixed Penalty Notice charges as set out in 3.4 of the report with early payment discounts for level 1 littering and fly tipping; and
2. To agree the Waste Crime Fixed Penalty Notice Policy included in Appendix A to the report.

Note: Councillor Forecast left at the conclusion of this Item at 8:17 p.m.

47. MBC HOUSING MANAGEMENT POLICIES

The Cabinet Member for Housing and Health introduced the report and stated the six Housing policies, outlined in the appendices of the report, were necessary policies for council tenants and were good practice. It was stated that the Tenants Handbook, in Appendix 1 of the report, would be produced as a physical copy for tenants and the other policies would be provided virtually but could be printed if requested. The majority of the contents were statutory information but the Committee was asked for comments on the tone of the documents.

The Committee agreed the Housing policies were good practice for the authority but that there were concerns over the Pet Policy, in Appendix 3 of the report, including the number of animals to be allowed in each property and the requirement for dogs to be vaccinated annually which could be prohibitively expensive. A Member of the Committee raised a concern regarding a clause that residents could be evicted during introductory tenancies for "other things" compared to a secure tenancy and what that could entail.

In response to concerns, the Head of Housing and Regulatory Services stated that as a Pet Policy was not a statutory requirement the council would apply discretion in cases regarding the amount of animals permitted and that that the requirement for dogs to be vaccinated would be changed to advisory. It was also confirmed that they would provide the Committee with examples of evictions during introductory tenancies due to "other things".

RESOLVED: To recommend to the Cabinet Member for Housing and Health that the suite of Housing Management Documents attached to this report are approved.

48. PUBLIC CONSULTATION IN RELATION TO THE KENT COMMUNITY WARDEN SCHEME (KCWS)

The Cabinet Member for Housing and Health introduced the report and stated that the council could respond to Kent County Council's consultation on its Community Warden Scheme and express concerns over reducing the number of community wardens for budget savings. It was stated that Maidstone shared 13 community

wardens across the borough with Tonbridge and Malling but if this was reduced it would impact the Community Protection team at Maidstone.

The Committee agreed that a response was necessary to address concerns regarding the proposed reduction in community wardens and that the consultation response set out in Appendix 2 of the report should be sent.

RESOLVED: That the Cabinet Member for Housing and Health be recommended to consider the information provided in this report and use that information to make a representation to the proposed changes.

49. TACKLING ANTI-SOCIAL BEHAVIOUR RELATING TO DOGS: UPDATING OUR ENFORCEMENT TOOLS

The Cabinet Member for Housing and Health introduced the report and stated that a new PSPO was necessary to replace the current dog control orders. It would include measures against those who failed to pick up dog faeces, those who failed to keep dogs on leads and exclude dogs from certain areas. The PSPO would also prohibit owners from walking more than 4 dogs in the town centre unless they had been licenced or were registered with the Council as a professional dog walker on its voluntary scheme.

The Committee agreed that an updated PSPO would be necessary but expressed concern over the measure to limit the number of dogs walked in the town centre by a professional dog walker, as the report outlined that there was no definition of a 'professional dog walker', and that Trinity Park and Whatman Park had been excluded from the PSPO. It was suggested that the Council's voluntary scheme for dog walkers could become permanent and the wording on Section 7c of the PSPO could be changed to include the voluntary scheme for a person qualified as a professional dog walker.

In response to concerns, the Head of Housing and Regulatory Services undertook to inform Committee members of the reasoning after the meeting. It was stated that there was no definition of "professional dog walker" in law and that the Council could not make the voluntary scheme mandatory without passing a by-law. However the Head of Housing and Regulatory Services confirmed they would explore if wording on Section 7c of the PSPO could be changed to include the voluntary scheme as a qualification for dog walkers.

To provide clarity to the Committee, the Cabinet Member for Housing and Health stated that they and the Head of Housing and Regulatory Services would inform the Committee of any further information on the park exclusions and definition of professional dog walkers.

RESOLVED: Subject to the Cabinet Member for Housing and Health receiving satisfactory clarification on the exclusion of certain parks in the order and any additional wording on professional dog walkers for paragraph 7c, they ask the Head of Housing and Regulatory Services to make a new Public Spaces Protection Order as set out in Appendix 4 of the report.

50. DURATION OF MEETING

6.30 p.m. to 9.08 p.m.