

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING, SUSTAINABILITY AND TRANSPORTATION COMMITTEE

MINUTES OF THE MEETING HELD ON 7 NOVEMBER 2017 ADJOURNED TO 13 NOVEMBER 2017

Present on 13 November 2017: Councillor D Burton (Chairman) and Councillors Cox, English, Hastie, Munford, Perry, Prendergast, Springett and Mrs Wilson

Also Present: Councillors Round and Spooner

83. APOLOGIES FOR ABSENCE

It was noted that apologies had been received from Councillors de Wiggondene-Sheppard, Wilby and Willis.

84. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Perry for Councillor de Wiggondene-Sheppard
Councillor Hastie for Councillor Wilby
Councillor Mrs Wilson for Councillor Willis

85. NOTIFICATION OF VISITING MEMBERS

It was noted that Councillor Round was present as a Visiting Member and indicated that he wished to speak on Agenda Item 10 – Planning Review Update Report and its associated Exempt Appendix.

It was noted that Councillor Spooner was present as a Visiting Member and wished to observe.

86. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

87. DISCLOSURES OF LOBBYING

Councillor D Burton stated that he had been lobbied on Agenda Item 10 – Planning Review Update Report and its associated Exempt Appendix.

88. EXEMPT INFORMATION

RESOLVED: That the Exempt Appendix, relating to Agenda Item 10 – Planning Review Update Report, be taken in private due to the possible disclosure of exempt information.

89. HOUSING DELIVERY TEST UPDATE

The Strategic Planning Manager updated the Committee on the issues and implications of the proposed housing delivery test within the Housing White Paper February 2017.

It was noted that:

- The housing delivery test would measure completions in the local authority area. It proposed that a Local Planning Authority with an up to date Local Plan would measure completions over the previous three years against the annual requirements set out in the Local Plan.
- The exact date for the introduction of the housing delivery test was unclear; it was suggested that it could be introduced in spring 2018 alongside the revised National Planning Policy Framework.
- Figure 1 illustrated how the Government intended to have a tiered and phased approach if under-delivery had been identified. Each year the test measures increased in severity.
- If the housing delivery test was introduced in April 2018 and the Council monitored in excess of 586 dwellings during the 2017/18 year then a 5% land buffer could be applied and an action plan required. If the Council monitored in excess of 851 dwellings during the 2017/18 year then there would be no requirement to publish an action plan.
- There were two very positive indications for the Council's expected delivery rate for 2017/18:
 - The housing land supply survey April 2017 reported 1,458 dwellings monitored as under construction. This gave a good indication that completion rates during the 2017/18 year would be similar to the level of 2016/17. This would mean that an action plan would not be required.
 - The monthly completion reports from the Local Authority Building Control indicated that 447 dwellings had already been completed to 1 October 2017. This accounted for 39% of the anticipated delivery of 1,147 dwellings for 2017/18 and 76% of the 586 dwellings required for a 5% buffer to be applied.

The Committee welcomed the report and the Council's strengthened position.

RESOLVED: That the report be noted.

90. PUBLIC ART AS A PLANNING POLICY GUIDANCE

The Local Economy Project Officer presented this report and it was highlighted to the Committee that:

- The document had been developed to be used by Planning Officers and developers alike and included case studies to highlight the different forms that art could take.
- The Public Art Guidance encouraged public art to be included at an early stage in a developer's design and development process, in order that public art was incorporated into the scheme and not added on afterwards.
- The guidance referenced national and local planning policies and guidance and emphasised the importance of public art. This was particularly important in new developments where art could be used to create a sense of place, in order to develop strong and vibrant communities.
- The Maidstone Borough Local Plan supported the incorporation of public art.
- The guidance provided indicators against which the delivery of public art could be measured and monitored. This would provide supporting evidence for public art to be considered more fully when the Maidstone Borough Local Plan was next reviewed.

In response to a question from the Committee, officers advised that:

- The applicant would be recommended to involve ward members, the local community and parish councils at the pre-application stage when they were considering incorporating public art.
- A group of developers had volunteered to be part of developing the guidance and were keen to be engaged in the process. The Officer stated that he had confidence that developers would be able to absorb the cost of public art.

RESOLVED: That the Public Art Planning Guidance attached as Appendix I, be approved so that it may be used as a material consideration for planning purposes for planning applications validated from 1st January 2018 onwards.

Voting: Unanimous

91. REFERENCE FROM PLANNING COMMITTEE - IMPLEMENTATION OF SCHEMES FUNDED BY S106 CONTRIBUTIONS/CIL

The Committee agreed to take the reference in conjunction with Agenda Item 10 – Planning Review Update Report as the items were related.

It was noted that alternative arrangements had been made to ensure that projects funded by Section 106 contributions and CIL were implemented. The Director of Regeneration and Place agreed to email the Committee to outline the action that had been taken.

RESOLVED: That the reference be noted.

92. PLANNING REVIEW UPDATE REPORT

The Director of Regeneration and Place updated the Committee on the findings of the Planning Review, which begun in February 2017 and concluded in June 2017.

It was highlighted to the Committee that:

- The Council had commissioned iESE to undertake a review of the planning service and they undertook the following:
 - Shadowing of some planning staff
 - Interviews with all planning staff
 - Interviews with local authority stakeholders, such as Kent County Council and Swale Borough Council
 - Interviews with developers and service users
 - Member workshop
 - Parish Councillor interviews
- iESE presented their findings to the Corporate Leadership Team (CLT) on 9 May 2017 and following that to the Chairmen of this Committee and Planning Committee on 19 June 2017 and the Vice-Chairmen of these committees on 22 June 2017. Planning staff were then presented the findings and recommendations from iESE's draft report on 5 July 2017.
- iESE had suggested improvements could be made to three key areas: staffing structures, systems and processes, and culture and behaviour.
- Based on the evidence from iESE, especially the feedback from housebuilders and developers, there was a need to separate the high value/low volume work from that of the low value/high volume work. This would give more expert and experienced staffing resource to the former to effectively focus upon the delivery of the Maidstone Borough Local Plan. A new team structure was fully implemented in Development Management in the week commencing 16 October 2017.
- iESE were clear that the staffing resource within the planning department was adequate for the work. However, productivity was lower than it should have been because of weak systems and processes in the main areas of Development Management, which resulted in higher than necessary levels of failure demand and associated levels of dissatisfaction from customers and staff alike.

- A specialist change management consultant was commissioned to help design and embed the proposed improvements for a three month period, which commenced on 2 October 2017.

The Director of Regeneration and Place informed the Committee of the positive progress that had already been made since the review was completed.

Councillor Round addressed the Committee on this item.

The Committee were concerned that:

- The Planning Committee met far too regularly;
- Planning Committee agendas had too many items which often meant that the meeting had to be adjourned;
- The backlog of planning applications would not be cleared by the end of March 2018;
- 12 out of the 27 staff who were interviewed were either unlikely to recommend or would not recommend the Council as a place to work;
- There would not be enough detail contained in a 10 page planning report for the Planning Committee to make a considered decision;
- There was huge pressure on staff in the Planning Service which could have an impact on their work; and that
- Technology needed to be improved within the Planning Service to reduce the amount of unnecessary enquiries.

In response to questions from the Committee, the Director of Regeneration and Place advised that:

- The reference to both authorities in the recommendation on page 63 of the agenda was because Mid Kent Planning Support was a Shared Service.
- The recommendation on page 74 of the agenda could be reworded to be more specific and to strengthen it.
- The staff structure on page 78 of the agenda was what had been implemented. The dotted line between the Director of Regeneration and Place and the Development Manager in the staff structure was to signify that the Director was taking a keen interest in the processing of applications within Development Management to give the Head of Planning and Development more time to work on major developments. The dotted line was temporary until the end of the calendar year.

- The iESE report gave an independent 360 degree view of the Planning Service and not all of the recommendations contained in that report would be progressed.
- The strains on the staffing resource were present throughout the Council and not just in the Planning Service.
- The Head of Environment and Public Realm was to employ a Public Open Space & Recreation Delivery Officer to manage the delivery of Section 106 contributions in Parks and Open Spaces. The Director of Regeneration and Place agreed to circulate details of the position to the Committee by email following the meeting.

The Committee assessed each recommendation in the iESE report individually. The amended recommendations were:

Process Mapping and Activity Analysis

- Ensure that the website redesign meets the needs of **all users** and is easily accessible and intuitive, allowing customers to find information easily and perform most tasks online.
- Ensure that existing and future IT systems and projects are aligned to the needs **of all users** to maximise efficiencies and reduce duplication, with a focus on paperless and digitalisation as part of any improvements or redesign. **(It was noted that the Committee were concerned about this recommendation. Members did not want this to mean that Parish Councils would have paper copies of plans removed.)**

Stakeholders and Customers

- Establish **and implement** relevant engagement and communication strategy with clarity around roles and responsibilities.
- Develop a more flexible approach within the Planning Support Service that does not require processes across both authorities **in the Shared Service** to be aligned to take on a wider range of support and administrative tasks currently being undertaken within Planning i.e. pre-application recording and validating.
- In association with KALC co-design and implement a programme of regular Parish forums to further improve Parish understanding of the planning process and enable parishes to highlight specific issues and problems for discussion. **(It was noted that the Committee were content that this already occurred.)**
- Review the pre-application service to ensure that it is offering a consistent service and meeting customer needs, and that relevant

internal stakeholders **including Ward Members** are engaged in the process at the appropriate point.

Staff and Managers

- The current backlog of cases from 2015 and 2016 should be reviewed and a temporary agency planner brought in to progress these to determination in a specific time period if appropriate. It is vital that the agency planner concentrates on removing the backlog and is not allocated new cases. **(It was noted that the Committee were concerned that a temporary agency planner would not have the local knowledge to determine applications suitably).**

Measures and Finance

- Develop and establish a Business Enabling Hub to support commercial activity. **(It was noted that this recommendation had already been discounted by the Director of Regeneration and Place).**

Culture and Behaviours

- Revalidate relevance of current behaviour framework and ensure behaviours are used to manage performance and recruitment. Explore opportunities for a Mentoring programme and a Culture & Leadership programme. **(The Committee requested that this recommendation be reworded.)**

The Committee requested to have Member involvement to scope the recommendations in the Members and Committee section of the iESE report. Therefore, the Chairmen and Vice-Chairmen of this Committee and the Planning Committee would meet with officers to discuss the recommendations. It was noted that Councillor Munford would assist on this and the Committee were content that he do so.

It was noted that officers would bring back a report to this Committee at the earliest opportunity after the scoping had taken place. This report would include the direction that the Director of Regeneration and Place wanted the planning service to take and the recommendations that he wished to take forward.

RESOLVED:

1. That the report be noted.
2. That the recommendations as amended be approved, with the exception of the recommendations included in the Members and Committee section where the Chairmen and Vice-Chairmen of this Committee and of the Planning Committee, with the addition of Councillor Munford, meet with Officers to scope the recommendations.

3. That the Planning Review phase is now considered to be complete.
4. That Officers report back to this Committee the delivery of the actions agreed at the earliest opportunity.

93. DURATION OF MEETING

6.32 p.m. to 8.47 p.m.