

MAIDSTONE BOROUGH COUNCIL

POLICY AND RESOURCES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 23 JUNE 2021

Present: Councillors Mrs Blackmore, Burton (Chairman), Cooke, Cox, English, Garten, Harper, Hastie, Khadka, Kimmance, Munford, Perry, Purle, Mrs Ring and Round

Also Present: Councillors Cooper, Naghi, Perry, J and T Sams

1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Brice and Parfitt-Reid.

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

Councillor Garten was present as Substitute for Councillor Brice

Councillor Purle was present as Substitute for Councillor Parfitt-Reid.

3. **ELECTION OF VICE-CHAIRMAN**

RESOLVED: That Councillor Perry be elected as Vice-Chairman of the Committee for the Municipal Year 2021/22.

4. **URGENT ITEMS**

There were no urgent items.

5. **CHANGE TO THE ORDER OF BUSINESS**

Item 15 – Reference from the Licensing Committee – Request to be consulted on matters of Biodiversity and Climate Change within the Licensing Committee’s remit and Item 16 – Biodiversity and Climate Change Action Plan Update would be taken together, due to the related subject matter.

Item 20 – Reference from the Strategic Planning and Infrastructure Committee – Request for the Local Plan Review Budget to be a standing item, would be considered before Item 19 – 4th Quarter Finance, Performance and Risk Monitoring Report 2020-21.

6. **NOTIFICATION OF VISITING MEMBERS**

Councillor Naghi was present as a Visiting Member for Item 13 – Committee Work Programme and Item 15 – Reference from the Licensing

Committee – Request to be consulted on matters of Biodiversity and Climate Change within the Licensing Committee’s remit.

Councillors J and T Sams were present as Visiting Members for Item 18 – Public Sector-Led Garden Community Update.

Councillor Cooper was present as a Visiting Member for Item 20 – Reference from the Strategic Planning and Infrastructure Committee – Request for the Local Plan Budget to be a Standing Item.

7. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Kimmance stated that he possessed a Hackney Carriage driver’s licence, private hire driver’s licence, private hire vehicle licence and an operator’s licence.

The Monitoring Officer granted Councillor Kimmance a dispensation, in order that he could partake in the debate and vote on the relevant agenda items.

8. DISCLOSURES OF LOBBYING

Councillors Mrs Blackmore, Burton, English, Hastie and Perry had been lobbied on Item 18 – Public Sector-Led Garden Community Update.

Councillor Garten had been lobbied on Item 15 – Reference from the Licensing Committee – Request to be consulted on matters of Biodiversity and Climate Change within the Licensing Committee’s remit.

9. EXEMPT ITEMS

RESOLVED: That all items be taken in public, unless any Member of the Committee wished to refer to Item 21 – Minutes (Part II) of the Meeting held on 24 March 2021.

10. MINUTES OF THE MEETING HELD ON 24 MARCH 2021

RESOLVED: That the Minutes of the Meeting (Parts I and II) held on 24 March 2021, be agreed as a correct record and signed.

11. PRESENTATION OF PETITIONS

There were no petitions.

12. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were four questions from members of the public.

Question from Ms Gail Duff to the Chairman of the Policy and Resources Committee

'Do you think it is right that a third iteration masterplan was completed and submitted by this Council in March, but directly affected residents, who continue to find their homes and land in the centre of the development site, have been denied access to the updated plan to see how it affects their properties?'

The Chairman responded to the question.

Ms Duff asked the following supplementary question:

'The eighteen land owners who have purportedly been obliged in their demands to have their land removed from the masterplan, given that they never gave permission for it to be included in the first place, haven't received any formal notification from the Council, given that they were told by your lawyers that they would expect to see the new masterplan by the end of march. You have just explained that but they have had no formal notification from the council one way or another, to know whether they are included in the Heathlands plan still. They would like to be treated, if possible, with respect and decency and are you going to be able to honour that promise?'

The Chairman responded to the supplementary question.

Question from Ms Sharen Cain to the Chairman of the Policy and Resources Committee

'Can you please confirm how much money has been spent by Maidstone Council and Homes England on this council-led garden community project to date?'

The Chairman responded to the question.

Ms Cain asked the following supplementary question:

'You told the Downs Mail in May that the new administration would ensure tighter control on public money. How are you going to apply tighter financial control to the Heathlands project given ultimately the Council and Homes England are acting as promoter for eight private landowners who could take financial risks to promote their own land, like every other landowner in the borough?'

The Chairman responded to the supplementary question.

Question from Ms Kate Hammond to the Chairman of the Policy and Resources Committee

'The report on the Council-led Heathlands garden community mentions the Council are now going to engage, using taxpayer's money, a PR

company to help with community engagement. Does the Chairman feel the Council has done a good job on community engagement to date?’

The Chairman responded to the question.

Ms Hammond asked the following supplementary question:

‘The fact of the matter is that MBC has treated residents, the Parish Council and even our local Councillors with contempt in relation to this project over the last two years. Mounting a charm offensive now will not overcompensate for bad planning decisions of the past. Is it time to finally call a day on this very sorry project and learn a lesson to not make the mistake again?’

The Chairman responded to the question.

Question from Mr Steve Heeley to the Chairman of the Policy and Resources Committee

As Mr Heeley was unable to be present to ask his question, Ms Hammond was permitted to ask it on his behalf.

‘Tonight’s Committee is receiving an update report on the Council’s Biodiversity & Climate Change Action Plan tonight as well as an update report on the Council-led Garden Community at Lenham Heath. Dumping over 4,000 homes in the middle of the Kent countryside in one of the furthest locations from the borough’s urban centre creating an over-reliance on car travel is not conducive to reducing climate change and improving biodiversity. Can you tell me how the proposed Heathlands development relieves the Council’s declared Biodiversity & Climate Emergency?’

The Chairman responded to the question and permitted Ms Hammond to ask a supplementary question on Mr Heeley’s behalf.

The supplementary question was as follows:

‘You told the Downs Mail in May that the derided concept of modal shift will be canned and that we will not pretend that modal shift is a solution to over development. Will you accept Heathlands to be a predominantly car-based development in an unsustainable location which cannot be made sustainable simply by building a railway station?’

The Chairman responded to the supplementary question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website. The question and answer session took place between minutes 14:50 to 28:10 of the recording.

To access the webcast, please use the link below:

[\(20\) Policy and Resources Committee - 23/06/2021 - YouTube](#)

13. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

14. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

15. REPORTS OF OUTSIDE BODIES

It was requested that the Council's webpages be updated to reflect Councillors' membership on Outside Bodies.

16. REFERENCE FROM THE LICENSING COMMITTEE - REQUEST TO BE CONSULTED ON MATTERS OF BIODIVERSITY AND CLIMATE CHANGE WITHIN THE LICENSING COMMITTEE'S REMIT.

RESOLVED: That the item be considered alongside Item 16 – Biodiversity and Climate Change Action Plan update, due to the related subject matter.

17. BIODIVERSITY AND CLIMATE CHANGE ACTION PLAN UPDATE

The Head of Commissioning and Business Improvement introduced the report and highlighted Appendix 1 to the report, which outlined the progress made on the individual actions within the Biodiversity and Climate Change Action Plan.

Progress was ongoing to ensure that the Local Plan contained the policies needed to promote Biodiversity and Climate Change.

The Committee were informed that that the Council had been successful in its bid for £452,000 from the Green Home Grant Local Authority Delivery Scheme, which would aid in improving the energy efficiency of housing for those on low incomes and the Council's temporary accommodation.

The 'No Mow May' scheme that was promoted during May 2021 was highlighted, with a report on the tree coverage of Council owned land to be presented to the Communities, Housing and Environment Committee later this year. Further work into the provision of electric vehicle charging infrastructure at the depot and the Council's vehicle replacement plan were noted.

The Committee expressed support for the progress made on the points within the action plan, with the importance of providing various types of transport across the borough highlighted. The principle of the 'No Mow May' campaign was supported, but it was felt that it should have been better advertised to residents.

A date for acquiring new taxi vehicles to have zero tailpipe emissions had not yet been agreed. Further efforts would be made to understand the needs of the local Taxi Industry. In relation to the Licensing Committee referral, concern was expressed over the lack of electric vehicle charging

points across the borough, for both personal and public use. The financial benefits of electric vehicle ownership were noted, alongside the detrimental impact of the Covid-19 pandemic on the taxi trade.

The Director of Finance and Business Improvement confirmed that from 14 July 2021, any Biodiversity and Climate Change implications for each agenda item would be included in the officer reports. The Council's commitment to tackling Biodiversity and Climate Change was reiterated.

RESOLVED: That

1. The Licensing Committee be consulted on any Biodiversity and Climate Change matter that falls within the remit of that Committee;
2. The Biodiversity and Climate Change Action Plan update be noted; and
3. The Communities, Housing and Environment Committee be requested to review the lessons learnt from the 'No Mow May' campaign.

18. RECOVERY AND RENEWAL DISCUSSION PAPER

The Chief Executive introduced the report which aimed to stimulate discussion on the Council's Covid-19 recovery strategy. The all-Member briefing held on 9 June 2021 to that effect was noted.

The profound effects of the pandemic were highlighted, including to the social, economic and environmental wellbeing of the local residents, which the Council aimed to respond to. As it was likely that these effects could be long-term, the Council wished to focus on recovery and renewal, to include building community resilience for possible future emergencies.

Specific attention was drawn to the central government concept of 'Build Back Better' and what actions the Council should take in implementing its recovery and renewal objectives, with suggestions shown in Appendix A to the report. If the Committee wished for the Council to align itself with the 'Build Back Better' approach, this would need to be adapted to suit the Maidstone area. This would lead to a clear understanding of the Council's recovery and renewal strategy and its implementation.

Following receipt of the Committee's feedback, and in consultation with the Chairmen and Vice-Chairmen of the Council's Service Committees, a proposed prioritisation programme would be presented at its next meeting. This would include the allocation of resources to meet each priority.

The Committee expressed support for the principles outlined in Appendix A to the report. Specific attention was drawn to the pandemic's impact on the mental health and wellbeing of all age groups across the borough. In considering community resilience, the importance of sensible actions to

strengthen the relationships and co-operative working arrangements between the Council and other agencies, such as Kent County Council, was highlighted. It was felt that greater co-operation would allow for an improved recovery across the borough and provide the assistance needed for residents.

The importance of strengthening the local economy was raised, with reference made to the Council's ongoing evolution of the Economic Development Strategy. Encouraging residents to shop locally was also mentioned, with an impetus on generating further employment and business opportunities.

RESOLVED: That

1. The principles as outlined in Section 3 of the report be adopted;
2. Officers be requested to consult the Chairs and Vice-Chairs of the Council's Service Committees on the detail, such as that contained in Appendix A to the report, before returning the matter to the Committee in July 2021;
3. Through the use of the capital budget, a piece of work be undertaken to validate the assumption that there is need for business premises in the Borough and consider how the Council could use its capital resources to speculatively build, either with a short-term strategy or a long-term investment strategy.

19. PUBLIC SECTOR-LED GARDEN COMMUNITY UPDATE

Prior to the report's introduction, Councillor John Britt addressed the Committee as the Chairman of Lenham Parish Council.

The Chief Executive introduced the report and stated that the collaboration agreement between the Council and Homes England had been signed and sealed, which signified the latter's belief that the proposal was viable and credible. Homes England were currently leading on the options agreements with the eight principal land owners, with the commercial Heads of Terms agreed. It was likely that the agreements would shortly be entered into.

Progress had been made on the draft Master Plan, with a further submission made at the end of March 2021 to the Local Planning Authority (LPA). The responses received, including those from statutory consultees, were being reviewed by the Council's strategic planning team. A further submission to the LPA that provided greater detail of the proposal would be submitted in the future, to assist in their assessment of the Council's preferred spatial strategy.

A specialist company would be appointed to assist the Council and Homes England in its public engagement for the proposal, due to the importance of public engagement as a whole. This would likely commence from the Summer of 2021.

In response to questions, the Chief Executive confirmed that a response had not yet been received from Network Rail to the Memorandum of Understanding submitted by the Council. At their request, the new Members of the Committee would be invited to a briefing that would summarise the previous work undertaken on the proposal. The motorway junction previously considered as part of the proposal had been removed from the project's scope some time ago as it would not meet the threshold required to trigger engagement from Highways England. It was instead being considered as part of the Council's wider Local Plan Review. The M20 corridor was now being considered alongside the Garden Community due to the cumulative impact of possible developments within that area that could meet the necessary threshold.

It was felt that whilst progress had been made and there was confidence in the proposal, that confidence needed to turn into certainty, for example by the signing of the Options Agreements.

The Committee felt that it would be appropriate to have the next update on the proposal at its September 2021 meeting, rather than the July 2021 meeting, to allow for greater information to be provided rather than a report for noting that summarised the proposal's current position.

RESOLVED: That

1. The report be noted; and
2. The next update provided would be at the 15 September 2021 meeting of the Committee, unless a significant update could be provided in which case an earlier report would be presented.

20. REFERENCE FROM THE STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE - REQUEST FOR THE LOCAL PLAN REVIEW BUDGET TO BE A STANDING ITEM.

Councillor Cooper addressed the Committee as the Chairman of the Strategic Planning and Infrastructure Committee, outlining the reasons for the referral and requested further funding for the Local Plan Review (LPR) budget.

Several Members of the Committee expressed support for additional funding for the LPR budget, to focus on non-spatial planning policy development. It was felt that these types of policies had been needed for some time and that appropriate resources should be made available.

However, it was felt that the request should be considered during Item 19 – Fourth Quarter Finance, Performance and Risk Monitoring Report 2020-21.

RESOLVED: That the request of the Strategic Planning and Infrastructure Committee be noted, with further consideration to the request for

additional funding for the Local Plan Review during Item 19 – Fourth Quarter Finance, Performance and Risk Monitoring Report 2020-21.

21. 4TH QUARTER FINANCE, PERFORMANCE AND RISK MONITORING REPORT 2020-21

The Director of Finance and Business Improvement introduced the financial update of the report, reiterating the significant financial pressures that had arisen from the Covid-19 pandemic.

The Council had experienced £1.7 million in additional costs and £4.8 million in lost income due to Covid-19. However, due to the mitigating actions taken across the Council combined with Central Government funding to mitigate Covid-19 financial impacts, there was a one off £1.2 million underspend from 2020/21. The Director of Finance and Business Improvement emphasised that the potential long-term impact of Covid-19 on the Council's financial position needed to be considered, as this could worsen in the future. It was proposed that the £1.2 million underspend be transferred into the Council's reserves, which would not prejudice future decisions on its usage.

The Performance update of the report was introduced, with two of the three strategic Key Performance Indicators (KPIs) having missed their targets. These were Housing Relief Duty and Resident Satisfaction. The former had an ambitious target of 60%, however it was noted that any residents not housed under the relief duty would then fall under the Council's general housing duty. The Covid-19 pandemic had likely affected resident satisfaction.

Eight of the Council's Service Committee KPIs had missed their target by more than 10%, however this was largely due to the impact of the Covid-19 pandemic.

The Deputy Head of Audit introduced the risk management update and stated that the Council had continued its effort to create a more coherent approach to manage risks at strategic, corporate and operational level. There had been no changes to the risk profile and exposure of the 11 risks within the corporate risk register. The Business Rates Volatility and Collection Rates (Pandemic) risk ratings, within the operational risk register, had been reviewed after publication of the report and have since been decreased as the data from the first quarter of the current financial year had reflected a reduction in the pressures faced by the teams responsible for these risks.

The Council's commitment to continually advance and update the risk management process was highlighted.

In response to questions, the Director of Finance and Business Improvement confirmed that the Medium-Term Financial Strategy, as agreed by full Council in February 2021, had allowed for the Council's reserves to be used to produce a balanced budget 2021/22. The £1.2 million underspend was an additional sum of money. It should be noted

that the total amount of general unallocated and earmarked reserves excluding collection fund deficits was £18.2 million.

£860,000 of grant funding provided by Central government for the 2021/22 financial year was intended to aid the Council's response to and recovery from Covid-19. It was likely that no further non-ringfenced funding would be provided to Local Authorities in dealing with Covid-19.

The Committee felt that transferring the £1.2 million underspend to General Fund Reserves was an appropriate action given the ongoing effects of the pandemic. There was support for providing additional funding for the development of non-spatial policies, as part of the Local Plan Review, in light of the underspend. It was felt that the policies had been required for some time and funding them now would allow progress to be made sooner.

RESOLVED: That

1. The Revenue position as at the end of Quarter 4 for 2020/21, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. The underspend of £1.222 million be transferred to General Fund Reserves, without prejudice to any future decision of the Committee to earmark some or all of that amount for specific purposes;
3. The Capital position at the end of Quarter 4 be noted;
4. The Performance position as at Quarter 4 for 2020/21, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted;
5. The Risk Update, attached at Appendix 3 to the report, be noted; and
6. Up to £140,000 be made available for the non-spatial planning policy development, to be overseen by the Interim Local Plan Review Director in consultation with the Chairman and Vice-Chairman of the Strategic Planning and Infrastructure Committee.

22. DURATION OF MEETING

6.30 p.m. to 10.04 p.m.

Note: The Committee adjourned for a short break between 8.34 p.m. to 8.46 p.m. between the end of Item 17 – Recovery and Renewal Discussion Paper and the commencement of Item 18 – Public-Sector-Led Garden Community Update.