

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE MEETING

Date: Tuesday 8 June 2021
Time: 6.30 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Clark, Cooper, Garten, Mrs Grigg, McKay, Munford, Russell,
Spooner and Springett

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. Election of Chairman
4. Election of Vice-Chairman
5. Urgent Items
6. Notification of Visiting Members
7. Disclosures by Members and Officers
8. Disclosures of Lobbying
9. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
10. Minutes of the Meeting Held on 13 April 2021 1 - 6
11. Presentation of Petitions (if any)
12. Question and Answer Session for Members of the Public
13. Questions from Members to the Chairman (if any)
14. Committee Work Programme 7
15. Reports of Outside Bodies

Issued on Friday 28 May 2021

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

16. Reference from the Economic Regeneration and Leisure Committee - Review of the Section 106 monies associated with McDonalds (2-8 Hart Street) Planning Approval	8 - 9
17. Options to Procure a Cycle/Scooter Hire Scheme in Maidstone	10 - 27
18. Cycle Parking Infrastructure	28 - 39
19. Lenham Neighbourhood Plan (Regulation 19)	40 - 48
20. Boughton Monchelsea Neighbourhood Plan (Regulation 19)	49 - 57
21. Consultation on the Tunbridge Wells Borough Council Pre-Submission (Regulation 19) Plan	58 - 69
22. Local Plan Review Update	70 - 72

INFORMATION FOR THE PUBLIC

In order to ask a question at this meeting in person or by remote means, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 4 June 2021). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email committee@maidstone.gov.uk by 5p.m. one clear working day before the meeting (i.e. by 5p.m. on Friday 4 June 2021). You will need to tell us which agenda item you wish to speak on.

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

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 to the **Policy and Resources Committee**, please submit a Decision Referral Form, signed by **three** Councillors, to the **Head of Policy, Communications and Governance** by: **26 April 2021**

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 13 APRIL 2021

Present: Councillors D Burton (Chairman), Clark, English, Garten, Mrs Grigg, McKay, Munford, Parfitt-Reid and Spooner

Also Present: Councillor Perry

343. APOLOGIES FOR ABSENCE

There were no apologies for absence.

344. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

345. URGENT ITEMS

There were no urgent items.

346. NOTIFICATION OF VISITING MEMBERS

Councillor Perry was present as a Visiting Member for Item 15 – Local Plan Review Budget.

347. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Garten disclosed that he was the Council's representative on the Kent Downs AONB Joint Advisory Committee, in relation to Item 18 – Kent Downs AONB Management Plan Adoption.

348. DISCLOSURES OF LOBBYING

Councillors D Burton, Clark, English, Garten, Mrs Grigg, McKay, Parfitt-Reid and Spooner had been lobbied on the following items:

- Item 15 – Local Plan Review Budget
- Item 19 – Local Plan Review Update

Councillor Munford had been lobbied on Item 17 – Conservation Area Appraisal and Management Plans Work Programme Update and Item 19 – Local Plan Review Update.

349. EXEMPT ITEMS

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

350. MINUTES OF THE MEETING HELD ON 9 MARCH 2021

RESOLVED: That the Minutes of the meeting held on 9 March 2021 be approved as a correct record and signed at a later date.

351. PRESENTATION OF PETITIONS

There were no petitions.

352. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There was one question from a Member of the Public.

Question from Ms Sue Harwood to the Chairman of the Strategic Planning and Infrastructure Committee

'Please would you confirm that members of this committee will give their full attention to the 1700 responses received in respect of the Lidsing Garden Development in the local plan, particularly as a large majority of residents living or working in Lidsing and the surrounding areas were completely unaware of this proposal until members of the public shared this information on social media and through leaflet distribution so had very little notice to respond?'

The Chairman responded to the question.

The full response was recorded on the webcast and made available to view on the Maidstone Borough Council website.

To access the webcast recording, please use the link below:
[Strategic Planning and Infrastructure Committee Meeting - 13/04/21 - YouTube](#)

353. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

354. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

355. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

356. OTHAM NEIGHBOURHOOD PLAN (REGULATION 17A)

The Planning Policy officer introduced the report and stated that following two rounds of public consultation, the Otham Neighbourhood Plan had been submitted to the Examiner for independent examination. The Examiner's report was received on the 4 March 2021, with the proposed amendments outlined within the report.

Particular attention was drawn to Policy PM6, whereby Policy AC1 as originally drafted had sought to ensure that further developments within the area, not already identified within the Council's adopted Local Plan, did not result in the coalescence of Otham village with urban areas of Maidstone. The Council had raised concerns as the policy was not in general conformity to the strategies policies within the adopted Local Plan. The Examiner had recognised that potential risks of development to the surrounding countryside and it was proposed that the policy be renamed to 'Protecting the Countryside'.

It was confirmed that the Neighbourhood Plan Referendum would take place after the May 2021 elections, but that a date had not been chosen.

The Committee wished to acknowledge the effort involved in creating the Otham Neighbourhood Plan.

RESOLVED: That

1. The modifications to the Otham neighbourhood Development Plan as set out in the examiner's report, be agreed; and
2. The Otham Neighbourhood Plan proceeds to local referendum.

357. LOCAL PLAN REVIEW BUDGET

The Director of Finance and Business Improvement introduced the report and referenced the Committee's request to the Policy and Resources Committee, for additional funding to be allocated to the Local Plan Review (LPR) budget. In response, the Policy and Resources Committee had requested that officers re-examine the budget allocated for the LPR, with the outcomes of the review presented to that Committee in March 2021.

The work undertaken by the Finance and Planning Teams was highlighted, with the projected expenditure up until 2023 outlined in Appendix A to the report. The expenditure had been split into Core Funding, New Requirements and Discretionary categories.

The projections included a £30,000 contingency fund for both 2021/22 and 2022/23, with the proposed work relating to the Town Centre Plan to be funded separately through Section 106 contributions. The additional £200,000 required for 2021/22 would be funded through the Corporate Contingency Fund, which would be supported by additional income that the Council was expecting. The £135,000 required for 2022/23 would be considered as part of the annual review of the Council's budget proposals, with it likely that another £100,000 would be brought forward from future year's expenditure to supplement the funding.

Several Members of the Committee expressed concerns over the LPR budget's viability and the feasibility of the actions proposed, which were felt to be overly optimistic, particularly in reference to Development Plan

Documents (DPD). However, as mitigating actions had been proposed, it was felt that the budget should continue to be monitored.

The Chairman requested that his dissent with the LPR budget review having been presented to the Policy and Resources Committee, before the Strategic Planning and Infrastructure Committee, be noted.

RESOLVED: That

1. The programme for the Local Plan Review and related projects, be noted;
2. Arrangements for funding the work in line with the Council's agreed budget and policy framework, be noted;
3. The process for monitoring actual expenditure and reporting this back to the Policy and Resources Committee and this Committee, be noted; and
4. Due to the Committee's concerns the Policy and Resources Committee be requested to have the Local Plan Review Budget as a standing item on their agenda to have full surveillance on the matter.

358. **CONSULTATION ON THE SWALE BC PRE-SUBMISSION DRAFT PLAN**

The Senior Planner introduced the report that outlined the details of Swale Borough Council's (SBC) Local Plan Review Regulation 19 consultation, prior to the plan's submission for examination. The Council's draft response to the consultation was attached at Appendix 1 to the report, with the comments focused on the legal compliance and soundness of the plan. The Regulation 19 consultation was accompanied by a range of supporting evidence and documents. A correction to point 2.3 of the report was outlined.

It was noted that the Council were pleased that SBC would be meeting their increased housing need, with the shift in the focus of housing growth from Sittingbourne to Faversham and the Isle of Sheppey. The Teynham settlement as an area of opportunity for growth was highlighted. The Gypsy and Traveller Accommodation Assessment provided evidence to support pitch provision, but it was not clear whether the higher or lower figure produced from the assessment would be met. SBC's Local Plan included mitigations regarding air quality and transport to reduce impacts on roads within Swale and the surrounding areas. It was noted that the Council considered that SBC had fulfilled its Duty to Cooperate requirements, but that SBC would be requested to provide stronger evidence of the work undertaken to date.

The Committee expressed support for the draft response proposed, with officers requested to consider road traffic mitigation strategies during future Duty to Co-operate meetings.

RESOLVED: That

1. The Committee note the current consultation on the Swale Borough Council Local Plan Review; and
2. Maidstone Borough Council's response to the consultation, as attached at Appendix 1 to the report, be agreed;

359. CONSERVATION AREA APPRAISAL AND MANAGEMENT PLANS WORK PROGRAMME UPDATE

The Principal Conservation Officer introduced the report and stated that Area Appraisal plans had been adopted for Sutton Valence, Maidstone Ashford Road, Maidstone Chillington House and Maidstone Centre. Appendix 1 to the report was highlighted.

Draft documents had been produced for Yalding, Lenham Elmstone Hall and Harrietsham East Street conservation areas. The documents would undergo public consultation and be adopted under delegated powers. The next areas to be reviewed were Lenham Village and Headcorn, with the Committee to be further updated at the end of the year.

The Committee expressed support and thanks for the work undertaken. In response to questions, it was confirmed that the actions taken were in accordance with the two-year work programme previously agreed and based on the funding available which would be reviewed as the work progressed. Consideration was given on whether the non-strategic CIL funding secured through development, could be used by Parish Councils to contribute towards the cost of appraising the areas.

RESOLVED: That the contents of the report be noted.

360. KENT DOWNS AONB MANAGEMENT PLAN ADOPTION

The Heritage, Landscape and Design Team Leader introduced the report and stated that any Local Authority (LA) that had an Area of Outstanding National Beauty (AONB) within its jurisdiction was required to produce, adopt and review a management plan. The 2014-2019 Kent Downs AONB management plan had remained in place due to several delays, including the Covid-19 pandemic, in producing the updated plan.

The 2021-2026 management plan took into account the engagement and stakeholder consultation exercises that were conducted, including the feedback given by the Committee at its September 2020 meeting. Following the agreement of the Kent Downs AONB Joint Advisory Committee in January 2021, the draft management plan had been circulated to all twelve LA's to which it applied and had been approved by several.

In response to questions, it was confirmed that the delegated powers to the Head of Planning and Development were intended for minor changes

only. If any LA wished to propose significant changes, these would be presented to the Committee.

RESOLVED: That

1. The report be noted;
2. The Kent Downs AONB Management Plan Review 2021-2026, as attached at Appendices 1-15 of the report, be approved for adoption;
3. The Head of Planning and Development be given delegated powers to accept reasonable minor changes made by other Local Authorities prior to formal adoption; and
4. A date to be confirmed by the Kent Downs AONB Unit, once the last of the 12 Local Authorities resolved to adopt the plan, be approved as the formal date for adoption.

361. LOCAL PLAN REVIEW UPDATE

The Strategic Planning Manager introduced the report, reiterating that the 3,200 responses received from the Regulation 18 Preferred Approaches Public Consultation Document and Sustainability Appraisal were still being processed. Further work on the supporting information and wider evidence base was being conducted, to include specialist studies and evidence papers. The various types of specialist studies were outlined.

Discussions with the site promoters for the Garden Communities of Heathlands and Lidsing were ongoing, as the promoters prepared to provide evidence to show that their proposals could be included in the Council's Regulation 19 document. In relation to the two Garden Community sites proposed it was noted that, at this stage, land ownership was not considered to be a barrier to the proposals moving forward.

RESOLVED: That the contents of the report be noted.

362. DURATION OF MEETING

Prior to the closure of the meeting, the Chairman expressed his thanks to the Committee for the work undertaken during the current municipal year.

6.30 p.m. to 7.41 p.m.

2020/21 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
4th Quarter Financial Update & Performance Monitoring Report 2020/21	SPI	06-Jul-21	Officer Update		Mark Green	Mark Green
KCC 20mph Speed Limit Pilot - Summary of Conclusions	SPI	Awaiting Date for Pilot Information to be Released by KCC	Cllr Request	?	TBC	TBC
Infrastructure Delivery Plan	SPI	TBC	Officer Update		Rob Jarman	Rob Jarman
National Bus Strategy	SPI	TBC	Cllr Request		U/K	U/K
Conservation Area Funding Opportunities	SPI	TBC	Committee Request		Rob Jarman	Paul Robertshaw
Non-Spatial Policies	SPI	TBC	Cllr Request	?	Rob Jarman	Rob Jarman
Overview of the Draft Building Safety Bill and the Implications for the Council	SPI	TBC	Officer Update		William Cornall	Robert Wiseman
Revised Integrated Transport Strategy	SPI	TBC	Officer Update	Yes	TBC	TBC
Virtual Permit Management - Visitor Permits	SPI	TBC	Officer Update		Jeff Kitson	Alex Wells
KCC 20mph Speed Limit Pilot Scheme - Hale Road	SPI	TBC	Cllr Request		TBC	TBC

Agenda Item 16

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

8 JUNE 2021

REPORT OF THE ECONOMIC REGENERATION AND LEISURE COMMITTEE

FURTHER DEVELOPMENT OF THE LOCKMEADOW COMPLEX

Issue for Decision

At the 16 February 2021 meeting of the Economic Regeneration and Leisure Committee, the Further Development of the Lockmeadow Complex was considered.

Traffic congestion was raised during the debate, with the Strategic Planning and Infrastructure Committee requested to review the slowness and reluctance in dealing with the Section 106 monies associated with the McDonalds, 2-8 Hart Street Planning approval.

Recommendation Made

That the Committee review the slowness and reluctance in dealing with the Section 106 monies associated with the McDonalds, 2-8 Hart Street Planning approval.

Reasons for Recommendation

'The Leisure Property Manager introduced the report and explained that Phase I of the improvement works to the Lockmeadow leisure complex had been completed in December 2020. The Phase II developments had been presented to the Policy and Resources Committee on 10 February 2021 and consisted of three parts: create a food hall; expand the existing outside terrace; and install a children's play area.

The Economic Regeneration and Leisure Committee were informed that Kent County Council, as highways Authority, had received funding for an investigation into the traffic flows and to examine the possibility of a one-way system, on the surrounding roads. A timetable for the works would be shared with the Committee, when available. In response to questions, the Director of Finance and Business Improvement explained that the Phase II proposals had previously been endorsed by the Economic Regeneration and Leisure Committee during its October 2020 meeting, with the plans having been presented to the Policy and Resources Committee meeting for budget approval. The Economic Regeneration and Leisure Committee were then presented with the developments again for their comments.

Concerns were raised regarding the amount of traffic in the local area with particular reference to Hart Street, and the road improvements necessary to the area. The speed at which the Section 106 (S106) monies had been used by the

Highways Authority to carry out road improvements was questioned. It was felt that the use of S106 monies should be further considered by the Strategic Planning and Infrastructure Committee'.

Alternatives Considered and Why Not Recommended

None.

Background Papers

[Minutes Template \(maidstone.gov.uk\)](https://www.maidstone.gov.uk/minutes-template) – Minutes of the Economic Regeneration and Leisure Committee Meeting held on 16 February 2021.

Appendices

None.

Agenda Item 17

Strategic Planning and Infrastructure Committee

8 June 2021

Options to Procure a Cycle/Scooter Hire Scheme in Maidstone

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	William Cornall, Director of Regeneration and Place
Lead Officer and Report Author	Alexander Wells, Service Analyst
Classification	Public
Wards affected	All

Executive Summary

This report sets out the procurement options available to Maidstone Borough Council for bringing a micromobility hire scheme offer to the market.

Purpose of Report

To facilitate a member decision on which procurement option Maidstone Borough Council uses to procure a Micromobility hire scheme.

This report makes the following recommendations to this Committee:

That:

1. The preferred option (option 3), as shown in the report, be agreed.
2. Following the procurement exercise, details of the successful bid be provided to the Committee for noting.
3. An update of the services' success be provided 12 months from the contract's commencement.

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	08 June 2021

Options to Procure a Cycle/Scooter Hire Scheme in Maidstone

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>Accepting the preferred option will improve the Council's ability to achieve the following corporate priorities:</p> <ul style="list-style-type: none"> - Embracing Growth and Enabling Infrastructure - Safe, Clean and Green - A Thriving Place 	William Cornall
Cross Cutting Objectives	<p>The preferred option supports the achievement of the following three cross-cutting objectives:</p> <ul style="list-style-type: none"> - Health Inequalities are addressed and reduced - Deprivation and Social Mobility is improved - Biodiversity and Environmental Sustainability is respected <p>Health Inequalities, particularly those related to inactivity and a sedentary lifestyle (which have been exacerbated by multiple lockdowns due to the impact of COVID-19) can be reduced by accepting the options and implementing a low-cost active travel measure for first/last-mile journeys.</p> <p>This may also help to improve social mobility by providing town centre workers a low-cost alternative to commuting when compared to existing parking and public transport offerings, particularly helping lower-income workers to reduce their expenditure and maximise wage retention.</p> <p>Finally, the scheme will provide an emission-free transport option helping to minimise the impact of harmful emissions on air quality in</p>	William Cornall

	the town centre and local ecosystems. Additional requirements can be specified so that all vehicles used in operating the service must be zero emission vehicles.	
Risk Management	Please refer to Section 5.	Jennifer Warrilow
Financial	The financial impact of operating the scheme is unable to be defined at this time. We are unable to determine this until a procurement process is completed. If additional funding is required, a separate bid for funding will be submitted to Policy & Resources Committee and an analysis of available external funding will be conducted.	Ellie Dunnet
Staffing	We will deliver the recommendations with our current staffing levels.	William Cornall
Legal	This project will conform to governing legislation and Legal Services will be involved in contract formation to ensure that appropriate rights and responsibilities are clear.	Patricia Narebor
Privacy and Data Protection	Accepting the recommendations will provide us an opportunity to capture new customer data. However, until a supplier is appointed, it's impossible to accurately assess the volume, type and format of data. Data will be processed in accordance with internal policies and the Data Protection Act 2018. A data sharing agreement will also be included as part of contract formation if the recommended option is approved.	Policy and Information Team
Equalities	We recognise the recommendations may have varying impacts on different communities within Maidstone. Therefore, we have completed a separate equalities impact assessment at Appendix 3.	Angela Woodhouse
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	John Littlemore

Crime and Disorder	<p>Based on case studies from other UK cities, accepting the recommendation may see some potential increase in attempted vandalism.</p> <p>Suppliers make great efforts to prevent this from happening and if the recommended option is accepted, suppliers will be asked to provide details on how they will reduce antisocial activity and scored on it accordingly.</p> <p>If the recommended option is accepted, we will liaise with the appointed supplier and the Community Protection Team to minimise associated risks.</p>	John Littlemore
Procurement	On accepting the recommendations, the Council will complete a full Procurement in accordance with financial procedure rules.	Ellie Dunnet

2. INTRODUCTION AND BACKGROUND

- 2.1 Maidstone Borough Council have committed to the vision of 'making cycling and walking the natural choices for shorter journeys, or as part of a longer journey' in line with Government guidance.
- 2.2 The increased popularity of micromobility hire services such as pedal powered cycle hire schemes, electronically assisted pedal cycle hire schemes and powered scooter hire schemes has skyrocketed over the past five years.
- 2.3 This increased popularity has led to a generally improved public perception of micromobility as a means to complete shorter journeys in urban environments.
- 2.4 Utilising micromobility in Maidstone provides an opportunity to make headway on some strategic goals laid out in both the Integrated Transport Strategy (C7) as well as the Maidstone Borough Council Walking & Cycling Strategy (MTC3, MTC14).
- 2.5 Significant amounts of work were put into assessing the impact of improved active travel (specifically cycling) in Maidstone as part of the Walking & Cycling Strategy. I will provide a brief summary below:
- 2.6 Economic Benefits:
- Benefit to local economy due to increasing number of people travelling on local streets
 - Potential to incentivise people to visit and improve visitor economy, this includes leisure cycling opportunities such as Mote Park

2.7 Health Benefits:

- British Medical Association highlight positive links between increased physical activity and improved overall health
- National Institute for Health and Care Excellence (NICE) identify benefits associated with active travel including improved mental health, physical fitness and prevention of chronic diseases and health conditions

2.8 By reducing the level of harmful pollutants emitted by combustion engines, air quality may improve to a degree, lessening the chances of associated respiratory illnesses

2.9 Social Benefits:

2.10 A low-cost scheme promotes social inclusion and can reduce commuter costs associated with other forms of transport

2.11 Micromobility can provide a potential solution to the last mile problem for many journeys

Post-Covid Revitalisation

2.12 Following the impact of COVID-19 on Town Centre footfall, we have observed that despite the easing of restrictions and improved weather conditions, levels of patronage in MBC Car Parks (as of April 2021) are at 69% of where they were in 2019 for the same month.

2.13 Due to the social restrictions put in place through lockdowns and social distancing, getting regular exercise and appreciating the outdoors has been harder for many individuals, but has also made these things priorities for many.

2.14 This has been reflected in car park patronage levels in the Borough, historically highly utilised car parks have now been overtaken by Mote Park as a destination for motorists.

2.15 Introducing micromobility to cater to either commuters, leisure visitors or both may serve to revitalise the Town Centre post-COVID by providing an active new service which has seen unparalleled growth globally and nationally over the past two years.

Obtaining Evidence for Long-Term Feasibility

2.16 Procuring a micromobility service for the Borough also allows us to gather real-world data on the operation of a micromobility hire scheme in Maidstone.

2.17 Many studies done both at a local government and academic levels focus on existing schemes, typically in locations such as London, Belfast and San Francisco. These case studies aren't comparable to Maidstone and subsequently provide little inside into the impact of these schemes in the medium to long-term.

- 2.18 By operating a trial scheme for a period of 3 years we will be able to gather real world data on both the operational and financial viability, the impact the service has had on our strategic goals, market growth and importantly whether there is a viable market for the service offering in the Borough.
- 2.19 A report on the Long-Term feasibility based on data provided in the trial period will be presented to Committee prior to the contract end date of the trial scheme to allow consideration for whether we commit to micromobility hire schemes as an integral part of modal choice in the Borough.
-

3. AVAILABLE OPTIONS

Option 1: Procure an Operator to Run a Leisure-Focussed Micromobility Hire Scheme

- 3.1 A leisure-focussed micromobility hire scheme would cater primarily to visitors to the Borough, specifically visitors to our green spaces and the town centre.
- 3.2 Primary pickup/drop-off sites upon contract commencement will be:
- Mote Park
 - Town Centre
 - Willington Street Park and Ride Site
- 3.3 Whilst there may be additional sites that could benefit the Borough in the long-term, it's important to remember that this scheme operates as a trial or proof of concept and therefore shouldn't commit to excessive long-term infrastructure costs where possible.
- 3.4 These sites would require a total of 3 docking stations (or equivalent for non-dock-based schemes) and 30 transports to operate.
- 3.5 These sites were chosen to facilitate access to the two greatest leisure destinations in the Borough, Mote Park (average of 11646 transactions per month over the past 12 months) and the Town Centre.
- 3.6 The site at Willington Street Park and Ride remains an excellent site to encourage motorists to park outside the town centre and use micromobility to access the town via Mote Park, reducing levels of harmful emissions in the town centre.
- 3.7 Recent investment into Mote Park as a key attraction of the borough, particularly with a focus on 'active leisure' provides a seamless overlap with the existing demographic that will likely see positive levels of usage.
- 3.8 However, a focus on leisure users also presents challenges, particularly regarding peak usage times and seasonal variation.

- 3.9 Providing a hire scheme focussed around leisure users shifts the core days of usage from Monday-Friday to Saturday and Sunday which limits the potential number of service users.
- 3.10 Weather has also been documented to have a significant impact on leisure-usage. Patronage remains stable on days with no rain and moderate weather; however, poor weather, rain and cold temperatures have all been shown to have a negative impact on usage.
- 3.11 Given the climate of the UK lends itself to short summers and significant rainfall, it's likely that service popularity will be limited to summer holidays and occasional out of season weekend users.
- 3.12 This model may potentially require a high level of subsidy to the operator due to the perceived lack of commercial viability in operating this service.
- 3.13 To help balance this financial risk, the trail from Willington Street Park and Ride to the Town Centre can also double as a commuter offering, allowing people to park for free out of town and pay a reduced fee compared to a car park or public transport offering to complete their 'last mile' journey.
- 3.14 Additionally, by limiting the number of docking stations (if the successful scheme is a dock-based scheme), we significantly reduce the operational costs involved with redistribution of assets, one of the major costs associated with hire schemes.
- 3.15 Preliminary engagement with suppliers has identified that an offering of no less than 30 transports will provide the minimum viable offering.
- 3.16 This option would likely be the most low-cost scheme we could implement; however, it would also likely be the lowest utilised service of all options where we proceed to procure a hire scheme.

Option 2: Procure an Operator to Run a Commuter-Focussed Micromobility Hire Scheme

- 3.17 Focussing a micromobility scheme primarily on commuters allows us to provide coverage over a 2-mile radius measured concentrically from the town centre (Appendix 2).
- 3.18 This option is geared towards morning and evening commuters Monday-Friday at peak hours (peak hours have varied due to lockdown and are likely to change again as restrictions are eased), whilst also seeing lower levels of usage for visitors to the town centre during the day.
- 3.19 Primary pickup/drop-off sites upon contract commencement will be:

Preferred Site	MBC-Owned Alternative
Maidstone East	County Road
Maidstone West	Lockmeadow
Town Centre (Bus Station)	Medway Street
Willington Street Park and Ride	Willington Street Park and Ride

- 3.20 Selected sites cover core commuter hotspots across the borough, including the two central railway stations and the town centre.
- 3.21 Based on initial market research, this would require a minimum of 45 transports (and approximately 4 docking stations if the successful scheme is dock-based).
- 3.22 Willington Street Park and Ride site again allows motorists to park outside the town centre for free and travel through Mote Park before ending their destination in the town centre.
- 3.23 This should provide a last-mile solution for workers in the town centre, particularly lower-income workers for whom public transport or town centre parking charges may not be viable.
- 3.24 As some preferred sites will require negotiation with other stakeholders, including but not limited to Kent County Council (Highway Authority) and Network Rail, I have identified alternative sites owned by Maidstone Borough Council which can be utilised immediately and provide almost identical coverage.
- 3.25 This ensures that we can operate an independent trial scheme as efficiently as possible and removes potential additional charges for land usage, as well as potential interference from third parties about operation of the scheme.
- 3.26 Additional sites were identified as part of a previous scoping exercise, these sites were:
- Maidstone Hospital
 - MidKent College Oakwood Park Campus
- 3.27 Whilst these sites may provide a benefit, they are also located further out of the town centre which will increase the operating costs of the scheme. As we currently have no user data, it's also unknown whether these sites are likely to be well-used.
- 3.28 We will continue communications with both Maidstone Hospital and MidKent College's Oakwood Campus to investigate the opportunity for a formal agreement with either party to supplement their existing transport options.
- 3.29 This will include options for funding and operations which will require a formal commitment from both parties before it could be integrated into a procurement option.
- 3.30 Due to the uncertainty involved, these sites will be included as an executable option after year 1, once we are able to perform a comprehensive analysis of user data to determine the viability of expanding the scheme to these sites.

Option 3: Procure an Operator to Run a Micromobility Hire Scheme Encompassing Both Leisure and Commuter Demographics

- 3.31 By procuring a hire scheme which caters to both leisure-users and commuters we can increase the levels of transference between these two markets.
- 3.32 Whilst this scheme would carry the same risks and benefits as the two prior options, it has the additional benefit of transferring users between demographics, particularly converting leisure-users to commuters.
- 3.33 By offering micromobility as a 'destination offering' at leisure locations such as Mote Park, we give members of the public who may not ordinarily choose micromobility as a modal choice an option to trial the service as part of a day out.
- 3.34 If the customer enjoys the service, this increases the likelihood of them choosing to use the service as part of their morning commute where applicable, thus increasing the potential for modal shift.
- 3.35 Primary pickup/drop-off sites upon contract commencement will be:

Preferred Site	MBC-Owned Alternative
Maidstone East	County Road
Maidstone West	Lockmeadow
Town Centre (Bus Station)	Medway Street
Willington Street Park and Ride	Willington Street Park and Ride
Mote Park	Mote Park

- 3.36 This allows us to cover the important and consistent commuter offering, whilst only needing to add one additional site to also cover the leisure offering.
- 3.37 The previously listed additional sites (below) will also be investigated after the first year of operation (from commencement date):
 - Maidstone Hospital
 - MidKent College Oakwood Park Campus

Option 4: Take No Action

- 3.38 Taking no action will result in no beneficial contributions to any of Maidstone's strategic objectives.
- 3.39 Additionally, there is no risk in doing so as there is no financial, operational, or legal risk in choosing not to procure a micromobility hire scheme.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is Option 3.
 - 4.2 Option 3 provides the core benefit of a consistent sustained user group as outlined in Option 2, whilst adding the ability to also transfer day-users from the leisure demographic to 'daily users' under the commuter demographic.
 - 4.3 Additionally, as doing this only requires one additional site (located within the boundaries of existing planned sites) this reduces the associated costs, particularly those associated with redistributing the transports themselves, one of the greatest costs associated with running a micromobility hire scheme.
 - 4.4 By appealing to the largest user group possible over our trial period, we increase our ability to gather useful data which will be integral in deciding whether this scheme has a positive impact on Maidstone's strategic objectives, as well as assessing its long-term commercial viability.
-

5. RISK

- 5.1 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.
 - 5.2 Any additional risks cannot yet be identified, however if the Preferred Option is selected, risks as identified will also be considered in line with the Council's Risk Management Framework.
 - 5.3 Following a completed procurement process, the Equalities Impact Assessment will be reviewed and updated as required and a full Risk Assessment will be completed alongside the risks associated with the successful service.
 - 5.4 We are satisfied that the current risks associated with the preferred option are within the Council's risk appetite and will be managed as per the Policy.
-

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 There has been no formal consultation or relevant previous committee feedback.
-

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 If the preferred option is accepted, then I will prepare an output specification outlining our requirements and liaise with Procurement and Legal teams to bring an offer to market no later than July 2021.

- 7.2 This should allow us to complete the procurement process and appoint a supplier no later than early September 2021.
 - 7.3 Implementation and rollout of the successful scheme should be completed prior to the close of the calendar year dependent on the implementation plan and timescales provided by the successful supplier.
 - 7.4 Data analysis will be continuous with an accompanying monthly report dashboard summarising performance and key metrics available online.
 - 7.5 A full summary report of the service's impact over its duration will be completed prior to the end of the contract date to allow consideration of whether the scheme should continue over the long-term.
-

8. REPORT APPENDICES

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

- Appendix 1: Maps of Proposed Sites
 - Appendix 2: Map of Total Hire Scheme Coverage
 - Appendix 3: Equalities Impact Assessment
-

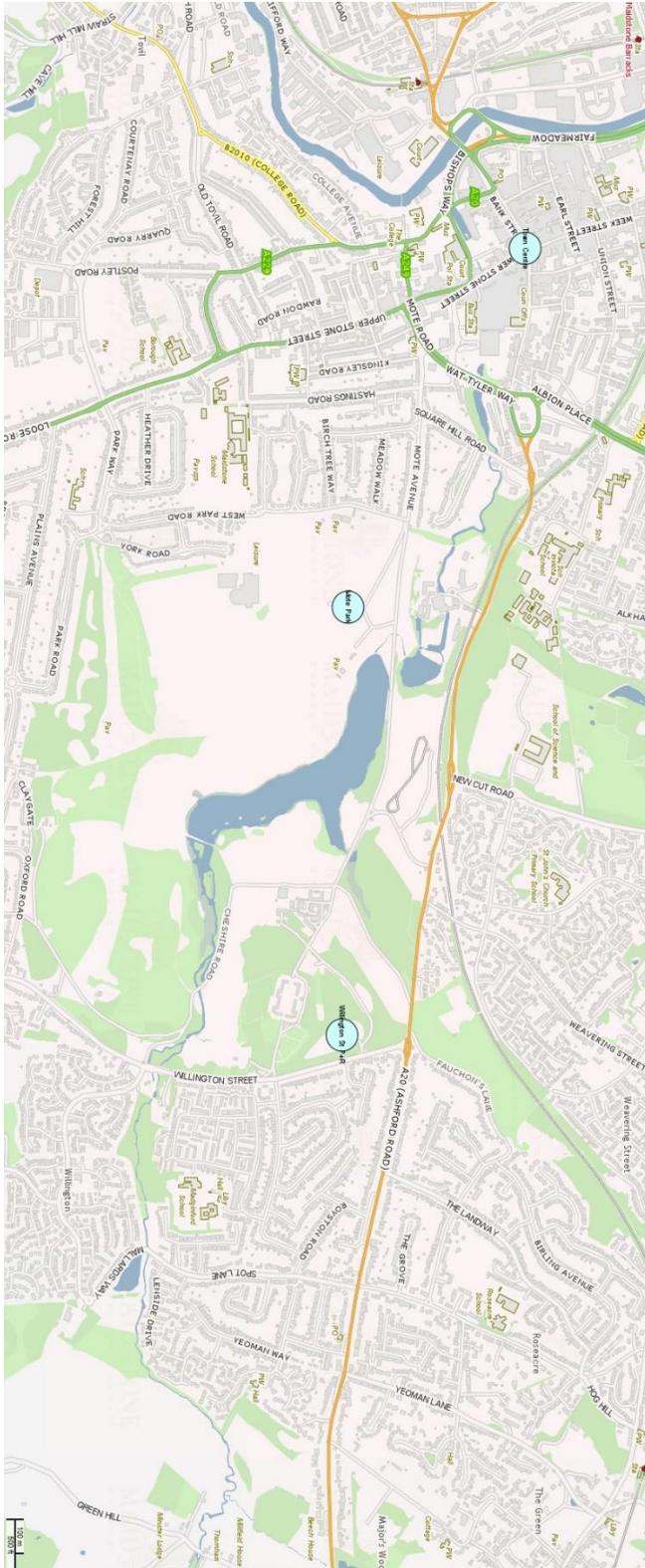
9. BACKGROUND PAPERS

9.1 The following background papers provide useful knowledge relevant to the matters discussed in this report:

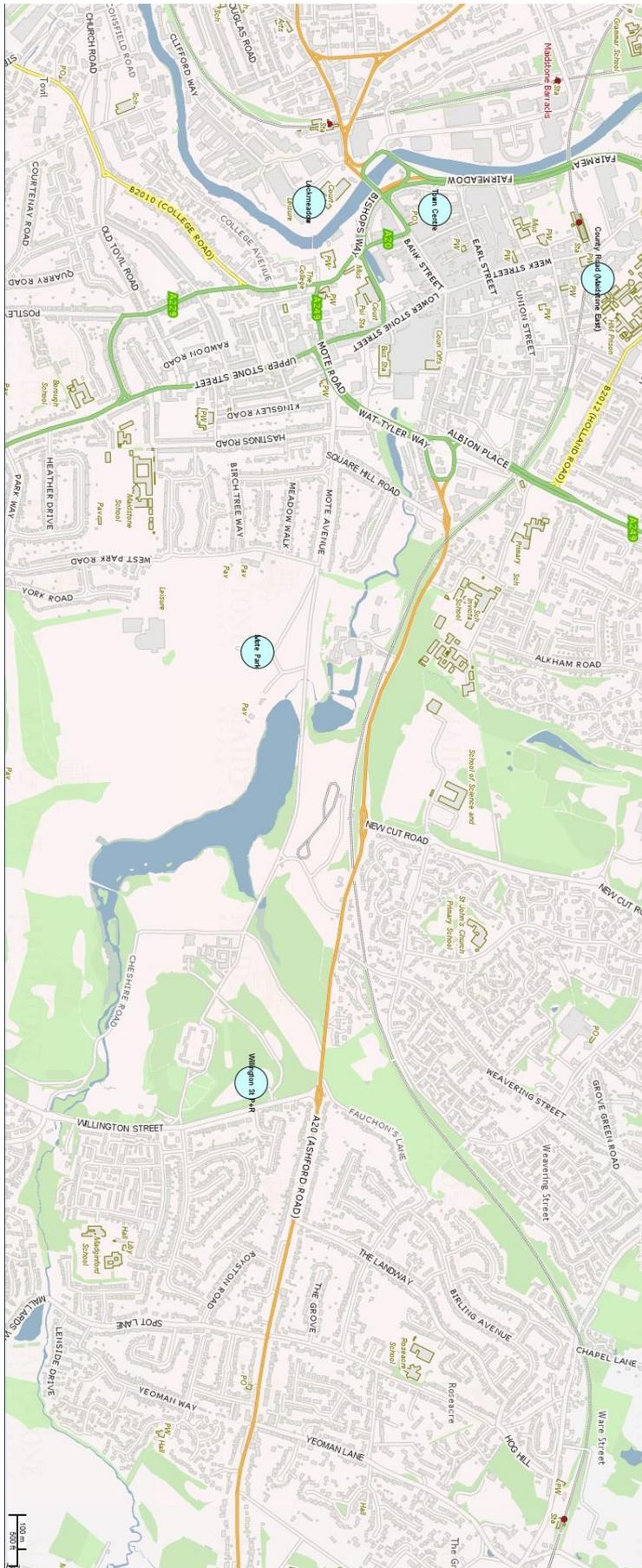
- Maidstone Borough Council Walking and Cycling Strategy
- Government Walking Investment Strategy

Appendix 1

Option 1: Leisure Offering



Option 3: Hybrid Scheme



Title: Micromobility Hire Scheme Procurement

Lead Officer: Alexander Wells

Date Completed: 27/05/2021

Stage 1: Equality Impact Assessment

1. What are the main aims purpose and outcomes of the Policy and how do these fit with the wider aims of the organization?

The aim of this Policy is to enable an affordable active transport scheme for residents and visitors in Maidstone.

2. How do these aims affect our duty to:

- **Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.**
- **Advance equality of opportunity between people who share a protected characteristic and those who do not.**
- **Foster good relations between people who share a protected characteristic and those who do not.**

The service offers no net difference in meeting these aims.

3. What aspects of the policy including how it is delivered or accessed could contribute to inequality?

As the scheme relates primarily to modes of active transport, it is possible that members of the public falling under the three following protected categories may not be able to access the service:

- Pregnancy
- Disability
- Age

As the service is designed to be a lower cost alternative to existing modes of transport in the town centre, it could be argued that we are economically restricting these demographics from visiting the Town Centre.

However, Blue Badge holders are eligible to access the Town Centre using council-owned car parks for free of charge, so alternative low-cost options remain open to them.

Impact on pregnant service users will be highly dependent on individual cases and opting in to use the service must be done at their own risk and in-line with governing health & safety guidance.

Certain schemes require users to have a Driver's License (provisional or full) in order to operate. Whilst this may restrict the age group of users, as the modes of transport are for use on roads, this restriction was legislated by Central Government and remains a legal requirement as of June 2021.

4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?

There should be no negative impact on citizens with protected characteristics. Potential risks highlighted in Question 3 are mitigated by current alternative offerings.

Agenda Item 18

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

8 June 2021

Cycle Parking Infrastructure

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Rob Jarman
Lead Officer and Report Author	Rob Jarman and James Lehane
Classification	Public
Wards affected	All

Executive Summary

In 2020 Sustrans were commissioned to analyse cycle infrastructure in the Borough to make best use of a specific financial allocation of monies. Their report forms Appendix 1. The recommendations and report itself were shared with councillors at two workshops held on 14 May 2021 and feedback informs this report (Appendix 2). It is recommended that the more immediately achievable measures are prioritised and delivered collaboratively with the relevant partners, a table of the potential projects and costs forms Appendix 3.

Purpose of Report

Decision and to note.

This report makes the following recommendations to this Committee:

1. That the recommendations in the Sustrans report are noted.
2. That the remaining £54,000 budget is released from reserves for this project.
3. That schemes are prioritised and delivered in partnership with the relevant organisations / landowners:
 - Sheffield stands in local centres, village centres and the Town Centre.
 - A cycle hub at Maidstone Hospital.
 - Cycle lockers at Barming, Beltring, Harrietsham & Hollingbourne railway stations together with the two Park and Ride sites at Mote Park and Allington.
 - Non-standard & disabled cycle parking at Bearsted, East Farleigh, Harrietsham, Headcorn, Hollingbourne, Maidstone East, Marden & Staplehurst rail stations.

Timetable

Meeting	Date
Strategic Planning and Infrastructure	8 June 2021

Committee	
-----------	--

Cycle Parking Infrastructure

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <ul style="list-style-type: none"> • Accepting the recommendations will materially improve the Council's ability to achieve the objective of 'enabling infrastructure' in that cycling infrastructure would be delivered. 	Rob Jarman
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations supports the achievements of the health inequalities and environmental cross cutting objectives by the direct provision of cycling infrastructure.</p>	Rob Jarman
Risk Management	Already covered in the risk section	Rob Jarman
Financial	<ul style="list-style-type: none"> • <i>The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.</i> • <i>Accepting the recommendations will demand new spending of £48,975.00. We plan to fund that</i> 	[Section 151 Officer & Finance Team]

	<i>spending as set out in section 3 [preferred alternative].</i>	
Staffing	We will need access to extra expertise to deliver the recommendations, as set out in section 3.	Rob Jarman
Legal	<p>There are no specific legal implications associated with this report.</p> <p>Legal Services will work with officers to ensure that any contractors used will comply with the Borough Council’s guidelines. Any necessary agreements or contracts entered into must be in accordance with the Council’s Contract Procedure Rules. Agreements and contracts should be in a form approved by the Legal Services Manager and should identify key activities and outputs so that performance can be can be properly and regularly monitored.</p> <p>Section 106 planning obligation agreements provide a mechanism for collecting contributions from developers through the planning process. Section 106 contributions may only be used for the purpose specified in the agreement.</p> <ul style="list-style-type: none"> • 	Russell Fitzpatrick (MKLS (Planning))
Privacy and Data Protection	<ul style="list-style-type: none"> • <i>Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules.</i> • <i>We recognise the recommendations will impact what personal information the Council processes and so have completed a separate data privacy impact assessment [at reference].</i> 	Policy and Information Team
Equalities	<ul style="list-style-type: none"> • <i>We recognise the recommendations may have varying impacts on different communities within Maidstone. Therefore, we have completed a separate equalities impact assessment [at reference].</i> • <i>The recommendations do not propose a change in service therefore will not</i> 	[Policy & Information Manager]

	<i>require an equalities impact assessment</i>	
Public Health	<ul style="list-style-type: none"> • <i>We recognise that the recommendations will have a positive impact on population health or that of individuals.</i> • <i>We recognise that the recommendations will not negatively impact on population health or that of individuals.</i> • <i>We recognise the recommendations may have varying impacts on the health of the population or individuals within Maidstone. Therefore we have completed a separate health impact assessment.</i> • <i>In accepting the recommendations the Council would be fulfilling the requirements of the Health Inequalities Plan</i> 	[Public Health Officer]
Crime and Disorder	These measures are in part designed to reduce and discourage theft.	Rob Jarman
Procurement	On accepting the recommendations, the Council will then follow procurement exercises for delivery of cycle parking and associated infrastructure. We will complete those exercises in line with financial procedure rules.	Rob Jarman

2. INTRODUCTION AND BACKGROUND

2.1 Sustrans (A national walking and cycling charity, custodians of the National Cycle Network)) were commissioned in April 2020 to provide research and analysis of the most suitable locations for new cycle parking and recommend the types of parking. This Council has £54,000 to spend on cycle parking and related cycle infrastructure out of an original £60,000 from business rates retention pilot funding (the study cost £6,000) and it is recommended that this money is spent on that recommended by Sustrans but that it is prioritised.

2.2 The report looked at the following areas as the most suitable locations for cycle parking and the appropriate types of cycle parking required. These locations were:

- Transport hubs
- High density areas of the town of Maidstone
- Local and village centres
- Town Centre
- Maidstone Hospital

- 2.3 The report did not analyse cycle parking provision at schools nor higher education establishments.
- 2.4 It is important to note that the cost of all the potential parking measures adds up to more than £54,000 taking into account project management and maintenance costs. Possibly there are land control/acquisition costs in addition to this.
- 2.5 Two councillor workshops were held on 14 May with some councillors attending both the 'urban' and 'rural' workshops. The main comments are set out in Appendix 2.

Councillors were asked for prioritisation of each of the parking areas but were also conscious of the need to deliver schemes sooner rather than later.

- 2.5.1 **Cycle parking at railway stations:** Certain members welcomed this but only locker type parking and some wanted CCTV. The actual surveillance of this would come at a cost (as would the enforcement) and it is not clear who would be responsible, so no CCTV has been factored in. Secondly, s106 monies are potentially available for certain station improvements so there needs to be use of these s106 monies before utilising the £54,000 business rates retention funding. Lastly, cycle hub parking has been installed recently at Maidstone East railway station. Members did not object to the proposal to add non-standard cycle parking for use by cyclists with adapted cycles, they would also enable parking of cargo cycles.
- 2.5.2 **Local centres and the town centre:** There was support for increasing cycle parking in these locations, although concern was raised regarding security in the town centre. There was, however, an assumption that the sites were public land so the parties involved would be minimal. These locations are therefore a high priority for delivery.
- 2.5.3 **Schools and further education:** There was support amongst councillors, however the Sustrans report did not analyse this because there is a long-established audit of cycle parking at schools by KCC.
- 2.5.4 **Cycle hangars in densely built up streets:** This was the least favoured option because there was concern about residents 'losing' on street parking spaces. However, there is a local CIL 'pot' and councillors and/or groups can come forward to bid for this money.
- 2.5.5 **Hospital:** the provision of a cycle hub was supported.
- 2.6 If 20% project management and installation costs are factored in (together with general administration and contingency), this would leave £54,000 minus £10,800 leaving £44,200 maximum spend. So, taking account of maintenance and minimising the number of partners etc the prioritisation of spend based on actual deliverability is advocated as:

- 1. Local and village centres together with Maidstone Urban Area as the top priority locations.

2. Second priority would be Maidstone Hospital.
 3. Transport hubs, namely, railway stations without s106 monies available for cycle lockers and disabled cycle parking, so Barming, Bearsted, Beltring, East Farleigh, Harrietsham, Headcorn, Hollingbourne, Marden and Staplehurst rail stations along with Maidstone East and West in the town centre and, secondly, park and ride sites at Mote Park and Allington.
- 2.7 Taking this potential prioritisation into account this would result in the monies being spent as per appendix 3.
 - 2.8 If members were agreeable to this prioritisation then there would need to be a procurement exercise and work done on land ownership and control.
 - 2.9 The funding for this project is from the Business Rates Retention fund and the project is currently on hold. In order to progress with the recommendations in this report, the remaining £54,000 from the original £60,000 budget would need to be released from reserves.
-

3. AVAILABLE OPTIONS

- 3.1 Option 1: spend the monies as recommended by Sustrans with prioritisation as per the above.
 - 3.2 Option 2: do nothing so the monies are not spent on cycle parking infrastructure.
 - 3.3 Option 3: spend monies on different priorities to those advocated above.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option 1 is recommended. The Sustrans report identified opportunities across the district to enhance cycle parking provision and that list has been refined to include only the more deliverable schemes, with Member support.
 - 4.2 It is recommended that security and deliverability are prioritised.
-

5. RISK

- 5.1 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. These are covered in the report. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 The Sustrans report was made available to Members and two workshop sessions were held on Friday the 14th of May 2021. Members have also been invited to provide their recommendations directly with the project officer. A detailed summary of Member's recommendations is included at Appendix 2.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 If these recommendations are agreed, the following actions would be undertaken:

- Engagement with delivery partners (Southeastern Rail, KCC, etc.) to identify and agree project management and delivery responsibilities.
 - Detailed identification of proposals (positioning of cycle parking, prioritisation for trial locker locations, etc.), carried out with delivery partners.
 - Communication and consultation as appropriate of detailed plans and delivery schedule.
 - Reporting to the next SPI committee on the progress and timeline for delivery.
-

8. REPORT APPENDICES

- **Appendix 1:** Maidstone Borough Cycle Parking Analysis by Sustrans (November 2020)
<https://storymaps.arcgis.com/stories/333a63bbaa5a4ffba8fb05bf8d2b71d9>
 - **Appendix 2:** Feedback from Member Engagement Sessions
 - **Appendix 3:** Recommendation cost breakdown including specifications and locations
-

9. BACKGROUND PAPERS

None

Maidstone Borough Council Cycle Parking Analysis – Sustrans 2020

Feedback from Member engagement sessions

The report:

<https://storymaps.arcgis.com/stories/333a63bbaa5a4ffba8fb05bf8d2b71d9>

Rail Stations

In general, Members were supportive of the use of cycle lockers over other forms of cycle parking at rail stations.

The highest priority for cycle parking at rail stations was afforded to security and, cost implications aside, Members felt that having CCTV coverage was very important in encouraging users to feel secure in leaving their bikes for long periods of time.

Barming Station was not included in the report, however Members expressed support for provision of cycle lockers and CCTV in this location.

Town Centre Residential

Members were generally hesitant regarding recommendations for cycle hangars on residential streets. It was felt that the loss of car parking would likely prove too problematic and Members largely dismissed comments regarding the reduction in propensity to cycle that results from a lack of convenient cycle parking at home.

Members recommended that further information was necessary in order to determine whether any of the recommended residential cycle parking locations could be supported and suggested that surveying residents would be the appropriate first step.

Maidstone Hospital

No comments were made in regard to the recommended hub at the hospital.

Town & Village Centre Parking

The recommendations were broadly supported, however Members expressed concern around the lack of security with Sheffield type stands.

The proposals for Marden and Staplehurst were specifically supported.

Inclusion of cycle parking near to the Chequers Inn, Loose, was recommended.

Maidstone Town Centre

Members were supportive of proposals for secure cycle parking in the town centre, although not necessarily in the exact location and method proposed.

Other comments

Members provided further comments and recommendations, as follows:

- Cycle parking should be provided at bus stops, to provide better connectivity from rural areas. Specific mention was made of bus stops near to the Linton Crossroads, for example.
- Cycle parking linked to education should be improved in general and specific reference was made of the Oakwood and New Line Learning campuses, where cycle hubs could be considered.
- Some Members made it clear that an urban area cycle hire scheme would be a preferable investment, over cycle general cycle parking proposals.
- Moveable cycle lockers would be beneficial in that they would allow for testing of demand and redeployment to reflect usage.
- The report focused on “point of origin” provision, not on destinations. Some Members felt that this is the wrong focus.
- It was generally recommended that locations with education or employment should be prioritised.
- Members were advised that the majority of urban dwellings do not achieve the standards for cycle parking that is expected of new developments, as set out in [SPG4](#). They recommended that these standards should potentially be revised.
- Cycle parking provision linking to the Loose Greenway was supported.
- Cycle parking linked to local promoted public rights of way routes was supported.

Conclusions

Members were generally supportive of improving cycle parking provision across the district.

In the context of limited resources, priority was afforded to areas of education or employment and transport hubs.

Cycle lockers and CCTV were the preferred infrastructure for most locations, however Sheffield stands are potential in some of the village centre locations, with appropriate surveillance.

Many of the recommended improvements could be funded through a combination of sources, including CIL and S106.

The recommended provision is detailed in the table below:

- Sheffield stands, in the following locations:
 - The A20 retail park (5 stands)
 - Earl Street, Maidstone (4 stands)
 - Penenden Heath shopping parade (3 stands)
 - Newnham Court shopping village (5 stands)
 - Grove Green local centre (5 stands)
 - Loose Road shopping parade (2 stands)
 - Loose local centre shopping parade (4 stands)
 - Coxheath village centre (3 stands)
 - Marden High Street (4 stands)
 - Staplehurst, near to the library (5 stands)
 - Headcorn High Street (4 stands)
 - Lenham village centre (3 stands)
 - Loose Village, near to the Chequers Inn (3 stands)
 - Along the Loose Greenway (3 stands)

- A Cycle Hub, at Maidstone Hospital

- Cycle Lockers, at the following locations:
 - Barming Rail Station (2 lockers)
 - Beltring Rail Station (2 lockers)
 - Harrietsham Rail Station (2 lockers)
 - Hollingbourne Rail Station (2 lockers)
 - Lenham Rail Station (2 lockers)
 - Allington Park & Ride car park (3 lockers)
 - Mote Park Park & Ride car park (3 lockers)

- Adapted cycle stands, at the following locations:
 - Bearsted Rail Station
 - East Farleigh Rail Station
 - Harrietsham Rail Station
 - Headcorn Rail Station
 - Hollingbourne Rail Station
 - Maidstone East Rail Station
 - Marden Rail Station
 - Staplehurst Rail Station

The costs of the above break down as follows (all costs are indicative, subject to procurement and agreements):

Item	Quantity	Unit cost	Net cost
Sheffield stands	53	£75.00	£3,975.00
Cycle lockers	16	£650.00	£10,400.00
Disabled cycle parking	12	£150.00	£1,800.00
Cycle Hubs	1	£22,000.00	£22,000.00
		Subtotal	£38,175.00
Installation, project management & maintenance costs @ 20% of £54k			£10,800.00
			Total cost
			£48,975.00

Agenda Item 19

Strategic Planning and Infrastructure Committee

8 June 2021

Lenham Neighbourhood Plan (Regulation 19)

Final Decision-Maker	Full Council
Lead Head of Service	Rob Jarman, Head of Planning and Development
Lead Officer and Report Author	Anna Ironmonger, Planning Officer, Strategic Planning and Tom Gilbert, Principal Planning Officer, Strategic Planning
Classification	Public
Wards affected	Harrietsham and Lenham; North Downs; Leeds; and Headcorn

Executive Summary

On 8 September 2020, this Committee resolved that the Lenham Neighbourhood Plan, once modified¹, should proceed to referendum. In light of the Coronavirus pandemic, Neighbourhood Plan referendums were suspended until 6 May 2021. A referendum was carried out alongside the local, county and Police & Crime Commissioner elections on 6 May 2021.

The referendum was successful, with 92% voting in favour² of the neighbourhood plan. As a result, the Lenham Neighbourhood Plan becomes part of the Development Plan for Maidstone (Section 38 (3A) of the Planning and Compulsory Purchase Act 2004).

Under Section 38A(4) of the Planning and Compulsory Purchase Act 2004, where more than half of those who voted, vote in favour of the Lenham Neighbourhood Plan, the plan must be made (adopted) by Full Council within 8 weeks. Under 'normal' circumstances the timetable for referendum, and committee consideration, including consideration by Full Council is carefully planned to ensure the statutory timetables are met. On this occasion, the statutory duty will not be met owing to the delayed referendum as a result of the Coronavirus pandemic. Local elections were also postponed and rescheduled to take place on 6 May 2021. As a result committees have been suspended, and this is therefore the first opportunity for this report to be considered by this Committee. Agreement to postpone the decision was gained from the Parish Council.

This Committee is asked to consider the result of the referendum, and in accordance with the agreed Neighbourhood Planning Protocol, make a recommendation to Full Council that the Neighbourhood Plan is made (adopted).

Purpose of Report

Decision

¹ The Lenham Neighbourhood Plan, with modifications incorporated, can be found at background document 1.

² Referendum results can be found at background document 2.

This report makes the following recommendations to this Committee:

1. The result of the referendum held on 6 May 2021 on the Lenham Neighbourhood Plan be noted.
2. Council be recommended to make the Lenham Neighbourhood Plan.

Timetable	
<i>Meeting</i>	<i>Date</i>
Committee	8 June 2021
Council	14 July 2021

Lenham Neighbourhood Plan (Regulation 19)

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. Section 38(3A) of the Planning and Compulsory Purchase Act 2004 outlines that once a neighbourhood plan is approved at referendum it comes into force as part of the statutory development plan. This means it will assist in the delivery of the Council's four strategic objectives (see section 3).</p> <p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place 	Rob Jarman, Head of Service
Cross Cutting Objectives	<p>The report recommendations support the achievement of all four cross cutting objectives. Following a successful referendum result, a neighbourhood plan forms part of the development plan.</p> <p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected. 	Rob Jarman, Head of Service
Risk Management	Already covered in the risk section.	Rob Jarman, Head of Service
Financial	<p>The costs for referendum and adoption of neighbourhood plans are borne by the Borough Council. There is a dedicated budget for this purpose, funded by MHCLG neighbourhood</p>	Mark Green, Section 151 Officer & Finance Team

	planning grants. The Council will apply for £20,000 from MHCLG due to costs incurred.	
Staffing	We will deliver the recommendations with our current staffing.	Rob Jarman, Head of Service
Legal	<p>Accepting the recommendations will fulfil the Council's duties under the Town and Country Planning Act 1990 (as amended), and the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>The statutory duty under the Planning and Compulsory Purchase Act 2004 to make the plan within 8 weeks of a successful referendum will not be met owing to the delayed referendum as a result of the Coronavirus pandemic and suspension of committees during the election period.</p> <p>It is, however, considered that the risks of non-compliance by the Council are low, since the plan, post referendum, already forms part of the development plan for the borough and it is not anticipated that anyone will be unduly affected by the delay in making this decision.</p>	Cheryl Parks Mid Kent Legal Services (Planning)
Privacy and Data Protection	The recommendations will not have any implications for the volume of data held by the Council.	Policy and Information Team – Orla Sweeney
Equalities	The Council has a responsibility to support in developing a Neighbourhood Plan. The Neighbourhood Plan process provides an opportunity for communities to develop an inclusive plan that meets the needs of its population.	Senior Equalities and Engagement Officer
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer Jolanda Gjoni
Crime and Disorder	There are no implications for crime and disorder.	Rob Jarman, Head of Service
Procurement	There are no implications for procurement.	Rob Jarman, Head of Service & Section 151 Officer

2. INTRODUCTION AND BACKGROUND

- 2.1 Neighbourhood Plans can be prepared by parish councils and designated neighbourhood forums for their neighbourhood area. A neighbourhood plan will go through two rounds of mandatory public consultation before independent examination, local referendum and being 'made' (adopted) by Maidstone Borough Council. The procedures for designating a neighbourhood area and the preparation of a neighbourhood plan are set out in the Neighbourhood Planning (General) Regulations 2012 (as amended). The Lenham Neighbourhood Plan has reached the final stage of the Neighbourhood Planning process.

Lenham Neighbourhood Plan: progress

- 2.2 The Lenham Neighbourhood Planning Area comprises the whole of Lenham Parish and was designated on 27 November 2012.
- 2.3 The Neighbourhood Plan was then subject two rounds of mandatory consultation. Firstly, the Parish Council undertook a formal 6-week public consultation on the pre-submission draft of the Lenham Neighbourhood Plan (Regulation 14) between 24 September and 12 November 2018.
- 2.4 Secondly, Lenham Parish Council submitted the Regulation 15 Submission Plan and supporting documents to the Borough Council on 17 December 2019. Maidstone Borough Council facilitated a further 6-week public consultation (Regulation 16) between 14 February 2020 to 27 March 2020 (which was extended to account for the Coronavirus pandemic). In accordance with the agreed Neighbourhood Planning Protocol, the Borough Council submitted representations to both consultations. The Regulation 14 response was submitted under the delegated authority of the Head of Planning and Development. The Regulation 16 response was submitted following the agreement of this Committee at its meeting of 10 March 2020.
- 2.5 The appointment of an independent examiner was agreed with Lenham Parish Council, and Derek Stebbing (of Intelligent Plans and Examinations) was appointed through the Council's procurement waiver signed by the Director of Finance and Business Improvement. The Lenham Neighbourhood Plan and supporting documents, together with all representations received, were forwarded to the examiner who dealt with the examination through written representations, concluding that a public hearing was not necessary.
- 2.6 The examiner's report was received on 30 June 2020 and recommended that the Lenham Neighbourhood Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements. In addition to the proposed modifications, a minor factual update that does not affect the policies of the plan was agreed with Lenham Parish Council and inserted to the front of the Neighbourhood Plan. The insertion of this text is a result of new advice published by Natural England.
- 2.7 In line with the Neighbourhood Planning (General) Regulations 2012 and the locally adopted Neighbourhood Planning Protocol, this Committee made

a decision on 8 September 2020 that the Lenham Neighbourhood Plan, subject to the above modifications, should proceed to referendum³.

Lenham Neighbourhood Plan: referendum

- 2.8 In response to the Coronavirus pandemic, neighbourhood plan referendums were suspended until 6 May 2021. The delayed referendum was carried out alongside the local, county and Police & Crime Commissioner elections on 6 May 2021. Voters were asked "Do you want Maidstone Borough Council to use the Neighbourhood Plan for Lenham to help it decide planning applications in the neighbourhood area?".
- 2.9 The referendum was successful, with 92% voting in favour of the neighbourhood plan⁴. Following a successful referendum, a neighbourhood plan becomes part of the development plan for the borough (Section 38 (3A) of the Planning and Compulsory Purchase Act 2004).

Lenham Neighbourhood Plan: recommendation

- 2.10 Under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012 (Regulation 18A), where a referendum is successful and more than half of those who voted, vote in favour of the Lenham Neighbourhood Plan, the plan must be made (adopted) by Full Council within 8 weeks. As such, this Committee are asked to consider the result of the referendum, and in accordance with the agreed Neighbourhood Planning Protocol, make a recommendation to Full Council that the Neighbourhood Plan is made (adopted).
- 2.11 This Committee can decide not to recommend that Full Council make the Lenham Neighbourhood Plan, to do so, would breach or otherwise be incompatible with any EU obligation or any of the convention rights. The compatibility of the Lenham Neighbourhood Plan with EU obligations and directives was tested during the examination process and could not proceed to referendum otherwise. Unless there are any new matters in relation to this point which the Committee considers were not raised by the Examiner then the Council is under a statutory duty to make the plan following the "Yes" result. It is the view of officers that there no such matters arising.
- 2.12 As mentioned in paragraph 2.10 there is a statutory duty to make the Lenham Neighbourhood Plan within 8 weeks of the successful referendum. On this occasion, the statutory duty will not be met owing to the delayed referendum as a result of the Coronavirus pandemic and government requirement to minimise social contact. Local elections were also postponed and scheduled to take place on 6 May 2021, hence committees have been suspended and this is the first opportunity for this report to be considered by this Committee. Agreement to postpone the decision was gained from the Parish Council. Paragraph 2.9 outlines that following a successful referendum, the Lenham Neighbourhood Plan has already become part of the development plan for Maidstone and can be used in the consideration of

³ See background document 1.

⁴ See background document 2.

planning applications in Lenham. The plan will assist in the delivery of the Council's four strategic objectives.

- 2.13 To summarise, this Committee are asked to consider the result of the referendum of the Lenham Neighbourhood Plan and make a recommendation to Full Council that the Neighbourhood Plan is made.

3. AVAILABLE OPTIONS

- 3.1 Option 1: The Strategic Planning and Infrastructure Committee recommends to Full Council on 14 July 2021 that the Lenham Neighbourhood Plan is made. Once a neighbourhood plan passes referendum it comes into force as part of the statutory development plan and will assist in the delivery of the Council's four strategic objectives. Under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012 (Regulation 18A), following successful referendum, the Council must make the Lenham Neighbourhood Plan within 8 weeks of the referendum date. It is accepted that this statutory duty cannot be met. The delays are owing to the coronavirus pandemic and are considered to be acceptable given the restrictions on social contact that were imposed. Any further delay, now that referendums and committee meetings have resumed following the May elections, is unlikely to be held to be reasonable. By taking the decision to a later meeting of Full Council and further delaying the formal adoption of the Lenham Neighbourhood Plan would mean that the Council would be in breach of its requirement under the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012.
- 3.2 Option 2: The Committee does not recommend to Full Council that the Lenham, Neighbourhood Plan is made. This would be in breach of Section 38A(4) of the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012 (Regulation 18A) which requires a neighbourhood plan to be made within 8 weeks of a successful referendum. The reasons for the decision of making the Lenham Neighbourhood Plan going beyond the 8-week period have been discussed elsewhere in this report and is considered to be acceptable given the restrictions on social contact that were imposed. The only justification for this Committee not recommending that Full Council make the Lenham Neighbourhood Plan is if the Committee considers that there are new matters that would mean that to make the plan would breach or otherwise be incompatible with any EU obligation or any of the convention rights (discussed at paragraph 2.11). It is the view of officers that there are no new matters arising that would prevent Full Council making the plan.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is Option 1. The referendum result shows strong support for the Lenham Neighbourhood Plan. As outlined in paragraph 2.11

the Committee can decide not to recommend that Full Council make the Lenham Neighbourhood Plan if members consider that there are new matters that would mean that to make the plan would breach or otherwise be incompatible with any EU obligation or any of the convention rights. It is the view of officers that there are no such matters and statute is clear as to the requirement to make the plan in such circumstances.

- 4.2 As set out in paragraph 3.1 it is accepted that the Council has not met the statutory duty to make the Lenham Neighbourhood Plan within 8 weeks of the referendum. The delays are considered to be acceptable given the coronavirus pandemic. Any further delay is unlikely to be held to be reasonable and the Council would be in breach of its requirement under the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012.

5. RISK

- 5.1 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. Consideration is shown in this report at paragraphs 2.11, 2.12 3.1, 3.2, 4.1 and 4.2. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The Lenham Neighbourhood has been through two rounds of public consultation known as Regulation 14 (pre-submission consultation) and Regulation 16 (submission consultation). The Borough Council's Regulation 14 response was submitted under the delegated authority of the Head of Planning and Development. The Borough Council's Regulation 16 response was submitted following the agreement of this Committee at its meeting of 10 March 2020.
- 6.2 This Committee agreed at its meeting on 8 September 2020 that the neighbourhood plan, subject to modification, should move to referendum.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 A recommendation will be taken to Full Council on 14 July 2021. Following a decision from Full Council to make the Lenham Neighbourhood Plan, the decision and the Plan will be published on the website and the relevant bodies will be notified.
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8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

Background document 1 – Lenham Neighbourhood Plan

<https://localplan.maidstone.gov.uk/home/documents/neighbourhood-plans/lenham/r18-referendum/Appendix-1-Lenham-neighbourhood-plan-2017-2031.pdf>

Background document 2 – Referendum result

<https://localplan.maidstone.gov.uk/home/neighbourhood-planning>

Strategic Planning and Infrastructure Committee

8 June 2021

Boughton Monchelsea Neighbourhood Plan (Regulation 19)

Final Decision-Maker	Full Council
Lead Head of Service	Rob Jarman, Head of Planning and Development
Lead Officer and Report Author	Anna Ironmonger, Planning Officer, Strategic Planning and Tom Gilbert, Principal Planning Officer, Strategic Planning
Classification	Public
Wards affected	Boughton Monchelsea & Chart Sutton, Sutton Valence & Langley, Staplehurst, Marden & Yalding, Coxheath & Hunton, Loose, South, and Park Wood.

Executive Summary

On 9 February 2021, this Committee resolved that the Boughton Monchelsea Neighbourhood Plan, once modified¹, should proceed to referendum. In light of the Coronavirus pandemic, Neighbourhood Plan referendums were suspended until 6 May 2021. A referendum was carried out alongside the local, county and Police & Crime Commissioner elections on 6 May 2021.

The referendum was successful, with 89% voting in favour² of the neighbourhood plan. As a result, the Boughton Monchelsea Neighbourhood Plan becomes part of the Development Plan for Maidstone (Section 38 (3A) of the Planning and Compulsory Purchase Act 2004).

Under Section 38A(4) of the Planning and Compulsory Purchase Act 2004, where more than half of those who voted, vote in favour of the Boughton Monchelsea Neighbourhood Plan, the plan must be made (adopted) by Full Council within 8 weeks. Under 'normal' circumstances the timetable for referendum, and committee consideration, including consideration by Full Council is carefully planned to ensure the statutory timetables are met. On this occasion, the statutory duty will not be met owing to the delayed referendum because of the Coronavirus pandemic. Local elections were also postponed and rescheduled to take place on 6 May 2021. As a result committees have been suspended, and this is therefore the first opportunity for this report to be considered by this Committee. Agreement to postpone the decision was gained from Boughton Monchelsea Parish Council.

This Committee is asked to consider the result of the referendum, and in accordance with the agreed Neighbourhood Planning Protocol, make a recommendation to Full Council that Boughton Monchelsea Neighbourhood Plan is made (adopted).

¹ The Boughton Monchelsea Neighbourhood Plan, with modifications incorporated, can be found at background document 1.

² Referendum results can be found at background document 2.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. The result of the referendum held on 6 May 2021 on the Boughton Monchelsea Neighbourhood Plan be noted.
2. Council be recommended to make the Boughton Monchelsea Neighbourhood Plan.

Timetable

<i>Meeting</i>	<i>Date</i>
Committee	8 June 2021
Council	14 July 2021

Boughton Monchelsea Neighbourhood Plan (Regulation 19)

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. Section 38(3A) of the Planning and Compulsory Purchase Act 2004 outlines that once a neighbourhood plan is approved at referendum it comes into force as part of the statutory development plan. This means it will assist in the delivery of the Council’s four strategic objectives (see section 3).</p> <p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place 	Rob Jarman, Head of Service
Cross Cutting Objectives	<p>The report recommendations support the achievement of all four cross cutting objectives. Following a successful referendum result, a neighbourhood plan forms part of the development plan.</p> <p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected. 	Rob Jarman, Head of Service
Risk Management	Already covered in the risk section.	Rob Jarman, Head of Service
Financial	The costs for referendum and adoption of neighbourhood plans are borne by the Borough Council. There is a dedicated budget for this purpose, funded by MHCLG neighbourhood	Mark Green, Section 151 Officer & Finance Team

	planning grants. The Council will apply for £20,000 from MHCLG due to costs incurred.	
Staffing	We will deliver the recommendations with our current staffing.	Rob Jarman, Head of Service
Legal	<p>Accepting the recommendations will fulfil the Council's duties under the Town and Country Planning Act 1990 (as amended), and the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>The statutory duty under the Planning and Compulsory Purchase Act 2004 to make the plan within 8 weeks of a successful referendum will not be met owing to the delayed referendum as a result of the Coronavirus pandemic and suspension of committees during the election period.</p> <p>It is, however, considered that the risks of non-compliance by the Council are low, since the plan, post referendum, already forms part of the development plan for the borough and it is not anticipated that anyone will be unduly affected by the delay in making this decision.</p>	Cheryl Parks, Mid Kent Legal Services (Planning)
Privacy and Data Protection	The recommendations will not have any implications for the volume of data held by the Council.	Policy and Information Team – Orla Sweeney
Equalities	The Council has a responsibility to support in developing a Neighbourhood Plan. The Neighbourhood Plan process provides an opportunity for communities to develop an inclusive plan that meets the needs of its population.	Senior Equalities and Engagement Officer
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer Jolanda Gjoni
Crime and Disorder	There are no implications for crime and disorder.	Rob Jarman, Head of Service
Procurement	There are no implications for procurement.	Rob Jarman, Head of Service & Section 151 Officer

2. INTRODUCTION AND BACKGROUND

2.1 Neighbourhood Plans can be prepared by parish councils and designated neighbourhood forums for their neighbourhood area. A neighbourhood plan will go through two rounds of mandatory public consultation before independent examination, local referendum and being 'made' (adopted) by Maidstone Borough Council. The procedures for designating a neighbourhood area and the preparation of a neighbourhood plan are set out in the Neighbourhood Planning (General) Regulations 2012 (as amended). The Boughton Monchelsea Neighbourhood Plan has reached the final stage of the Neighbourhood Planning process.

Boughton Monchelsea Neighbourhood Plan: progress

2.2 The Boughton Monchelsea Neighbourhood Planning Area comprises the whole of Boughton Monchelsea Parish and was designated on 29 October 2012.

2.3 The Neighbourhood Plan was then subject two rounds of mandatory consultation. Firstly, the Parish Council undertook a formal 6-week public consultation on the pre-submission draft of the Boughton Monchelsea Neighbourhood Plan (Regulation 14) between 26 April 2019 and 11 June 2019.

2.4 Secondly, Boughton Monchelsea Parish Council submitted the Regulation 15 Submission Plan and supporting documents to the Borough Council on 10 March 2020. Maidstone Borough Council facilitated a further 6-week public consultation (Regulation 16) between 14 August 2020 and 28 September 2020 (extended to accommodate the August Bank Holiday). In accordance with the agreed Neighbourhood Planning Protocol, the Borough Council submitted representations to both consultations. The Regulation 14 response was submitted under the delegated authority of the Head of Planning and Development. The Regulation 16 response was submitted following the agreement of this Committee at its meeting of 8 September 2020.

2.5 The appointment of an independent examiner was agreed with Boughton Monchelsea Parish Council, and Derek Stebbing (of Intelligent Plans and Examinations) was appointed through the Council's procurement waiver signed by the Director of Finance and Business Improvement. The Boughton Monchelsea Neighbourhood Plan and supporting documents, together with all representations received, were forwarded to the examiner who dealt with the examination through written representations, concluding that a public hearing was not necessary.

2.6 The examiner's report was received on 17 December 2020 and recommended that the Boughton Monchelsea Neighbourhood Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

2.7 In line with the Neighbourhood Planning (General) Regulations 2012 and the locally adopted Neighbourhood Planning Protocol, this Committee made a decision on 9 February 2021 that the Boughton Monchelsea

Neighbourhood Plan, subject to the above modifications, should proceed to referendum³.

Boughton Monchelsea Neighbourhood Plan: referendum

- 2.8 In response to the Coronavirus pandemic, neighbourhood plan referendums were suspended until 6 May 2021. The delayed referendum was carried out alongside the local, county and Police & Crime Commissioner elections on 6 May 2021. Voters were asked "Do you want Maidstone Borough Council to use the Neighbourhood Plan for Boughton Monchelsea to help it decide planning applications in the neighbourhood area?".
- 2.9 The referendum was successful, with 89% voting in favour of the neighbourhood plan⁴. Following a successful referendum, a neighbourhood plan becomes part of the development plan for the borough (Section 38 (3A) of the Planning and Compulsory Purchase Act 2004).

Boughton Monchelsea Neighbourhood Plan: recommendation

- 2.10 Under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012 (Regulation 18A), where a referendum is successful and more than half of those who voted, vote in favour of the Boughton Monchelsea Neighbourhood Plan, the plan must be made (adopted) by Full Council within 8 weeks. As such, this Committee are asked to consider the result of the referendum, and in accordance with the agreed Neighbourhood Planning Protocol, make a recommendation to Full Council that the Neighbourhood Plan is made (adopted).
- 2.11 This Committee can decide not to recommend that Full Council make the Boughton Monchelsea Neighbourhood Plan, to do so, would breach or otherwise be incompatible with any EU obligation or any of the convention rights. The compatibility of the Boughton Monchelsea Neighbourhood Plan with EU obligations and directives was tested during the examination process and could not proceed to referendum otherwise. Unless there are any new matters in relation to this point which the Committee considers were not raised by the Examiner then the Council is under a statutory duty to make the plan following the "Yes" result. It is the view of officers that there no such matters arising.
- 2.12 As mentioned in paragraph 2.10 there is a statutory duty to make the Boughton Monchelsea Neighbourhood Plan within 8 weeks of the successful referendum. On this occasion the statutory duty will not be met owing to the delayed referendum as a result of the Coronavirus pandemic and government requirement to minimise social contact. Local elections were also postponed and scheduled to take place on 6 May 2021, hence committees have been suspended and this is the first opportunity for this report to be considered by this Committee. Agreement to postpone the decision was gained from the Parish Council. Paragraph 2.9 outlines that following a successful referendum, the Boughton Monchelsea

³ See background document 1.

⁴ See background document 2.

Neighbourhood Plan has already become part of the development plan for Maidstone and can be used in the consideration of planning applications in Boughton Monchelsea. The plan will assist in the delivery of the Council's four strategic objectives.

- 2.13 To summarise, this Committee are asked to consider the result of the referendum and make a recommendation to Full Council that the Boughton Monchelsea Neighbourhood Plan is made.

3. AVAILABLE OPTIONS

- 3.1 Option 1: The Strategic Planning and Infrastructure Committee recommends to Full Council on 14 July 2021 that the Boughton Monchelsea Neighbourhood Plan is made. Once a neighbourhood plan passes referendum it comes into force as part of the statutory development plan and will assist in the delivery of the Council's four strategic objectives. Under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012 (Regulation 18A), following successful referendum, the Council must make the Boughton Monchelsea Neighbourhood Plan within 8 weeks of the referendum date. It is accepted that this statutory duty cannot be met. The delays are owing to the coronavirus pandemic and are considered to be acceptable given the restrictions on social contact that were imposed. Any further delay, now that referendums and committee meetings have resumed following the May elections, is unlikely to be held to be reasonable. By taking the decision to a later meeting of Full Council and further delaying the formal adoption of the Boughton Monchelsea Neighbourhood Plan would mean that the Council would be in breach of its requirement under the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012.
- 3.2 Option 2: The Committee does not recommend to Full Council that the Boughton Monchelsea, Neighbourhood Plan is made. This would be in breach of Section 38A(4) of the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012 (Regulation 18A) which requires a neighbourhood plan to be made within 8 weeks of a successful referendum. The reasons for the decision of making the Boughton Monchelsea Neighbourhood Plan going beyond the 8-week period have been discussed elsewhere in this report and is considered to be acceptable given the restrictions on social contact that were imposed. The only justification for this Committee not recommending that Full Council make the Boughton Monchelsea Neighbourhood Plan is if the Committee considers that there are new matters that would mean that to make the plan would breach or otherwise be incompatible with any EU obligation or any of the convention rights (discussed at paragraph 2.11). It is the view of officers that there are no new matters arising that would prevent Full Council making the plan.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is Option 1. The referendum result shows strong support for the Boughton Monchelsea Neighbourhood Plan (89%). The Committee can decide not to recommend that Full Council make the Boughton Monchelsea Neighbourhood Plan if members considers that there are new matters that would mean that to make the plan would breach or otherwise be incompatible with any EU obligation or any of the convention rights. It is the view of officers that there are no such matters and statute is clear as to the requirement to make the plan in such circumstances.
- 4.2 As set out in paragraph 3.1 it is accepted that the Council has not met the statutory duty to make the Boughton Monchelsea Neighbourhood Plan within 8 weeks of the referendum. The delays are considered to be acceptable given the coronavirus pandemic. Any further delay is unlikely to be held to be reasonable and the Council would be in breach of its requirement under the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012.
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5. RISK

- 5.1 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. Consideration is shown in this report at paragraphs 2.11, 2.12 3.1, 3.2, 4.1 and 4.2. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The Boughton Monchelsea Neighbourhood has been through two rounds of public consultation known as Regulation 14 (pre-submission consultation) and Regulation 16 (submission consultation). The Borough Council's Regulation 14 response was submitted under the delegated authority of the Head of Planning and Development. The Borough Council's Regulation 16 response was submitted following the agreement of this Committee at its meeting of 8 September 2020.
- 6.2 This Committee agreed at its meeting on 9 February 2021 that the neighbourhood plan, subject to modification, should move to referendum.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 A recommendation will be taken to Full Council on 14 July 2021. Following a decision from Full Council to make the Boughton Monchelsea Neighbourhood Plan, the decision and the Plan will be published on the website and the relevant bodies will be notified.
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8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

Background document 1 – Boughton Monchelsea Neighbourhood Plan
<https://localplan.maidstone.gov.uk/home/neighbourhood-planning>

Background document 2 – Referendum result
<https://localplan.maidstone.gov.uk/home/neighbourhood-planning>

Agenda Item 21

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

08 June 2021

Consultation on the Tunbridge Wells Borough Council Pre-Submission (Regulation 19) Plan

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Rob Jarman
Lead Officer and Report Author	Helen Garnett Helen Smith
Classification	Public
Wards affected	All

Executive Summary

Consultation on Tunbridge Wells Borough Council's Local Plan (Regulation 19) submission draft commenced on the 26 March 2021. This report sets out the scope of the consultation and the key matters arising from the plan which are of consideration for Maidstone Borough Council. It recommends that members agree a formal response to the consultation, as drafted by officers and appended to this report. Whilst the deadline for comments is 04 June 2021, TWBC has requested that MBC submits comments by that date. Because of the timing of committee, an arrangement has been made whereby officer level comments have been submitted before the 04 June deadline, and any further member comments will be submitted following this committee meeting.

Purpose of Report

To inform Members of the current consultation on the Tunbridge Wells Draft Local Plan and to seek agreement to submit the response appended to this report.

This report makes the following recommendations to this Committee:

1. That Members note the current consultation on the Tunbridge Wells Borough Council Draft Local Plan; and
2. That Members resolve to agree the officer level response to this consultation at Appendix 1 of this report.

Timetable

Meeting	Date
Strategic Planning and Infrastructure	08 June 2021

Consultation on the Tunbridge Wells Borough Council Pre-Submission (Regulation 19) Plan

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations will enable the Council to ensure that plans in a neighbouring authority do not materially harm its ability to achieve each of the corporate priorities.</p>	Rob Jarman
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations support the achievements of the four, cross cutting objectives by ensuring that plans from a neighbouring authority do not materially harm the council's ability to achieve these objectives.</p>	Rob Jarman
Risk Management	<p>The recommendations seek to reduce the risk associated with the production of the Local Plan Review by ensuring that plans in a neighbouring authority are not in conflict with our own and those set out in government policy.</p>	Rob Jarman
Financial	<p>The recommendations seek to reduce the risk associated with the production of the Local Plan Review by ensuring that plans in a neighbouring</p>	Section 151 Officer & Finance

	authority are not in conflict with our own.	Team
Staffing	We will deliver the recommendations with our current staffing.	Rob Jarman
Legal	Accepting the recommendations will help fulfil the Council's duties under Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations (2012) as amended.	Russell Fitzpatrick (MKLS (Planning))
Privacy and Data Protection	Accepting the recommendations will not increase the volume of data held by the Council.	Policy and Information Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment.	Senior Policy and Engagement Officer
Public Health	No implications identified	Public Health Officer
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Rob Jarman
Procurement	N/A	Rob Jarman & Section 151 Officer

2. INTRODUCTION AND BACKGROUND

- 2.1 This report sets out the key issues arising from the Tunbridge Wells Borough Council's (TWBC) emerging Local Plan.
- 2.2 Previous consultations took place on Issues and Options for the new Local Plan in 2017, and on a draft Local Plan in autumn 2019. Maidstone Borough Council (MBC) responded to both consultations. The 2019 consultation presented a relatively advanced plan which contained allocations and draft policies. In its response to that consultation, MBC indicated its support for the overall strategy, subject to the finalising of its evidence base, particularly in relation to the growth of Paddock Wood.
- 2.3 Since the last consultation, further work has been undertaken by TWBC to refine the strategy and to finalise the evidence base.
- 2.4 This plan constitutes the 'full' plan as will be submitted to the Planning Inspectorate for examination. It sets out the strategic vision, objectives and spatial strategy for Tunbridge Wells borough, as well as identifying sites to meet housing and employment land need, along with planning policies that will guide future development.

- 2.5 As this is a Regulation 19 draft, the consultation is only seeking representations as to (1) legal compliance of TWBC's proposed Local Plan with the Planning and Compulsory Purchase Act 2004 (as amended) and associated Regulations and (2) the 'soundness' of TWBC's Local Plan and (3) whether TWBC has complied with its 'duty to co-operate'.
- 2.6 To be sound, a plan must: as a minimum, seek to meet the needs objectively assessed needs whilst delivering sustainable development; be considered against reasonable alternatives and supported by adequate evidence; be deliverable over the plan period and based on effective cross-boundary strategic priorities and; be consistent with national policy. In accordance with paragraph 35 of the NPPF, Local Plans are, briefly stated, considered to be 'sound' if they:
- Are **positively prepared** in that the proposed Local Plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and (where appropriate) is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development
 - Are **justified** in that the proposed Local Plan proposes an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Are **effective** in that the proposed Local Plan is deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - Are **consistent with national policy** in the proposed Local Plan enables the delivery of sustainable development in accordance with the policies in the NPPF.

Headline considerations from the Tunbridge Wells Local Plan

- 2.7 A full copy of the TWBC Local Plan (Regulation 19) Pre- submission Consultation is available at: [Pre-Submission Local Plan \(tunbridgewells.gov.uk\)](http://tunbridgewells.gov.uk) This report focusses on those matters that impact on the Borough of Maidstone.

Evidence base

- 2.8 TWBC's (Regulation 19) Pre-submission Local Plan is accompanied by a suite of evidence documents including those listed below:
- Local Plan Viability Assessment
 - Duty to Cooperate Statement
 - Infrastructure Delivery Plan
 - Gypsy and Traveller Accommodation Assessment
 - Strategic Housing Market Assessment
 - Retail and Leisure Study
 - Economic Needs Study

- Strategic Housing and Economic Land Availability Assessment
- Habitats Regulations Assessment
- Green Belt Study Stage
- Strategic Flood Risk Assessment
- Transport Strategy

2.9 The Local Plan has also been tested through Sustainability Appraisal.

Duty to Cooperate

2.10 MBC and TWBC have engaged in ongoing duty to cooperate throughout the development of their respective plans. Both authorities are seeking to meet their own housing and employment need, and cross boundary matters in relation to infrastructure have also been considered as part of the duty to cooperate process. A Statement of Common Ground has been agreed between MBC and TWBC in advance of TWBC's Regulation 19 consultation.

2.11 Officers are satisfied that both authorities have met their duty to cooperate to date.

Housing and strategy

2.12 The government's standard methodology identifies TWBC's need for the plan period from 2020 to 2038 as 12,204 new dwellings. TWBC are seeking to meet this need and will include a buffer of around 1,000 dwellings. TWBC also undertook a Strategic Housing Market Assessment to consider sub-needs of the housing market, such as affordable and older people's housing, and considered whether there were exceptional circumstances to meet a lower overall need through its Housing Needs Assessment Topic Paper. This paper concluded that there was no justification for meeting its lower need, and that the annual delivery rate required by the standard methodology is deliverable. TWBC is seeking to deliver its housing need through a dispersed growth with two strategic sites at Paddock Wood/Capel and Tudeley village.

2.13 TWBC published its Gypsy and Traveller Accommodation Assessment (GTAA) in January 2018 which indicated a need for 32 permanent pitches over the plan period. TWBC is seeking to meet this need through a mix of allocations and enlargement of existing sites.

Landscape and Green Belt

2.14 The borough of Tunbridge Wells is significantly constrained by green belt and the High Weald AONB. Whilst the north of the borough is largely free of landscape constraints, TWBC have opted for a strategy that would locate development within the AONB and its setting, along with development in the Green Belt. To support this strategy, TWBC have undertaken a Green Belt Study, AONB setting analysis, and a Landscape and Visual Impact Assessment. Whilst the Metropolitan Green Belt does extend into Maidstone Borough, the loss of green belt at Paddock Wood and Tudeley would not undermine or place pressures on the green belt in Maidstone Borough. Similarly, the setting of the High Weald AONB

extends into the south of Maidstone, but again development in Tunbridge Wells Borough is unlikely to add to landscape pressures in Maidstone borough. The approach taken to assess the impact on the AONB and loss of green belt is considered to be appropriate.

Sustainability Appraisal

2.15 The plan has been assessed for its contribution to sustainable development through the Sustainability Appraisal. This considers the preferred strategy along with 11 reasonable alternatives, strategic policies, plan allocations and their reasonable alternatives, and development management policies. In this regard MBC consider that TWBC has met its obligation under relevant legislation.

Employment

2.16 In terms of employment land, the 'Sevenoaks and Tunbridge Wells Economic Needs Study' identified a need for a minimum of 14 ha of employment land, equating to approximately 120,000sqm of floorspace. TWBC draft Local Plan proposes to allocate 26.5 ha of land, which is expected to be appropriate in relation to the minimum provision required, with sufficient flexibility depending on density of floorspace provided on each site (i.e. light industry and warehousing will come forwards at lower densities than purely office uses). TWBC is seeking to meet its own employment land need and MBC is supportive of this approach.

Transport

2.17 The draft Plan is supported by an Infrastructure Delivery Plan and a Transport Strategy. The following transport schemes are those which are considered necessary to support the growth identified in the plan which are relevant to Maidstone borough:

- Improved A228 Maidstone Road/Whetsted Road priority junction
- Improved A228/Whetsted Road/A228 Branbridges Road/B2160 Maidstone Road roundabout
- Improved B2160 Maidstone Road/Commercial Road priority junction

2.18 Officers recognise the need for and support these highways improvements and will continue to engage with TWBC to assess their impacts as part of the duty to cooperate process.

Retail

2.19 In terms of retail needs, the 2017 Retail and Leisure Study has been updated for 2021 (RCLTCU Study 2021), recognising the current state of change within the wider retail market. This study concludes that there is no need to allocate land for convenience or comparison retail floorspace. TWBC will instead focus on the reuse of vacant floorspace and the bolstering of existing units. MBC supports this approach – particularly in the short term – but suggests that this is kept under regular review to ensure sufficient floorspace remains available to meet needs over the plan period.

Flood risk

2.20 The Strategic Flood Risk Assessment identifies that areas to the north of Paddock Wood are particularly prone to flooding. As was the case in MBC's previous consultation response, there are no issues relating to the principle of the expansion of Paddock Wood, on condition that any expansion can be suitably accommodated without further risk of flooding to the surrounding areas of Maidstone Borough, and that betterment can and will be provided in these locations where appropriate.

Paddock Wood expansion (policy STR/SS1)

2.21 The draft plan policy STR/SS1 'the strategy for Paddock Wood, including land at east Capel' sets out the planned growth of Paddock Wood by approximately 3,490-3,590 dwellings; plus three neighbourhood centres providing approximately 2,000sqm retail floorspace total; and other associated infrastructure to serve the local needs. The policy also states that proposals for piecemeal development will be resisted.

2.22 The overall policy approach is considered to be suitably comprehensive and raises no issues of soundness or objections in this regard. Officers recognise the need for continued engagement with TWBC through the well-established Strategic Sites Working Group and duty to cooperate process, as the masterplans and an SPD for this area are further developed.

Summary

2.23 As this is a Regulation 19 draft, the scope of the Council's response is limited to matters of legal compliance, soundness and compliance with the 'duty-to-cooperate'. Following this consultation, TWBC may consider making pre-submission plan changes in response to the consultation.

2.24 Taking into account the information presented with the consultation and subject to the comments raised in the attached representation, MBC does not wish to raise issues with the Regulation 19 draft Local Plan in terms of legally compliance, 'soundness', or duty to cooperate.

2.25 The deadline for comments is on 04 June 2021. An agreement has been made with TWBC that officer level comments would be submitted in advance of that date, and that any member comments or changes will be accepted by TWBC in an update to that response. The officer level comments comprise the response at Appendix 1 to this report.

3. AVAILABLE OPTIONS

3.1 Officer level comments have been submitted to TWBC in advance of this meeting and therefore the options listed below reflect this position.

- 3.2 Option 1: That members agree the officer response to the consultation at appendix 1 of this report.
- 3.3 Option 2: That members amend or include additional comments to the officer level response, which are then to be provided in an update to TWBC.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 For the reasons set out above, it is recommended that Option 1 is followed and that members agree the officer level response as appended to this report.
-

5. RISK

- 5.1 The risk associated with these proposals, as well as any risks should the Council 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.
-

6. REPORT APPENDICES

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

- Appendix 1: Draft Response to the TWBC Local Plan Regulation 19 Consultation

Local Plan
Planning Policy
Tunbridge Wells Borough Council
Town Hall
Civic Way
Royal Tunbridge Wells
TN1 1RS

Maidstone Borough Council

Maidstone House,
King Street,
Maidstone, Kent ME15 6JQ

 maidstone.gov.uk

 [maidstonebc](https://twitter.com/maidstonebc)

 [maidstoneboroughcouncil](https://www.facebook.com/maidstoneboroughcouncil)

(BY EMAIL: localplan@tunbridgewells.gov.uk)

Date: XXXXXX

Dear Stephen

Tunbridge Wells Borough draft Local Plan 2020-2038: Regulation 19 consultation

Thank you for consulting Maidstone Borough Council (MBC) on the draft Tunbridge Wells Borough Local Plan (TWBLP). Maidstone Borough Council's comments on the draft plan are detailed below.

Duty to cooperate

The Localism Act 2011 places a legal duty on planning authorities to engage constructively, actively, and on an ongoing basis, to ensure the effectiveness of Local Plan preparation in relation to strategic, cross-boundary issues. Effective and on-going joint working between strategic policy-making authorities is integral to the production of a positively prepared and justified strategy. MBC formally responded to Tunbridge Wells Borough Council's (TWBC) previous Local Plan consultations in 2017 and 2019 and has continued to be informed of, and involved in, the preparation of the most recent draft Local Plan (the subject of this formal consultation) through regular officer-level meetings. This includes meetings to consider the proposed larger settlements/garden communities. Additionally, in March 2021 MBC and TWBC agreed a statement of common ground to accompany the TWBC Regulation 19 consultation.

MBC therefore considers that the duty to cooperate in plan-making between the two authorities has been satisfied and that cooperation is ongoing.

Strategic issues

The following sections set out our comments on the Local Plan.

Housing

The standard methodology identifies a need for 12,204 new dwellings for the plan period from 2020 to 2038. MBC recognises that the draft TWLP proposes to fully meet this identified need over the plan period, and that TWBC are not expecting any other authorities, including MBC, to accommodate any unmet need. Additionally, we note that TWBC is seeking meet its gypsy pitch need. This approach is fully supported. Similarly, MBC acknowledges the indication in

the draft TWBLP that there is limited ability for TWBC to meet any unmet housing needs from other councils. MBC is planning to meet its own need without the need to seek to accommodate any unmet need from TWBC.

The proposed spatial strategy is one of a dispersed growth approach, with site allocations in the majority of the settlements across the borough. In addition, proposals are included for a new garden settlement in Tudeley and the expansion of Capel and Paddock Wood. This expansion is directly to the south of MBC's administrative boundary and therefore has the greatest potential effect on Maidstone Borough. The matter will be discussed further under the heading Policy STR/SS 1, below.

Employment

The strategy for employment growth and allocation of at least 14 hectares of land (approximately 120,000sqm) for employment use remains based on the Sevenoaks and Tunbridge Wells Economic Needs Study dated 2016. However, the strategy and quantum of land allocated to meet the borough's employment needs predominantly through extensions of the defined Key Employment Areas (KEAs) remains a logical and sensible approach which is supported by MBC. The expansion of the KEA around Maidstone Road and Paddock Wood may indeed offer opportunities for residents and businesses particularly in the south of Maidstone to utilise the planned employment offering.

MBC raises no further comments or objections in relation to the overall approach to employment.

Retail

The uncertainty surrounding the retail sector both nationally and more locally is recognised in the pre-submission Plan. MBC fully supports the flexible approach to uses in the town and other centres, including greater focus on the leisure and culture offer.

MBC is pleased to note that the 2017 Retail and Leisure Study has been updated for 2021 (RCLTCU Study 2021), recognising the current state of change within the wider retail market. This ensures that, as far as possible, the most accurate amount of floorspace is allocated for retail and leisure uses based on up-to-date evidence at the point of submission. In this particular case, the evidence does not identify a need for any allocation of land for convenience or comparison floorspace – with a focus instead on reuse of vacant floorspace and bolstering of existing units. MBC supports this approach – particularly in the short term – but suggests that this is kept under regular review to ensure sufficient floorspace remains available to meet needs over the plan period.

MBC raises no further comments or objections in relation to the overall approach to retail.

Landscape and Green Belt.

We note that TWBC have undertaken a range of studies to consider the impact of the strategy on the AONB and the release of land in the Metropolitan Green Belt.

Flooding

The SFRA identifies that areas to the north of Paddock Wood are particularly prone to flooding. As before, MBC raises no issue with the principle of the expansion of Paddock Wood on the provision that the expansion can be suitably accommodated without further risk of flooding to the surrounding areas of Maidstone Borough, and that betterment can and will be provided in these locations where appropriate.

MBC raises no further comments or objections in relation to the overall approach to flooding and flood risk mitigation.

Infrastructure and connectivity

As per the previous TWBC draft Plan consultation (Regulation 18), the growth strategy remains based on the premise of infrastructure-led development to ensure that essential infrastructure and connectivity is integral to all new development. MBC strongly supports this approach to delivering growth, particularly the emphasis on ensuring that sufficient infrastructure capacity is either available or can be provided in time to serve new development (criterion 5, policy STR5).

Transport

The strategy in relation to transport and parking intends to prioritise active and sustainable modes of transport, whilst recognising that private car ownership in the borough is currently very high and that sufficient levels of parking should be provided.

The draft Plan is supported by an Infrastructure Delivery Plan and a Transport Strategy. The following transport schemes are those which are considered necessary to support the growth identified in the plan which are relevant to Maidstone borough:

- Improved A228 Maidstone Road/Whetsted Road priority junction
- Improved A228/Whetsted Road/A228 Branbridges Road/B2160 Maidstone Road roundabout
- Improved B2160 Maidstone Road/Commercial Road priority junction

MBC recognises the need for and supports these highways improvements and will continue to engage with TWBC to assess their impacts as part of the duty to cooperate process.

In the interest of joined-up, cohesive planning, any opportunities to extend and/or join up active travel and public transport options beyond administrative boundaries, into Maidstone Borough – where sensible and feasible to do so – should be explored at all stages of the masterplanning process for the extension of Paddock Wood.

MBC raises no further comments or objections in relation to the overall approach to transport.

The strategy for Paddock Wood, including land at east Capel (policy STR/SS 1)

It is noted that the expansion of Paddock Wood (including land at east Capel) will seek to follow Garden Settlement principles and provide flood risk solutions. The Council-led approach to masterplanning the area, which is to take the form of SPD, is also noted. MBC will of course continue to engage in the regular Strategic Sites Working Group meetings as the masterplan SPD progresses.

Policy STR/SS1 details the strategy for development at Paddock Wood and east Capel, including approximately 3,490-3,590 dwellings; 3 neighbourhood centres providing approximately 2,000sqm total; and other associated infrastructure to serve the local needs. Proposals for piecemeal development will be resisted. The overall policy approach is considered to be suitably comprehensive and MBC raises no further comments or objections in this regard.

I hope these comments are helpful and look forward to continuing, constructive dialogue on strategic, cross boundary issues as part of the duty to cooperate as our respective Local Plans progress.

Yours sincerely,

Rob Jarman

Head of Planning and Development

Maidstone Borough Council, King Street, Maidstone, Kent ME15 6JQ

Agenda Item 22

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

8 JUNE 2021

Local Plan Review Update

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	<i>Philip Coyne (Interim Director for the Local Plan Review) and Rob Jarman (Head of Planning and Development)</i>
Lead Officer and Report Author	Mark Egerton (Strategic Planning Manager)
Classification	Public
Wards affected	<i>All</i>

Executive Summary

At the 10 March 2020 meeting of this committee, Members resolved that officers provide a short, written update at each meeting of this committee, concerning any slippage and/or progress on delivering the Local Plan Review to the timetable agreed. This report provides the requested update.

Purpose of Report

Noting

This report makes the following recommendations to this Committee:

1. That the report be noted

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	13 th April 2021

Local Plan Review Update

1. INTRODUCTION AND BACKGROUND

- 1.1 At the 10th March 2020 meeting of the Strategic Planning and Infrastructure (SPI) Committee, Members resolved that officers should provide a short-written update at each meeting of the committee, concerning any slippage and/or progress on delivering the plan to the timescale agreed. This report provides the requested update.
- 1.2 Significant progress is being made on the Local Plan Review Regulation 19, 'draft for submission' documents. This includes a series of studies and topic papers that will form part of the wider evidence base for the Local Plan Review document itself. Drafting of the Local Plan Review document has now also commenced and will be informed by the latest evidence base.
- 1.3 Many components of the evidence base inter-relate and it is important for the implications of one specialist study, for example, to inform the potential, broader policies and proposals within the Local Plan Review documents. Good examples are the transport and air quality modelling, which are ongoing and are feeding into a variety of policies in the Regulation 19 documents. Another example is the responses to the Regulation 18 Preferred Approaches consultation, where a significant number of responses were received with a large number relating to a variety of key areas in the Local Plan Review.
- 1.4 In addition to the above, some studies are required to test the overall plan and its proposals. This includes a viability assessment and Sustainability Appraisal. Finally, whilst work on garden communities and other key components of the spatial strategy is progressing well, it is considered that additional time will help inform and justify the proposals for these major, multi-faceted and complex schemes.
- 1.5 Officers are also mindful of the need to brief Members on the latest information and proposals, prior to public consultation commencing on the Regulation 19 documents and associated evidence. This includes changes to government policy with regard to affordable housing, with the introduction of First Homes, as well as emerging matters, such as biodiversity net gain.
- 1.6 Once the Regulation 19 documents are subject to publication and consultation, stakeholders, the public and others with an interest in the borough will have the opportunity to consider whether they believe the documents are sound and legally compliant. This is an important series of tests and will provide Maidstone Borough Council, as Local Planning Authority, important information as it seeks to proceed to submission of the documents and associated evidence base. Indeed, if, following Regulation 19 consultation, the Council decides to undertake further work and/or consultation on the Local Plan Review, there will be associated time, resource and cost implications.
- 1.7 In light of the above, officers consider that a short delay to publication and consultation on the Regulation 19 Local Plan Review document would be

beneficial as this would reduce the likelihood of further consultation being needed prior to submission of the documents and associated evidence base.

- 1.8 A change to the timetable will require an update to the published Local Development Scheme. The Local Development Scheme currently indicates that the Regulation 19 consultation will commence in June 2021.
 - 1.9 Officers intend to bring a revised Local Development Scheme, with a new timetable for the Local Plan Review, to the 6th July 2021 meeting of this committee. Should this Committee agree to the revised Local Development Scheme and Local Plan Review timetable, the final decision regarding the publication of a new Local Development Scheme will be taken by Full Council at its meeting on 14th July 2021.
 - 1.10 Given that the current Local Development Scheme indicates that the Regulation 19 consultation will commence in June 2021, a note will be placed on the Council's website letting those with an interest in the Local Plan Review know that the timetable is under review and that a revised Local Development Scheme will be taken to the Strategic Planning and Infrastructure Committee, for consideration.
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2 RISK

- 2.1 The report is presented for information only and has no direct risk management implications. Risks associated with the LPR are dealt with through the usual operational framework and have been previously reported.

3. REPORT APPENDICES

- None
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