

# STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE MEETING

Date: Tuesday 6 July 2021  
Time: 6.30 pm  
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Clark, Cooper (Chairman), Garten, Mrs Grigg, McKay, Munford,  
Russell, Spooner and Springett (Vice-Chairman)

*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.*

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<b><u>AGENDA</u></b>	<b><u>Page No.</u></b>
1. Apologies for Absence	
2. Notification of Substitute Members	
3. Urgent Items	
4. Notification of Visiting Members	
5. Disclosures by Members and Officers	
6. Disclosures of Lobbying	
7. To consider whether any items should be taken in private because of the possible disclosure of exempt information.	
8. Minutes of the Meeting Held on 8 June 2021	1 - 8
9. Presentation of Petitions (if any)	
10. Question and Answer Session for Members of the Public	
11. Questions from Members to the Chairman (if any)	
12. Committee Work Programme	9 - 11
13. Report of Outside Bodies - 2021/22	12 - 18
14. 4th Quarter Financial Update & Performance Monitoring Report 2020/21	19 - 45
15. Chairmanship of the Maidstone Joint Transportation Board	46 - 50

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**Issued on Monday 28 June 2021**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

### **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](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 2 July 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.

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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: **1 July 2021**

## **MAIDSTONE BOROUGH COUNCIL**

### **STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 8 JUNE 2021**

**Present:** Councillors Clark, Cooper (Chairman), Garten, Mrs Grigg, McKay, Munford, Russell, Spooner and Springett

**Also Present:** Councillors Harper, Perry, J and T Sams

1. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

3. **ELECTION OF CHAIRMAN**

**RESOLVED:** That Councillor Cooper be elected as Chairman of the Committee for the Municipal Year 2021/22.

4. **ELECTION OF VICE-CHAIRMAN**

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

5. **URGENT ITEMS**

There were no urgent items.

6. **NOTIFICATION OF VISITING MEMBERS**

Councillor Harper was present as a Visiting Member for Item 16 – Reference from Economic Regeneration and Leisure Committee – Review of the Section 106 monies associated with McDonalds (2-8 Hart Street) Planning Approval and Item 18 – Cycle Parking Infrastructure.

Councillors Harper and Perry were present as Visiting Members for Item 17 – Options to Procure a Cycle/Scooter Hire Scheme in Maidstone.

Councillors Perry and J Sams were present as Visiting Members for Item 19 – Lenham Neighbourhood Plan (Regulation 19) and Item 22 – Local Plan Review Update.

7. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

8. DISCLOSURES OF LOBBYING

Councillor Garten had been lobbied on Item 3 – Election of Chairman.

Councillors Garten, Grigg, McKay, Russell and Spooner had been lobbied on Item 17 – Options to Procure a Cycle/Scooter Hire Scheme in Maidstone.

Councillors Garten and Spooner had been lobbied on Item 18 – Cycle Parking Infrastructure.

Councillor Munford had been lobbied on Item 20 – Boughton Monchelsea Neighbourhood Plan (Regulation 19).

Councillors Clark, Garten and Mrs Grigg had been lobbied on Item 21 – Consultation on the Tunbridge Wells Borough Council Pre-Submission (Regulation 19) Plan and Item 22 – Local Plan Review Update

Councillor McKay had been lobbied on Item 22 – Local Plan Review Update.

9. EXEMPT ITEMS

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

10. MINUTES OF THE MEETING HELD ON 13 APRIL 2021

**RESOLVED:** That the minutes of the meeting held on 13 April 2021 be approved as a correct record and signed.

11. PRESENTATION OF PETITIONS

There were no petitions.

12. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There was one question from a Member of the Public.

Question from Mrs Susan Harwood to the Chairman of the Strategic Planning and Infrastructure Committee

*'With respect to Medway Council's Duty-to-Co-operate with the Lidsing Garden Village Proposal on the Local Plan, are Medway indicating that they are supporting or objecting to the proposal?'*

The Chairman responded to the question.

Mrs Harwood asked the following supplementary question:

*'How can you justify ignoring the objections of over 1700 people, local to Lidsing, to continue the proposal'.*

The Chairman ruled that the question did not relate to the original question or answer provided, but that a written response would be provided.

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:

<https://www.youtube.com/watch?v=4n-Z6iMRyJ4>

13. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

14. COMMITTEE WORK PROGRAMME

It was requested that a report be presented to the Committee on the membership, effectiveness and performance of the Maidstone Strategic Infrastructure Working Group since its creation in 2019.

**RESOLVED:** That the revised Committee Work Programme be noted.

15. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

16. REFERENCE FROM THE ECONOMIC REGENERATION AND LEISURE COMMITTEE - REVIEW OF THE SECTION 106 MONIES ASSOCIATED WITH MCDONALDS (2-8 HART STREET) PLANNING APPROVAL

Councillor Harper introduced the report as the Chairman of the Economic Regeneration and Leisure Committee at the time of the referral. The reasons for the referral were outlined.

In response to questions, the Head of Planning and Development stated that whilst the Council collected Section 106 monies, it was the responsibility of the infrastructure providers to submit a bid for and use those monies from the Local Planning Authority.

During the debate, it was felt that further information on the use of Section 106 monies in the area surrounding the Lockmeadow complex was required.

**RESOLVED:** That a report be brought back to a future meeting of the Committee to monitor the performance of the spending of Section 106 funds in the Lockmeadow vicinity in relation to what was required by the statutory consultees on infrastructure at the time of the planning application(s).

## 17. OPTIONS TO PROCURE A CYCLE/SCOOTER HIRE SCHEME IN MAIDSTONE

The Senior Business Analyst introduced the report and informed the Committee that since the report's publication, the Department for Transport had stated that electronic scooters could not be used as proposed, until further feedback of their initial use by other Authorities had been received. Option three of the report remained the preferred option.

The options within the report focused on three demographics, to promote usage for leisure, commuting and a hybrid model encompassing both options. As the national lockdown associated with Covid-19 was eased, the Council wished to provide an alternative and convenient method of active transport.

The hybrid model was the preferred option as it would likely maximise the schemes usage through targeting both types of user, to be more financially viable and allow for improved data collection on the schemes use. The data would be collated after the scheme's third year, to assess its success against the Council's strategic goals. If agreed, a tender exercise would be undertaken with a contractor appointed between September-October 2021.

The Committee considered deferring the item to allow for further information to be provided on the sites proposed and the financial costings of the scheme. In order to progress the scheme however, it was agreed that further Member engagement exercises be undertaken by August 2021 to allow for a decision to be made as soon as possible.

**RESOLVED:** That officers:

1. Investigate options to provide a micro-mobility hire scheme, encompassing both leisure and commute demographics to include, but not be limited to, the sites identified in paragraph 3.35 of the report;
2. Organise a Member workshop in August 2021 to inform a soft marketing exercise; and
3. Report back to the Committee with the available options.

## 18. CYCLE PARKING INFRASTRUCTURE

The Senior Transport and Development Planner introduced the report, stating that the proposal would be funded by the Business Rates Retention pilot scheme, with a budget of £54,000. It was noted that 20% of the budget would be attributed to maintenance costs.

An audit had been conducted by Sustrans a year ago, with the outcomes discussed during Member workshops. A prioritisation exercise had followed to select the sites that could be delivered rapidly, with the preferred order shown in Appendix 3 to the report. The first tranche of

parking infrastructure could be delivered with a minimum number of partners as some of the land was owned either by the Council or Kent County Council.

The second priority was to install a cycle hub at Maidstone Hospital, with discussion having taken place with the NHS in previous years. Following engagement with the Council's planning department, it was preferred that cycle lockers and adapted cycle stands be pursued through the use of Community Infrastructure Levy payments or Section 106 monies.

It was noted that the use of CCTV had not been pursued due to the significant cost associated its provision. If agreed, further engagement with delivery partners and a procurement exercise would take place. An update could be provided to the Committee at its next meeting.

The Committee expressed support for the proposed scheme and the importance of delivering the parking infrastructure in good time. The need for greater infrastructure in the rural areas of the borough was raised. The Head of Planning and Development reiterated that designated Section 106 monies and CIL payments could be used through local community bids.

**RESOLVED:** That

1. The recommendations of the Sustrans report, as shown within Appendix 1 to the report, be noted;
2. The remaining £54,000 budget be released from reserves for the project;
3. The schemes be prioritised and delivered in partnership with the relevant organisations/landowners as detailed in Appendix 3 to the report;
4. Officers be requested to investigate how Section 106 monies could be used to expand the schemes proposed; and
5. In considering non-spatial policies, the relevant officers be requested to explore further creative ways to expand the scheme in the future.

19. LENHAM NEIGHBOURHOOD PLAN (REGULATION 19)

The Planning Policy Officer introduced the report and highlighted that the Lenham Neighbourhood Plan had been subject to referendum on 6 May 2021; 92% of the votes received were in favour of the plan.

In accordance with the agreed Neighbourhood Planning Protocol, it was proposed that a recommendation be made to full Council.

**RESOLVED:** That

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

20. **BOUGHTON MONCHELSEA NEIGHBOURHOOD PLAN (REGULATION 19)**

The Planning Policy Officer introduced the report and highlighted that the Boughton Monchelsea Neighbourhood Plan had been subject to referendum on 6 May 2021; 89% of the votes received were in favour of the plan.

In accordance with the agreed Neighbourhood Planning Protocol, it was proposed that a recommendation be made to full Council.

**RESOLVED:** That

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

21. **CONSULTATION ON THE TUNBRIDGE WELLS BOROUGH COUNCIL PRE-SUBMISSION (REGULATION 19) PLAN**

The Senior Planner introduced the report that outlined the details of Tunbridge Wells Borough Council's (TWBC) Local Plan Review Regulation 19 consultation, prior to the plan's submission for examination.

The Council welcomed TWBC's intention to meet their housing need, with a buffer of circa 1,000 dwellings in place. A range of supporting evidence documents were available and the Regulation 19 plan had been tested against the existing habitat regulations. The dwellings' delivery would occur through a dispersed growth strategy, through two sites at Paddock Wood/Capel and Tudeley Village. The former site shared a boundary with the Council, and a strategic flood risk assessment had been completed. The Council had requested that the dwellings placement would not adversely affect any areas of Maidstone located downstream of the proposed site.

TWBC had undertaken a Green Belt study, with air quality and transport mitigations proposed to reduce the impact on local roads within the Tunbridge Wells and Maidstone areas. The Council had requested the TWBC give consideration to delivering joint projects in the future, within areas such as active travel and public transport.

It was noted that the draft response outlined in Appendix 1 to the report had already been submitted to TWBC as the deadline was the 4 June

2021; any comments from the Committee would be submitted as an update to the response provided.

A grammatical correction to Appendix 1, to reflect that TWBC was seeking to meet its gypsy pitch need, was requested.

**RESOLVED:** That

1. The current consultation on the Tunbridge Wells Borough Council Draft Local Plan, be noted; and
2. The officer level response to the consultation, attached as Appendix 1 to the report, be agreed subject to the insertion of the word 'to' to the second to last full sentence on the first page to read:

'Additionally, we note that TWBC is seeking to meet its gypsy pitch need'.

## 22. LOCAL PLAN REVIEW UPDATE

The Strategic Planning Manager introduced the report and stated that significant progress had been made on the Local Plan Review (LPR) Regulation 19 'draft for submission' documents. The various studies and topic papers that would form part of the wider evidence base were highlighted, alongside the viability assessment and Sustainability Appraisal, which required additional work.

The complexity of the Garden Community proposals and changes to Central Government policy such as the introduction of 'First Homes' and changes to the Use Class order were referenced.

The Committee would be briefed on the latest information and proposals available prior to the Regulation 19 document's public consultation process. The importance of the evidence base was reiterated, due to the tests of soundness and legal compliance that the Regulation 19 document would have to meet.

To reduce the likelihood of further evidence collection or consultation having to take place after the initial Regulation 19 document public consultation, an amended Local Development Scheme (LDS) would be presented to the Committee at the July 2021 meeting. In the meantime, a note would be placed on the Council's website setting out that the LDS was under review.

The Committee expressed concerns at the delay proposed and requested that it be as short as possible, to minimise the likelihood of the Council's adopted Local Plan expiring before the new Local Plan was adopted. In response, the Strategic Planning Manager stated that an exact time frame could not be provided, but that a short delay was likely. The Interim Local Plan Review Director stated that the significant amount of responses received to the Regulation 18b public consultation had affected the timescale, due to the importance of working through all of the responses.

The Strategic Planning Manager confirmed that the Gypsy and Traveller Needs Assessment was ongoing, with a Development Plan Document to be undertaken. In referencing the previous decision made by the Committee to accelerate the LDS timescale, it was noted that the new standard methodology proposed by the Government had been discarded. It had been decided however to continue with the LDS timescale as previously agreed by the Committee.

**RESOLVED:** That the report be noted.

23. DURATION OF MEETING

6.30 p.m. to 9.06 p.m.

## 2021/22 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
Housing Land Supply Position	SPI	21-Sep-21	Officer Update		Philip Coyne/Rob Jarman	Helen Garnett
Local Plan Review Update	SPI	21-Sep-21	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Otham Neighbourhood Plan Post Referendum	SPI	21-Sep-21	Officer Update		Philip Coyne/Rob Jarman	Anna Ironmonger
Update Report on the Maidstone Strategic Infrastructure Working Group	SPI	21-Sep-21	Committee Request		Alison Broom	Alison Broom
Local Plan Review Update	SPI	12-Oct-21	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Q1 Budget and Performance Monitoring 2021/22	SPI	12-Oct-21	Officer Update	No	Mark Green	Ellie Dunnet
Local Plan Review Update	SPI	09-Nov-21	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Authority Monitoring Report	SPI	07-Dec-21	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Draft Medium Term Financial Strategy 2022/23 - 2026/27	SPI	07-Dec-21	Governance	No	Mark Green	Ellie Dunnet
Fees and Charges 2022/23	SPI	07-Dec-21	Governance	No	Mark Green	Ellie Dunnet
Infrastructure Funding Statement Report 2021	SPI	07-Dec-21	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Local Plan Review Update	SPI	07-Dec-21	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
Q2 Budget and Performance Monitoring 2021/22	SPI	07-Dec-21	Officer Update	No	Mark Green	Ellie Dunnet
Local Plan Review Update	SPI	11-Jan-22	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
Local Plan Review Update	SPI	08-Feb-22	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton

## 2021/22 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
Q3 Budget and Performance Monitoring 2021/22	SPI	08-Feb-22	Officer Update	No	Mark Green	Ellie Dunnet
Local Plan Review Update	SPI	08-Mar-22	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
KCC 20mph Speed Limit Pilot - Summary of Conclusions	SPI	Awaiting Date for Pilot Information to be Released by KCC	Cllr Request	?	TBC	TBC
Update on the Maidstone Strategic Infrastructure Working Group	SPI	TBC	Committee Request		U/K	U/K
Report on the Use of Section 106 Monies around Lockmeadow (title tbc)	SPI	TBC	Officer Update		U/K	U/K
Update on the Potential Procurement of a Cycle and/or E-Scooter Hire Operator within the Borough	SPI	TBC	Officer Update		William Cornall	Alex Wells
Conservation Area Funding Opportunities	SPI	TBC	Committee Request		Rob Jarman	TBC
National Bus Strategy	SPI	TBC	Cllr Request		U/K	U/K
Other Local Authority Statements of Common Ground	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Helen Garnett
Overview of the Draft Building Safety Bill and the Implications for the Council	SPI	TBC	Officer Update		William Cornall	Robert Wiseman
Community Infrastructure Levy Bidding Process	SPI	TBC	Officer Update		Rob Jarman	Carole Williams
First Homes	SPI	TBC	Officer Update		William Cornall/Rob Jarman	TBC
Government Reforms to the Planning System	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Tom Gilbert
Gypsy and Travelers Development Plan Document Scoping	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	TBC
Infrastructure Delivery Plan	SPI	TBC	Officer Update		Rob Jarman	Tom Gilbert

## 2021/22 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
KCC 20mph Speed Limit Pilot Scheme - Hale Road	SPI	TBC	Cllr Request		TBC	TBC
Local Plan Review Evidence Base	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Local Plan Review Regulation 19 Public Consultation	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Local Plan Review Submission	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Mark Egerton
Neighbourhood Planning Protocol Update	SPI	TBC	Officer Update		Rob Jarman	Anna Ironmonger/Tom Gilbert
Other Local Authority Planning Consultations	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	TBC
Other Neighbourhood Plan Updates	SPI	TBC	Officer Update		Rob Jarman	Anna Ironmonger
Town Centre Development Plan Document Scoping	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	TBC
Updating the Community Infrastructure Levy Charging Schedule	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Helen Smith
Virtual Permit Management - Visitor Permits	SPI	TBC	Officer Update		Jeff Kitson	Alex Wells

## STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

6 JULY 2021

### Report of Outside Bodies – 2021/22

<b>Final Decision-Maker</b>	Strategic Planning and Infrastructure Committee
<b>Lead Head of Service</b>	<i>Angela Woodhouse, Head of Policy, Communications and Governance.</i>
<b>Lead Officer and Report Author</b>	<i>Ryan O’Connell, Democratic and Electoral Services Manager. Oliviya Parfitt, Democratic Services Officer.</i>
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

*To provide an update on the vacancies on the Outside Bodies for which this Committee is responsible for appointing Council representatives, including appointments to the:*

*Kent Downs AONB Joint Advisory Committee  
Headcorn Aerodrome Consultative Committee  
Maidstone Cycle Campaign Forum  
Medway Valley Line Steering Group*

*This includes the length of office of the Kent Downs AONB Joint Advisory Committee and the number of positions for Council representatives on the Medway Valley Line Steering Group and Maidstone Cycle Campaign Forum.*

#### Purpose of Report

*Decision*

#### This report makes the following recommendations to this Committee:

That:

1. Any nominations received for the Kent Downs AONB Joint Advisory Committee, Medway Valley Line Steering Group and Maidstone Cycle Campaign Forum be considered and a Council representative appointed;
2. A suitable term of office be chosen for the Council’s representative on the Kent Downs AONB Joint Advisory Committee;
3. In the absence of any nominations to the Medway Valley Line Steering Group and Maidstone Cycle Campaign Forum, the number of positions associated with each Outside Body be considered in accordance with the Outside Bodies Vacancy protocol, with a recommendation made to Council if appropriate.

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
Strategic Planning and Infrastructure Committee	6 July 2021
Council (if appropriate)	14 July 2021

# Report of Outside Bodies – 2021/22

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Embracing Growth and Enabling Infrastructure</i></li> <li>• <i>Safe, Clean and Green</i></li> <li>• <i>Homes and Communities</i></li> <li>• <i>A Thriving Place</i></li> </ul> <p><i>The report ensures that the strategic plan objectives are met through the proper administration of Outside Bodies.</i></p>	Democratic and Electoral Services Manager
<b>Cross Cutting Objectives</b>	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Heritage is Respected</i></li> <li>• <i>Health Inequalities are Addressed and Reduced</i></li> <li>• <i>Deprivation is reduced and Social Mobility is Improved</i></li> <li>• <i>Biodiversity and Environmental Sustainability is respected</i></li> </ul> <p><i>The report ensures that the cross-cutting objectives are met through the proper administration of Outside Bodies.</i></p>	Democratic and Electoral Services Manager
<b>Risk Management</b>	<i>See Section 5 of this report.</i>	Democratic and Electoral Services Manager
<b>Financial</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Staffing</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Legal</b>	<i>The functions of the Committee are set out in Part 2, section 2.2.2 of the Council's Constitution, which includes the appointment of Members to outside bodies assigned to it</i>	Team Leader Corporate Governance

	<p><i>and listed at Part 5 Schedule 2 of the Constitution.</i></p> <p><i>The appointments to the outside bodies referred to in the recommendations fall within the list of outside bodies which have been assigned to the Committee under the Constitution.</i></p>	
<b>Privacy and Data Protection</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Equalities</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Public Health</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Crime and Disorder</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Procurement</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager

## **2. INTRODUCTION AND BACKGROUND**

2.1 The Outside Bodies which fall under the remit of this Committee are:

Headcorn Aerodrome Consultative Committee  
Kent Downs AONB Joint Advisory Committee  
Kent Community Railway Partnership  
Maidstone Cycle Campaign Forum  
Maidstone Quality Bus Partnership (SPI Chairman automatically appointed)  
Medway Valley Line Steering Group  
Parking and Traffic Regulations Outside London Adjudication Joint Committee

2.2 There are vacant and/or expiring positions on the Kent Downs AONB Joint Advisory Committee, Maidstone Cycle Campaign Forum and the Medway Valley Line Steering Group.

2.3 There are two positions for Council representatives on both the Maidstone Cycle Campaign Forum and Medway Valley Line Steering Group. One

position for each of these bodies has been vacant long-term since July 2019. These positions were advertised on 19 June 2020 and 24 June 2021 with no nominations received. In the event that no nominations are received for these bodies by 5 p.m. on 5 July 2021, then the Outside Bodies Vacancy Protocol will apply.

- 2.4 The Outside Bodies vacancy protocol, as agreed by the Democracy and General Purposes Committee on 3 July 2019, states that any position that has been vacant for two municipal years will be submitted to the relevant Committee for consideration. The positions must have been advertised at least once per municipal year, for two years. If the Committee decides to reduce the positions available, a recommendation must be made to full Council.
- 2.5 The Council Representative's term of office on the Kent Downs AONB Joint Advisory Committee expires on the Friday 9 July 2021. If any nominations are received, the appointment made will begin from Monday 12 July 2021.
- 2.6 The term of office to the Kent Downs AONB Joint Advisory Committee is one year. This body has confirmed that they do not have a set term and are willing for the Council to appoint to the position on a term of office of its choosing. The Committee may wish to consider whether they would like to increase the term of office. The only consideration would be that if in increasing the term, the elected Member does not remain a Councillor for the allotted time period. In which case, another Member would be appointed to the position, and the term of office would be re-set.
- 2.7 Discussion is ongoing with the Headcorn Aerodrome Consultative Committee to confirm the number of Council appointed positions available. Once this has occurred, any vacant positions will be advertised.
- 2.8 Any nominations received by 5 p.m. on Monday 5 July 2021, for the Outside Bodies outlined in point 2.2, will be considered by the Committee on the 6 July 2021.

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### **3. AVAILABLE OPTIONS**

- 3.1 Option 1 - That if any nominations are received for any of the Outside Bodies listed in Section 2.2, the Committee appoints a Council Representative for each position available. Additionally, if no nominations are received for the bodies listed in point 2.3, then a recommendation be made to full council to remove these positions. This will leave each of those bodies with one position for a Council representative.
- 3.2 Option 2 – As above, except that the positions for the Outside Bodies listed in point 2.3 be readvertised, rather than reduced.
- 3.3 Do nothing. This is not recommended, as positions to Outside Bodies should ideally be filled.

#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 The preferred option is Option 1, as outlined in Section 3.1.

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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. 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 Not applicable.

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#### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 If any Member is appointed to an outside body associated with this Committee, the relevant body will be informed of this appointment.
- 7.2 If a decision is made on the appropriate term of office for the Council's representative to the Kent Downs AONB Joint Advisory Committee, then that body will be informed.
- 7.3 If a decision is made to reduce the number of positions on the Medway Valley Line Steering Group, a recommendation will be made from this Committee to Council to approve the reduction.
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#### **8. REPORT APPENDICES**

Appendix 1: Nomination form to Kent Downs AONB Joint Advisory Committee – Cllr Garten.

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#### **9. BACKGROUND PAPERS**

Minutes of the Democracy and General Purposes Committee Meeting held on 3 July 2019, (Minute 19):

[Your Councillors - Maidstone Borough Council](#)

## **NOMINATION FORM TO OUTSIDE BODY**

Date 24/06/21

<b>NAME:</b>	Patrik Garten
<b>ADDRESS:</b>	Kingswood House Pitt Road Maidstone ME17 3NR
<b>TELEPHONE NO:</b>	01622-807907
<b>NAME OF ORGANISATION APPLYING FOR:</b>	Kent Downs AONB Joint Advisory Committee
<b>REASON FOR APPLYING:</b>	I am the current ANOB JAC representative My ward the largest wards by area. Over 80% (approx) of my ward falls with the AONB. Conversly, my ward also covers most of Maidstone's AONB
<b>WHAT BENEFITS COULD YOU BRING TO THE ORGANISATION?:</b>	<p>I am the current ANOB representative and was first nominated in 2016.</p> <p>Over the past five years, I took an active role in the recent review of the Kent Downs ANOB Management Plan.</p> <p>I try to raise awareness of ANOB issues amongst members and feed back wherever possible.</p> <p>Due to my ward work I am also in contact with other organisations who interact with the ANOB Unit, such as KWES. I also have a good working relationship with the ANOB Unit's Planning Officer and exchange regularly information on sensitive planning issues within the ANOB.</p>

Please attach further sheet if required

## STRATEGIC PLANNING & INFRASTRUCTURE COMMITTEE

**6 July 2021**

### 4<sup>th</sup> Quarter Financial Update & Performance Monitoring Report 2020/21

<b>Final Decision-Maker</b>	Strategic Planning & Infrastructure Committee
<b>Lead Head of Service</b>	Mark Green, Director of Business Improvement
<b>Lead Officer and Report Authors</b>	Ellie Dunnet, Head of Finance Paul Holland, Senior Finance Manager (Client) Carly Benville, Senior Business Analyst
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### **Executive Summary**

This report sets out the 2020/21 financial and performance position for the services reporting into the Strategic Planning & Infrastructure Committee (SPI) as at 31<sup>st</sup> March 2021 (Quarter 4). The primary focus is on:

- The 2020/21 Revenue and Capital budgets; and
- The 2020/21 Key Performance Indicators (KPIs) that relate to the delivery of the Strategic Plan 2019-2045.

The combined reporting of the financial and performance position enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues in their proper context, reflecting the fact that the financial and performance-related fortunes of the Council are inextricably linked. The report for this quarter has a particular focus on the impact the Covid-19 pandemic has had on the Council's financial position and performance.

#### Budget Monitoring

Overall net expenditure at the end Quarter 4 for the services reporting to SPI is £1.251m, compared to the approved budget of -£0.468m, representing a shortfall of £1.719m.

There has been no capital expenditure incurred for the services reporting to SPI against the approved budget of £86,000.

#### Performance Monitoring

50.0% (3 of 6) targetable quarterly key performance indicators reportable to the Strategic Planning & Infrastructure Committee achieved their Quarter 4 target.

**Purpose of Report**

The report enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues as at 31<sup>st</sup> March 2021.

**This report makes the following Recommendations to the Committee:**

1. That the Revenue position as at the end of Quarter 4 for 2020/21, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. That the Capital position at the end of Quarter 4 be noted; and
3. That the Performance position as at Quarter 4 for 2020/21, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.

**Timetable**

<b><i>Meeting</i></b>	<b><i>Date</i></b>
Strategic Planning & Infrastructure Committee	6 July 2021

## 4<sup>th</sup> Quarter Financial Update & Performance Monitoring Report 2020/21

### CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>This report monitors actual activity against the revenue budget and other financial matters set by Council for the financial year. The budget is set in accordance with the Council's Medium-Term Financial Strategy which is linked to the Strategic Plan and corporate priorities.</p> <p>The Key Performance Indicators and strategic actions are part of the Council's overarching Strategic Plan 2019-45 and play an important role in the achievement of corporate objectives. They also cover a wide range of services and priority areas.</p>	Director of Finance and Business Improvement (Section 151 Officer)
<b>Cross Cutting Objectives</b>	This report enables any links between performance and financial matters to be identified and addressed at an early stage, thereby reducing the risk of compromising the delivery of the Strategic Plan 2019-2045, including its cross-cutting objectives.	Director of Finance and Business Improvement (Section 151 Officer)
<b>Risk Management</b>	This is addressed in Section 5 of this report.	Director of Finance and Business Improvement (Section 151 Officer)

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Financial</b>	<p>Financial implications are the focus of this report through high level budget monitoring. Budget monitoring ensures that services can react quickly enough to potential resource problems. The process ensures that the Council is not faced by corporate financial problems that may prejudice the delivery of strategic priorities.</p> <p>Performance indicators and targets are closely linked to the allocation of resources and determining good value for money. The financial implications of any proposed changes are also identified and taken into account in the Council's Medium-Term Financial Strategy and associated annual budget setting process. Performance issues are highlighted as part of the budget monitoring reporting process.</p>	Senior Finance Manager (Client)
<b>Staffing</b>	<p>The budget for staffing represents a significant proportion of the direct spend of the Council and is carefully monitored. Any issues in relation to employee costs will be raised in this and future monitoring reports.</p> <p>Having a clear set of performance targets enables staff outcomes/objectives to be set and effective action plans to be put in place.</p>	Director of Finance and Business Improvement (Section 151 Officer)
<b>Legal</b>	<p>The Council has a statutory obligation to maintain a balanced budget and the monitoring process enables the Committee to remain aware of issues and the process to be taken to maintain a balanced budget.</p> <p>There is no statutory duty to report regularly on the Council's performance. However, under Section 3 of the Local Government Act 1999 (as amended) a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. One of the purposes of the Key Performance Indicators is to facilitate the improvement of the economy, efficiency and effectiveness of Council services. Regular reports on Council performance help to demonstrate best value and compliance with the statutory duty.</p>	Principal lawyer (Corporate Governance), MKLS

Issue	Implications	Sign-off
<b>Privacy and Data Protection</b>	The performance data is held and processed in accordance with the data protection principles contained in the Data Protection Act 2018 and in line with the Data Quality Policy, which sets out the requirement for ensuring data quality. There is a program for undertaking data quality audits of performance indicators.	Policy and Information Team
<b>Equalities</b>	There is no impact on Equalities as a result of the recommendations in this report. An EqIA would be carried out as part of a policy or service change, should one be identified.	Equalities and Corporate Policy Officer
<b>Public Health</b>	The performance recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
<b>Crime and Disorder</b>	There are no specific issues arising.	Director of Finance and Business Improvement (Section 151 Officer)
<b>Procurement</b>	Performance Indicators and Strategic Milestones monitor any procurement needed to achieve the outcomes of the Strategic Plan.	Director of Finance and Business Improvement (Section 151 Officer)

## 1. BACKGROUND AND INTRODUCTION

- 1.1 The Medium Term Financial Strategy for 2020/21 to 2024/25 - including the budget for 2020/21 - was approved by full Council on 26th February 2020. This report updates the Committee on how its services have performed over the last quarter with regard to revenue and capital expenditure against approved budgets.
- 1.2 The report particularly focuses on the impact of the Covid-19 pandemic on the financial position and performance of the service areas that fall under this committee, and provide some further detail around particular areas of concern.
- 1.3 This report also includes an update to the Committee on progress against its Key Performance Indicators (KPIs).
- 1.4 Attached at **Appendix 1** is a report setting out the revenue and capital spending position at the Quarter 4 stage. Attached at **Appendix 2** is a report setting out the position for the KPIs for the corresponding period.

## **2. AVAILABLE OPTIONS**

- 2.1 There are no matters for decision in this report. The Committee is asked to note the contents but may choose to take further action depending on the matters reported here.
- 

## **3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 3.1 In considering the current position on the Revenue budget, the Capital Programme and KPIs at the end of March 2021, the Committee can choose to note this information or could choose to take further action.
- 3.2 The Committee is requested to note the content of the report and agree on any necessary action to be taken in relation to the budget position and/or the KPIs position.
- 

## **4. RISK**

- 4.1 This report is presented for information only and has no direct risk management implications.
- 4.2 The Council produced a balanced budget for both revenue and capital income and expenditure for 2020/21. The budget is set against a backdrop of limited resources and a difficult economic climate, even before the impact of the Covid-19 pandemic became clear. Regular and comprehensive monitoring of the type included in this report ensures early warning of significant issues that may place the Council at financial risk. This gives the Committee the best opportunity to take actions to mitigate such risks.
- 

## **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 The KPIs update ("Performance Monitoring") is reported to service committees quarterly: Communities, Housing & Environment Committee; Economic Regeneration & Leisure Committee; and the Strategic Planning & Infrastructure Committee. Each committee will receive a report on the relevant priority action areas. The report is also presented to the Policy & Resources Committee, reporting on the priority areas of "A Thriving Place", "Safe, Clean and Green", "Homes and Communities" and "Embracing Growth and Enabling Infrastructure".
- 

## **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 6.1 The Quarter 4 Budget & Performance Monitoring reports are being considered by the relevant Service Committees during June and July 2021, including a full report to the Policy & Resources Committee on 23<sup>rd</sup> June 2021.

- 6.2 Details of the discussions which take place at Service Committees regarding financial and performance management will be reported to Policy and Resources Committee where appropriate.
- 6.3 The Council could choose not to monitor its budget and/or the Strategic Plan and/or make alternative performance management arrangements, such as the frequency of reporting. This is not recommended as it could lead to action not being taken against financial and/or other performance during the year, and the Council failing to deliver its priorities.
- 6.4 There is significant uncertainty regarding the Council's financial position beyond 2020/21, arising from the impacts of the Covid-19 crisis and the Council's role in responding to this. Future finance reports to this committee will ensure that members are kept up to date with this situation as it develops.
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## **7. REPORT APPENDICES**

- Appendix 1: Fourth Quarter Budget Monitoring 2020/21
  - Appendix 2: Fourth Quarter Performance Monitoring 2020/21
- 

## **8. BACKGROUND PAPERS**

None.

# Fourth Quarter Financial Update 2020/21

Strategic Planning & Infrastructure Committee

6<sup>th</sup> July 2021

Lead Officer: Mark Green

Report Authors: Ellie Dunnet/Paul Holland

# Contents

**Part A: Executive Summary & Overview** Page 2

**Part B: Revenue Budget Q4 2020/21**

B1) Revenue Budget Page 5

**Part C: Capital Budget Q4 2020/21**

C1) Capital Budget Page 9

# Part A

## Executive Summary & Overview

This report provides members with the provisional outturn for 2020/21 for this committee's revenue and capital accounts for the fourth quarter of 2020/21.

Members will be aware that since the budget was agreed in February 2020, the position for 2020/21 and future years has changed significantly as a result of the Covid-19 pandemic. Specific impacts include:

- Redirection of existing resources to support vulnerable people
- Administering government support schemes, notably business rate reliefs and grants
- Increased activity in some council services
- Temporary closure of some Council facilities
- Reduction in levels of activity in some other Council services
- Income generating activities severely impacted by overall contraction in economic activity
- Change in working patterns, with almost all office-based staff now working from home
- Reduced levels of Council Tax and Business Rates collection.

As reported throughout the financial year, it was anticipated that this would result in adverse budget variances for many service areas for 2020/21, particularly in relation to income. However, progressively more generous government support and active mitigation of the losses have resulted in an overall underspend of £1.2m for the 2020/21 financial year. This is essentially an over-correction for the very significant losses that the Council has incurred. The underspend is one-off in nature and does not give a true reflection of the underlying budget position.

The overall position for the Council as reported to government on our monthly financial monitoring returns is summarised in table 1 below, along with funding that we have received from central government during the year. Councils have been asked to complete these returns to enable a comprehensive picture of the financial impact of Covid-19 on local authorities to be compiled by the Ministry of Housing, Communities and Local Government.

	<b>£000</b>
<i>Additional Spending</i>	1,668
Income Reductions:	
Business Rates (MBC share)	895
Council Tax (MBC share)	591
Other Income	4,699
<b>Total</b>	<b>7,853</b>
<i>Offset by</i>	
Unringfenced government grants	2,525
Sales, fees and charges compensation (estimated)	2,321
Tax Income Guarantee compensation (estimated)	52
New Burdens funding	567
Service specific grants	743
	<b>6,208</b>

Table 1, Covid-19 financial impact and government funding

It should be noted that the projections detailed within table 1 do not correspond to the in-year budget outturn. This arises for the following reasons:

- Due to the statutory accounting arrangements for council tax and business rates, these losses do not impact the general fund balance until next year.
- The variances above reflect an estimate of the financial impact of Covid-19, and do not take into account other factors which may impact on the budget outturn such as underspends that have the effect of mitigating Covid-19 related losses.

Given the all-encompassing impact of Covid-19 across many of the Council's services, mitigation for losses will be treated as a corporate exercise, and we will therefore not attempt to apportion all unringfenced support received across service committees.

In addition to the unringfenced grants totalling £2.5m, the council has received funding which can be clearly matched to additional expenditure, or outgoing grants. These funding streams have been used during the year to offset increased costs incurred in responding to the Covid-19 pandemic. Any unspent funding at 31 March which is ringfenced for specific activities will be carried forward into the current financial year and will be used to fund further activities which support the intended purpose of the grant.

The budget figures shown for revenue and capital are the revised estimate for 2020/21.

The headlines for Quarter 4 are as follows:

#### Part B: Revenue budget – Q4 2020/21

- Overall net expenditure at the end of Q4 for the services reporting to SPI is £1.251m, compared to the profiled approved budget of -£0.468m, representing a shortfall of £1.719m.
- We are due to receive funding to mitigate the impact of losses from fees and charges income. Current estimates are that this funding will be in the region of £2.3m for the council as a whole for the financial year.

#### Part C: Capital budget – Q4 2020/21

- There has been no capital expenditure incurred for the services reporting to SPI against the approved budget of £86,000.

# Part B

# Fourth Quarter Revenue Budget 2020/21



## B2) Revenue Budget

B1.1 The table below provides a detailed summary on the budgeted net income position for SPI services at the end of Quarter 4. The financial figures are presented on an 'accruals' basis (e.g. expenditure for goods and services received, but not yet paid for, is included).

### SPI Revenue Budget & Outturn – Quarter 4

(a)	(b)	(c)	(d)
Cost Centre	Approved Budget for Year £000	Actual £000	Variance £000
Building Regulations Chargeable	-385	-445	61
Building Control	-1	2	-3
Street Naming & Numbering	-82	-38	-43
Development Control Advice	-251	-208	-42
Development Control Appeals	127	205	-78
Development Control Majors	-550	-445	-105
Development Control - Other	-709	-618	-91
Development Control Enforcement	68	28	41
Planning Policy	581	639	-57
Neighbourhood Planning	4	3	1
Conservation	-11	5	-16
Land Charges	-298	-331	33
Development Management Section	0	0	-0
Spatial Policy Planning Section	523	473	50
Head of Planning and Development	126	128	-2
Development Management Enforcement Section	200	180	20
Building Surveying Section	475	489	-14
Mid Kent Planning Support Service	403	321	82
Heritage Landscape and Design Section	248	247	1
CIL Management Section	82	25	57
Mid Kent Local Land Charges Section	103	91	12
Development Management Section – Majors	308	305	3
Development Management Section – Others	761	762	-1
Salary Slippage	-72	0	-72
<b>Sub-Total - Planning Services</b>	<b>1,651</b>	<b>1,815</b>	<b>-164</b>

Table 2, Budget & Outturn – Planning Services (fourth quarter 2020/21)

(a)	(b)	(c)	(d)
Cost Centre	Approved Budget for Year £000	Actual £000	Variance £000
Environment Improvements	0	2	-2
Name Plates & Notices	19	13	5
Arterial Route Improvements	11	11	-0
On Street Parking	-381	-234	-147
Residents Parking	-207	-214	7
Pay & Display Car Parks	-1,789	-479	-1,311
Non Paying Car Parks	15	13	2
Off Street Parking - Enforcement	-116	13	-129
Mote Park Pay & Display	-189	-241	52
Sandling Road Car Park	3	84	-80
Park & Ride	164	153	11
Other Transport Services	-5	3	-8
Parking Services Section	357	312	45
<b>Sub-Total - Parking Services</b>	<b>-2,119</b>	<b>-564</b>	<b>-1,555</b>
<b>Totals</b>	<b>-468</b>	<b>1,251</b>	<b>-1,719</b>

Table 3, Budget & Outturn – Parking Services & Committee Total (fourth quarter 2020/21)

- B1.2 The table shows that at the end of the fourth quarter overall net expenditure for the services reporting to SPI is £1.251m, compared to the approved budget of -£0.468m, representing a shortfall of £1.719m.
- B1.3 The table indicates that in certain areas, significant variances to the budgeted income levels have emerged during the fourth quarter of the year. The reasons for the more significant variances are explored in section B2 below.

## B2) Variances

- B2.1 The impact of Covid-19 and lockdown can be seen most significantly in those areas where income is a significant element of the budget. For this committee the areas that have been the most impacted are planning fees, where there has been a fall in demand for the service, and car parking, where user numbers have fallen significantly due to the impact of both lockdowns on the town centre.

The budget shown is now the revised estimate for 2020/21.

	Positive Variance Q4	Adverse Variance Q4
<b>Strategic Planning &amp; Infrastructure Committee</b>	<b>£000</b>	
<b>PLANNING SERVICES</b>		
<b>Building Control Chargeable</b> – The service has achieved additional income through the year as well as a slight reduction in running costs.	61	
<b>Development Control Appeals</b> – This variance is primarily down to costs incurred for the Church Road Otham appeal.		-78
<b>Development Control Majors</b> - The reduction in income is explained by a number of factors, primarily new legislation relating to affordable housing introduced in response to the pandemic and issues around the Local Plan. However, the reduction has been less than was initially forecast earlier in the year.		-105
<b>Development Control Other</b> - The reduction in income has been less than was initially forecast, around 10% for the year to date.		-91
<b>Salary Slippage</b> - There is a credit budget for 'salary slippage' being the savings arising from staff vacancies. These are reflected in the actual figures for individual sections (ie staff teams). The section codes underspent in aggregate by £208,000 (£253,000 including Parking). This was significantly more than the budget for salary slippage and reflects a policy of deliberately holding posts vacant to address the budget risks that it was originally thought would be posed by Covid-19.		-72

Table 4, Significant variances – Planning Services (Q4 2020/21)

	Positive Variance Q4	Adverse Variance Q4
<b>Strategic Planning &amp; Infrastructure Committee</b>	<b>£000</b>	
<b>PARKING SERVICES</b>		
<b>On Street Parking</b> – Penalty Charge Notice (PCN) and parking meter income recovered during quarters 2 and 3 but fell again in the final quarter due to the last lockdown.		-146
<b>Pay &amp; Display Car Parks</b> – Income levels recovered during quarters 2 and 3 and occupancy rates levelled off, but income fell again during the final quarter due to the last lockdown.		-1,310
<b>Off Street Parking Enforcement</b> - PCN and parking meter income had recovered during quarters 2 and 3 but fell again in the final quarter due to the last lockdown.		-129
<b>Mote Park Pay &amp; Display</b> – Despite the lockdowns occupancy rates were high throughout the year leading to increased income.	52	

Table 5, Significant variances – Parking Services (Q4 2020/21)

## Local Plan Review

B4.1 The Local Plan Review (LPR) process is an important, high profile and continuous task undertaken by the Planning Services team. The associated revenue spending profile however is cyclical and does not fit the conventional 12-month financial planning process for general revenue expenditure. Instead, spending tends to follow the five-year production period of each Local Plan with various peaks and troughs over that time period.

B4.2 The LPR process is therefore funded through an annual £200,000 revenue contribution, in addition to the existing service budget, with any remaining unspent balances at year end automatically rolled forward into the following financial year. The table below shows the available revenue resources currently allocated to fund LPR activities, and the spend as at 31st March 2021.

Opening Balance 01/04/2020 (including 2020/21 allocation)	Budget Adjustments	Actual Spend 2020/21	Variance against adjusted budget
£'s	£'s	£'s	£'s
508,280	73,210	638,847	-57,357

Table 6a, Local Plan Review budget (Q4, 2020/21)

B4.3 The primary reasons for the variance arise from increased spending in relation to sustainability appraisals, transport modelling, the accelerated timetable for LPR completion and the extension of contracts for specialist contractors.

B4.4 As previously agreed by Policy & Resources committee, the in-year overspend has been addressed as follows:

- £55,750 will be offset against a reduction in revenue costs for the Director of Regeneration and Place. This is a result of work which the Director of Regeneration and Place is currently undertaking relating to the Garden Community project, which will be capitalised.
- A £15,000 underspend on a project which was funded from the business rates pilot (Affordable Housing Supplementary Planning Guidance) has been reallocated to the Local Plan Review budget.
- The residual overspend has been funded through corporate contingency budgets.

### 2021/22

B4.5 Looking ahead to the 2021/22 financial year, spend for April and May has been summarised below:

Staffing costs	£76,637
Commissioned work	<u>£7,281</u>
<b>Total</b>	<b>£83,918</b>

The cost for commissioned work represents expenditure incurred to date on economic impact consultancy.

B4.6 Funding for the work in the current financial year is as follows:

Annual LPR budget	£200,000
Section 106 funding for Town Centre Planning	£78,333
Vacancies within permanent staffing budget	£45,000
Capitalisation of Director of Regeneration & Place	<u>£41,813</u>
<b>Total</b>	<b>£365,146</b>

B4.7 This budget is now managed by Head of Planning and Development who is seeking to ensure that expenditure can be met from the available resources. Spend in this area continues to be carefully monitored with the support of finance officers.

# Part C

# Fourth Quarter Capital Budget 2020/21



## B1) Capital Budget: Strategic Planning & Infrastructure Committee (CHE)

B1.1 The position of the 2020/21 SPI element of the Capital Programme at the Quarter 4 stage is presented in Table 3 below. The budget for 2020/21 includes resources brought forward from 2019/20. The budget shown is the revised estimate for 2020/21.

**Table 8: SPI Capital Programme 2020/21 (@ Quarter 4)**

Capital Programme Heading	Adjusted Estimate 2020/21 £000	Actual to March 2021 £000	Budget Remaining £000
<b>Strategic Planning &amp; Infrastructure</b>			
Bridges Gyratory Scheme	86		86
<b>Total</b>	<b>86</b>		<b>86</b>

B1.2 Comments on the variances in the table above are as follows:

*Bridges Gyratory Scheme* – the residual budget is being used to fund flood prevention works by the Medway Street subway. Designs have been drawn up. When the necessary approvals have been obtained from Kent County Council Highways Department contractors will be appointed to carry out the work.

# Fourth Quarter Performance Monitoring 2020/21

## SPI: Part A – Quarter 4 Performance

### Key to performance ratings

RAG Rating	
	Target not achieved
	Target slightly missed (within 10%)
	Target met
	Data Only

Direction	
	Performance has improved
	Performance has been sustained
	Performance has declined
N/A	No previous data to compare

### Performance Summary

RAG Rating	Green	Amber	Red	N/A <sup>1</sup>	Total
KPIs	3	2	1	1	7
Direction	Up	No Change	Down	N/A	Total
Last Quarter	4	0	3	0	7
Last Year	3	1	3	0	7

- 50.0% (3 of 6) targetable quarterly key performance indicators (KPIs) reportable to the Strategic Planning and Infrastructure Committee achieved the Quarter 4 (Q4) target<sup>1</sup>.
- Compared to last quarter (Q3 2020/21), performance for 57.1% (4 of 7) KPIs has improved, and for 42.9% (3 of 7) KPIs has declined<sup>1</sup>.
- Compared to last year (Q4 2019/20), performance for 42.9% (3 of 7) KPIs has improved, for 14.3% (1 of 7) KPIs has been sustained, and for 42.9% (3 of 7) KPIs has declined<sup>1</sup>.

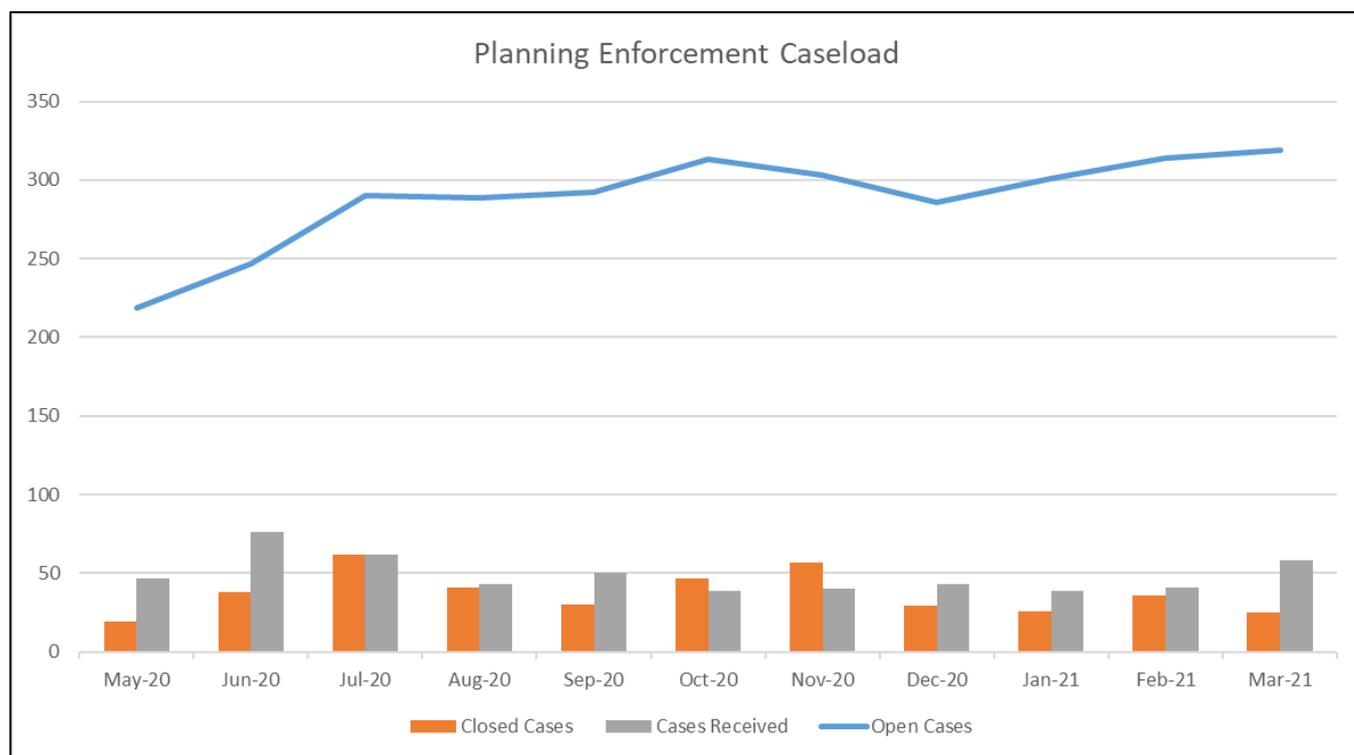
### Embracing Growth & Enabling Infrastructure

Performance Indicator	Q4 2020/21				
	Value	Target	Status	Short Trend (Last Quarter)	Long Trend (Last Year)
Percentage of priority 1 enforcement cases dealt with in time	100%	95%			
Percentage of Priority 2 enforcement cases dealt with in time	76.09%	90%			
Number of enforcement complaints received	139				
Number of affordable homes delivered (Gross)	113	45			
Processing of planning applications: Major applications (NI 157a)	90.00%	92.00%			
Processing of planning applications: Minor applications (NI 157b)	97.12%	99.00%			
Processing of planning applications: Other applications (NI 157c)	99.21%	99.00%			

<sup>1</sup> PIs rated N/A are not included in the summary calculations

Please note that although it has previously been stated that August 2020 was going to be the first month that data is recorded for the new '**Open planning enforcement cases (as of start of each month)**' KPI, data for the months of May, June, and July, are now available to report. Further information can be seen in the diagram below. A monthly figure will be captured at the beginning of every month, depicting how many open planning enforcement cases there were at that time.

	Open planning enforcement cases (as of start of each month)				
	Value	Target	Status	Short Trend (Last Month)	Long Trend (Last Year)
January 2021	301				N/A
February 2021	314				N/A
March 2021	319				N/A



Figures for 2020/21 are unavailable for two annually reported KPIs: '**Affordable homes as a percentage of all new homes**', and '**Net additional homes provided (NI 154)**'.

The '**Affordable homes as a percentage of all new homes**' annual figure is calculated using the figures from the 'Net additional homes provided (NI 154)' and 'Number of affordable homes delivered (Gross)' PIs. The 'Number of affordable homes delivered (Gross)' annual figure for 2020/21 is 342, which is made up of 170 shared ownership homes delivered (gross) and 172 social rented homes delivered (gross). The target for the '**Affordable homes as a percentage of all new homes**' KPI is 20%.

Data collection is ongoing for '**Net additional homes provided (NI 154)**' KPI. Data used to calculate the net additional homes provided relies on information generated from the annual Housing Information Audit and collected through site visits. The data collection and analysis of information is anticipated to be finalised by the end of August 2021. The target for this KPI is 883.

In quarter four, under 'Embracing Growth & Enabling Infrastructure', three KPIs met their targets and three missed their targets – one of these missed their target by more than 10%. Please note that one KPI is information-only.

The '**Percentage of Priority 2 enforcement cases dealt with in time**' KPI achieved a figure of 76.09%, missing its target of 90% by more than 10%. Performance has improved since last quarter (70.59%) and has declined when comparing to the same quarter last year (97.12%). This quarter saw 138 priority 2 enforcement cases received, and 105 priority 2 enforcement cases dealt with in time. The team has struggled to meet the target set this quarter because of the departure of a member of the team, the restructure of the team, and staff sickness over the period. In addition, the quarter saw a higher number of priority 2 enforcement cases received than last quarter.

However, the team has had a successful recruitment campaign, and in early May two new employees were due to commence employment within the team. These new team members are expected to give greater resilience to the team and enable it to tackle the relatively high number of cases.

The '**Processing of planning applications: Major applications (NI 157a)**' KPI missed its quarterly target of 92.00% by two percentage points. Performance for this KPI has declined marginally since last quarter (92.31%) and has improved when comparing it to the same quarter last year (85.71%). In the quarter, 10 major applications were determined in total and 9 of these were determined in a timely manner. Because the target being missed is attributable to just one application, the Development Management team are unable to state a trend to explain performance slipping.

The '**Processing of planning applications: Minor applications (NI 157b)**' KPI achieved a figure of 97.12% compared to a target of 99.00%. Performance for this KPI has improved since last quarter (96.97%) and has declined when comparing it to the same quarter last year (98.04%). In the quarter, there were 104 minor applications determined, and 101 of these were determined in a timely manner. The team responsible for this KPI highlight that a target of 99.00% is high, and that, given the difficult working conditions over the past year due to COVID-19, the team have performed well and continued to improve quarter on quarter.

Correction to previously supplied data

Please be aware that errors have been discovered in the Quarter 1, 2, and 3 figures reported to this committee for the '**Percentage of Priority 2 enforcement cases dealt with in time**' KPI. Please see the corrections in the table below.

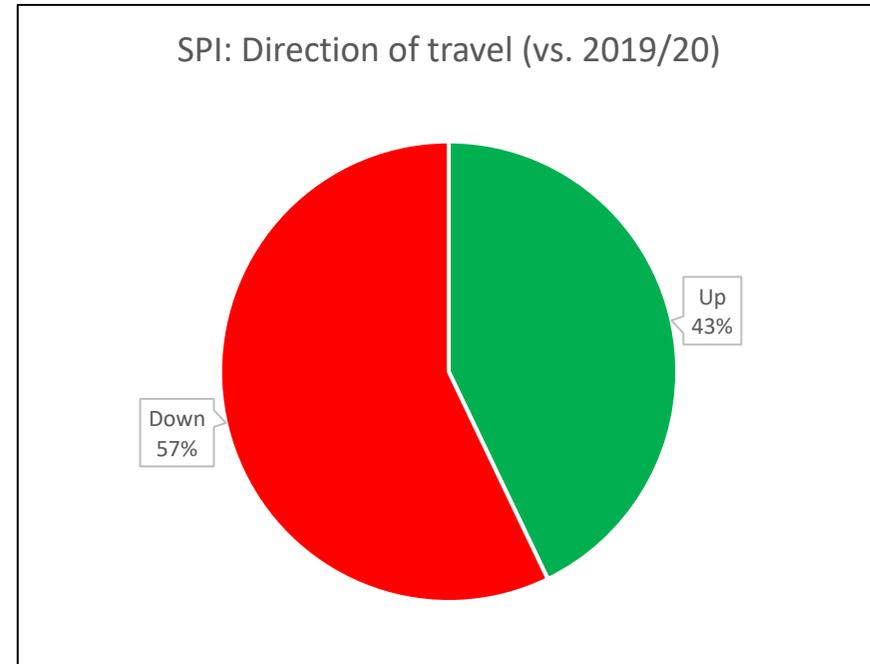
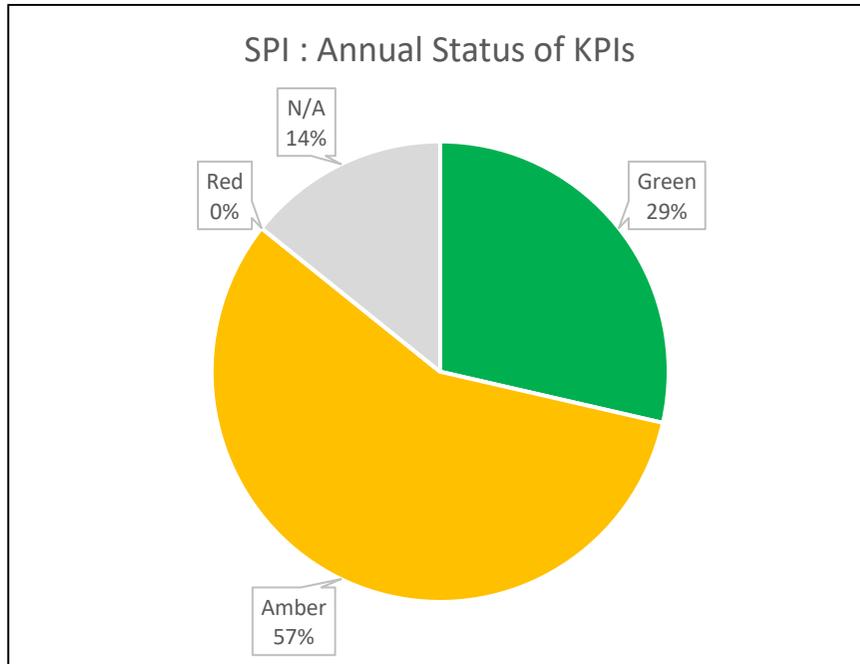
PI name	2020/21 previous data			2020/21 correct data		
	Q1	Q2	Q3	Q1	Q2	Q3
Percentage of Priority 2 enforcement cases dealt with in time	93.01%	94.84%	86.55%	95.95%	96.1%	70.59%

The error in reporting was noticed this quarter when double checking the quarter four figures against a manual calculation. The team moved over to a new performance monitoring dashboard last year and the methodology in what should and shouldn't be included when counting the cases differed. The system settings in the new dashboard have now been changed to calculate the figures correctly. Q1 and Q2 continue to have met their targets, and Q3 has missed its target by more than 10% rather than within 10% as was mentioned in the previous quarterly report.

# SPI: Part B – 2020/2021 End of Year Outturn

## Embracing Growth & Enabling Infrastructure

43



Indicator	Q1 2020/21	Q2 2020/21	Q3 2020/21	Q4 2020/21	Annual 2020/21	Annual Target 2020/21	Annual Status	Direction of travel (Last Year)
Percentage of priority 1 enforcement cases dealt with in time	100%	100%	66.67%	100%	90%	95%		
Percentage of Priority 2 enforcement cases dealt with in time	95.95%	96.1%	70.59%	76.09%	85.69%	90%		
Number of enforcement complaints received	148	155	122	139	564			
Number of affordable homes delivered (Gross)	33	70	126	113	342	180		
Processing of planning applications: Major applications (NI 157a)	100.00%	87.50%	92.31%	90.00%	91.67%	92.00%		
Processing of planning applications: Minor applications (NI 157b)	99.10%	96.81%	96.97%	97.12%	97.55%	99.00%		
Processing of planning applications: Other applications (NI 157c)	100.00%	99.60%	99.24%	99.21%	99.52%	99.00%		

## Notes

- The '**Affordable homes as a percentage of all new homes**' (annual figure is calculated using the figures from the 'Net additional homes provided (NI 154)' and 'Number of affordable homes delivered (Gross)' PIs. The 'Number of affordable homes delivered (Gross)' annual figure for 2020/21 is 342, which is made up of 170 shared ownership homes delivered (gross) and 172 social rented homes delivered (gross). The target for 2020/21 for the '**Affordable homes as a percentage of all new homes**' KPI is 20%.
- Data collection is ongoing for '**Net additional homes provided (NI 154)**' KPI. Data used to calculate the net additional homes provided relies on information generated from the annual Housing Information Audit and collected through site visits. The data collection and analysis of information is anticipated to be finalised by the end of August 2021. The target for this KPI is 883 in 2020/21.
- Direction of travel for targeted performance indicators shows if performance has improved or declined. For data only performance indicators direction of travel shows if there has been an increase or decrease in volume.

45

## Summary of 2020/21 year

COVID-19 has had an impact on productivity, perhaps felt hardest in Planning Enforcement, because of the need to adhere to rules and, moreover, to prioritise the personal safety of Enforcement Officers. Despite these hurdles throughout the year, performance standards remain high.

Similarly, the change in the way we now work (due to COVID-19) means that there has been a significant impact on the determination of planning applications. Yet strong performance has been maintained and improved with regard to both 'major' and 'other' applications.

There were no performance indicators this year for the Strategic Policy team, but significant progress has been made with the Local Plan Review. Similarly, the Building Control Team has continued to perform well and in a cost effective manner.

# Agenda Item 15

## STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

6 JULY 2021

### Chairmanship of the Maidstone Joint Transportation Board

<b>Final Decision-Maker</b>	Strategic Planning and Infrastructure Committee
<b>Lead Head of Service</b>	<i>Angela Woodhouse, Head of Policy, Communications and Governance</i>
<b>Lead Officer and Report Author</b>	<i>Ryan O'Connell, Democratic and Electoral Services Manager Oliviya Parfitt, Democratic Services Officer</i>
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

*To appoint the Vice-Chairman, or another Member of the Committee, as Chairman of the Maidstone Joint Transportation Board (MJTB) for the Municipal Year 2021/22, as the Chairman of the Committee is automatically a Member of the Board in their capacity as a County Councillor.*

#### Purpose of Report

*Decision*

#### This report makes the following recommendations to this Committee:

1. That the Vice-Chairman of the Committee be appointed as the Chairman of the Maidstone Joint Transportation Board for the 2021/22 Municipal Year.

#### Timetable

<b>Meeting</b>	<b>Date</b>
Strategic Planning and Infrastructure Committee	6 July 2021

# Chairmanship of the Maidstone Joint Transportation Board

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Embracing Growth and Enabling Infrastructure</i></li> <li>• <i>Safe, Clean and Green</i></li> <li>• <i>Homes and Communities</i></li> <li>• <i>A Thriving Place</i></li> </ul> <p><i>This report ensures that the Borough Council is following good governance arrangements to secure the above objectives.</i></p>	Democratic and Electoral Services Manager
<b>Cross Cutting Objectives</b>	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Heritage is Respected</i></li> <li>• <i>Health Inequalities are Addressed and Reduced</i></li> <li>• <i>Deprivation is reduced and Social Mobility is Improved</i></li> <li>• <i>Biodiversity and Environmental Sustainability is respected</i></li> </ul> <p><i>This report ensures that the Borough Council is meeting these cross-cutting objectives through good governance arrangements.</i></p>	Democratic and Electoral Services Manager
<b>Risk Management</b>	<i>See Section 5 of the report.</i>	Democratic and Electoral Services Manager
<b>Financial</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Staffing</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Legal</b>	<ul style="list-style-type: none"> <li>• <i>In accepting the recommendation, the committee must be satisfied that the appointment of the Vice Chair of the</i></li> </ul>	Team Leader Corporate

	<p><i>Joint Transportation Board (JTB) to the role of Chair of the JTB is in accordance with the provisions of the Council's Constitution. Part 2, Section 2.2.2 of the Council Constitution states that the role of the Chair of the Strategic Planning and Infrastructure Committee is to chair the JTB with KCC in alternative years and to be Vice Chairman in others.</i></p> <ul style="list-style-type: none"> <li><i>Acting on the recommendations is within the Council's powers as set out within Part 2 of the Constitution.</i></li> </ul>	Governance Team
<b>Privacy and Data Protection</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Equalities</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Public Health</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Crime and Disorder</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager
<b>Procurement</b>	<i>No impact identified.</i>	Democratic and Electoral Services Manager

## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Membership of the Maidstone Joint Transportation Board (MJTB) is comprised of nine Borough Councillors, nine Kent County Councillors and two Parish Council representatives.
- 2.2 The Council's Strategic Planning and Infrastructure (SPI) Committee and the Kent County Council Cabinet Member for Highways and Transport are the respective decision makers to which the MJTB can make recommendations and/or representations.

- 2.3 As per the Borough Council's Constitution, part of the role of the Chairman of the SPI Committee is;

'To chair the Joint Transportation Board with Kent County Council in alternate years and be Vice-Chairman in others'.

(This can be found in Part 2 – Responsibility for Functions, 2.2 Committees of the Council, of the Maidstone Borough Council Constitution).

- 2.4 At the 8 June 2021 meeting of the Committee, Councillor Paul Cooper was elected as Chairman for the 2021/22 Municipal Year; however, Councillor Cooper is automatically a Member of the MJTB due to his position as a County Councillor. However, the responsibility for Chairmanship for the current Municipal Year rests with the Borough Council.
- 2.5 Therefore, to avoid any perceived conflict of interest arising from a KCC appointed Member conducting an MBC role, it is recommended that the Chairmanship of the JTB be delegated to the Vice-Chairman.
- 2.6 As there is a cross-over between the functions of this Committee and the MJTB, the Vice-Chairman is the most appropriate choice for the delegation as they have responsibilities across both this Committee and the MJTB. For example, attending and being involved in the agenda setting process and briefing meetings for this Committee, and to act on behalf of the Chairman when necessary to fulfil the duties associated with and arising from Chairmanship of the Committee.

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### **3. AVAILABLE OPTIONS**

- 3.1 Option 1 - Do nothing. Not recommended, as the Chairman of the Strategic Planning and Infrastructure Committee is automatically a Member of the MJTB as a County Councillor. It would not be clear whether the Chairman was speaking as a Borough and/or County Member during meetings of the Board, which would be a conflict of interest.
- 3.2 Option 2 - Elect another Committee Member to become the Chairman of the MJTB. This is not the preferred option, for the reasons set out in 2.6.
- 3.3 Option 3 - The Vice-Chairman of the Committee be appointed as the Chairman of the MJTB for the 2021/22 Municipal Year. This is the preferred option, as set out in 2.6.

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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 Option 3 is the preferred option, due to the reasons outlined in 3.3.

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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. 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 Not applicable.

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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

7.1 Depending on the Committee's agreement, the Member appointed as the Chairman of the MJTB will take office in that position at the 6 October 2021 meeting of the Board but will act in that capacity prior to that date for the purposes of administering the Board.

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## **8. REPORT APPENDICES**

None.

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## **9. BACKGROUND PAPERS**

Maidstone Borough Council Constitution:  
<https://ws.maidstone.gov.uk/docs/MBCConstitution.pdf>

## Strategic Planning and Infrastructure Committee

**6 July 2021**

### Local Development Scheme 2021-2023

<b>Final Decision-Maker</b>	Full Council
<b>Lead Head of Service</b>	Rob Jarman – Head of Planning and Development
<b>Lead Officer and Report Author</b>	Mark Egerton – Strategic Planning Manager; Anna Ironmonger – Planning Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### **Executive Summary**

The Council is currently working to a timetable for delivering the Local Plan Review (LPR) that is set out in the Local Development Scheme 2020-2022 (September 2020 edition). The Council is required by the Section 15 of the Planning and Compulsory Purchase Act (2004) (as amended) to maintain an up to date Local Development Scheme. Changes are proposed to the Local Development Scheme which would, among other changes, see Regulation 19 consultation commencing in October 2021. The revised Local Development Scheme 2021-2023 can be found at Appendix 1. This report sets out the full changes proposed to the Local Plan Review timetable, the reasons for those changes, as well as the implications of the changes. It also seeks a recommendation from this committee to Full Council that the Local Development Scheme 2021-2023 is approved.

#### **Purpose of Report**

Decision

#### **This report makes the following recommendations to this Committee:**

1. That a recommendation is made to Full Council that the Local Development Scheme 2021-2023 is approved.

#### **Timetable**

<b>Meeting</b>	<b>Date</b>
Strategic Planning and Infrastructure	6 July 2021
Council	14 July 2021

# Local Development Scheme 2021-2023

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Embracing Growth and Enabling Infrastructure</i></li> <li>• <i>Safe, Clean and Green</i></li> <li>• <i>Homes and Communities</i></li> <li>• <i>A Thriving Place</i></li> </ul> <p>The Local Plan Review (LPR), can contribute to all four objectives.</p> <p>The LPR consultation documents previously agreed by this Committee explain the interrelationship between the Strategic Plan objectives and the LPR.</p>	Rob Jarman Head of Planning and Development
<b>Cross Cutting Objectives</b>	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Heritage is Respected</i></li> <li>• <i>Health Inequalities are Addressed and Reduced</i></li> <li>• <i>Deprivation and Social Mobility is Improved</i></li> <li>• <i>Biodiversity and Environmental Sustainability is respected</i></li> </ul> <p>Similarly, the relationship between these objectives and the LPR is explained in the Scoping, Themes and Issues consultation document</p>	Rob Jarman, Head of Planning and Development
<b>Risk Management</b>	<i>Already covered in the risk section</i>	Rob Jarman, Head of Planning and Development
<b>Financial</b>	Provision has been made for the costs of delivering the local plan review within the Council's agreed budget and medium-term financial plan.	Section 151 Officer & Finance Team]
<b>Staffing</b>	Where possible, the recommendations contained in this report will be managed within existing staff resource.	Rob Jarman, Head of Planning and Development

<b>Legal</b>	Accepting the recommendations will fulfil the Council duties under the Planning and Compulsory Purchase Act 2004 (as amended)	Russell Fitzpatrick MKLS (Planning)
<b>Privacy and Data Protection</b>	This report does not raise any specific privacy/data protection issues at this stage	Policy and Information Team
<b>Equalities</b>	No implications identified as part of this report and recommendations. A draft impact assessment has been undertaken. This is a live document that is revisited as the review progresses	Policy & Information Manager
<b>Public Health</b>	The LPR will have, or has the potential to have, a positive impact on population health and that of individuals.	Public Health Officer
<b>Crime and Disorder</b>	The LPR can potentially have a positive impact on crime and disorder.	Rob Jarman, Head of Planning and Development
<b>Procurement</b>	This report does not raise any specific procurement issues at this stage.	Rob Jarman, Head of Planning and Development & Section 151 Officer

## 2. INTRODUCTION AND BACKGROUND

- 2.1 Significant progress has been made on the Local Plan Review, with the key milestone of Regulation 18 Preferred Approaches consultation being met in line with the approved Local Development Scheme 2020-2022 (September 2020 edition).
- 2.2 The Council is required by Section 15 of the Planning and Compulsory Purchase Act (2004) (as amended) to maintain an up to date Local Development Scheme (LDS). Changes to the LDS are proposed which would involve the Local Plan Review (LPR) Regulation 19 consultation commencing in October 2021. The updated LDS is provided as Appendix 1 to this report.
- 2.3 This report sets out the background to the work on the Local Plan Review, provides an update on the Local Plan Review and sets out the nature of changes proposed within the revised LDS.

### What is a Local Development Scheme?

- 2.4 The purpose of an LDS is to set out the timetable for the delivery of Council produced planning policy documents and to inform local people and stakeholders. In this case the Local Plan Review.

### **Why is the Local Plan Review timetable changing?**

- 2.5 The previous iteration of the Local Development Scheme 2020-2022 (September 2020 edition) was approved by Full Council on 30th September 2020. The September 2020 edition was produced in response to government proposals to update the standard methodology used to calculate housing need, as well as proposed interim arrangements for the new methodology to come into effect. The changes in methodology would have significantly increased the number of houses the Borough would be required to provide.
- 2.6 In the event, the government did not continue with its proposed update to the standard methodology and reverted to the original standard methodology, meaning that the Council is required to build in the region of 1200 houses per year (updated annually).
- 2.7 Since the Local Development Scheme 2020-2022 (September 2020 edition) came into effect the Regulation 18 Preferred Approaches Consultation has taken place between 1<sup>st</sup> December 2020 and 8<sup>th</sup> January 2021. The Council received approximately 3,200 responses to the consultation. A large number of responses related to a variety of key areas in the Local Plan Review. The response to the consultation will help inform the Regulation 19 LPR documents.
- 2.8 Significant progress has been made on the LPR Regulation 19 documents. These are 'draft for submission' documents, meaning that these are the version of the LPR that the Local Planning Authority intends to submit for Independent Examination by an Inspector appointed by the Secretary of State. The progress includes a series of studies and topic papers that will form part of the wider evidence base for the LPR, as well as drafting of the Regulation 19 LPR documents themselves.
- 2.9 There is an inter-relationship between many components of the evidence base. For example, it is important for the implications of one specialist study to inform the potential, broader policies and proposals within the LPR documents. Good examples are transport and air quality modelling, which are feeding into a variety of policies in the Regulation 19 documents.
- 2.10 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.
- 2.11 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 the 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.

**How is the Local Plan Review timetable changing?**

2.12 The Local Development Scheme 2021-2023 will cover the production of the LPR from 2021-2023 (Appendix 1). The proposed changes are as follows:

Draft Local Plan Review Consultation (Regulation 19)	Submission (Regulation 22)	Examination	Main Modification Consultation	Adoption
October-November 2021	March 2022	August-September 2022	November 2022	January 2023

2.13 Whilst the various benefits of changing the LPR production timetable are apparent, not completing the review of the LPR within 5 years of adoption of the 2017 Local Plan is also a consideration.

2.14 In this regard, the Government’s planning practice guidance states, “Policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after 5 years”. The Council has been exceeding its targets for the 5-year housing land supply and 3-year delivery test, making up for previous under-supply and providing evidence that the policies in LP17 remain effective in that respect – a key consideration for decision makers.

2.15 A further consideration is the very small period of time between adoption date of October 2022 set out in the current LDS timetable versus the adoption date of January 2023, set out in the proposed LDS timetable. The 3-month delay is minimal, with the Independent Examination providing clarity to all parties regarding key components of the LPR proposals.

2.16 Indeed, the delays required to meet additional evidence requirements or to extend the length of the LPR Independent Examination would be far greater than the minor changes proposed to the current timetable. Accordingly, whilst it is not possible to eliminate risk from the ongoing, accelerated LPR production process, the slight delay to the Regulation 19 consultation would help keep risks in that regard to acceptable levels.

2.17 The current LDS is out-of-date as it includes a Regulation 19 consultation in June 2021. A note has been 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 LDS is being considered by this committee.

2.18 The Local Development Scheme 2021-2023 will require final approval from Full Council. It is proposed to send a report to Full Council on 14<sup>th</sup> July

2021. If approved, the revised LDS will come into effect on the same day and will supersede the Local Development Scheme 2020-2022 (September 2020 edition).

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### **3. AVAILABLE OPTIONS**

3.1 Option 1: The Local Development Scheme 2021-2023 is approved for adoption by Full Council. The LDS outlines the timetable for delivering the LPR, which has consideration for the Strategic Plan priorities and cross-cutting objectives.

3.2 Option 2: The Local Development Scheme 2021-2023 is not approved for adoption by Full Council. Under Section 15(8) of the Planning and Compulsory Purchase Act 2004 (as amended), local planning authorities must revise an LDS when it is considered appropriate. The current LDS is out-of-date and to not adopt an updated LDS will be contrary to the Planning and Compulsory Purchase Act 2004 (as amended) and would mean that the Local Planning Authority would fail its legal tests for producing the LPR.

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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 Option 1 is the preferred option. By adopting the Local Development Scheme 2021-2023 the Council will be compliant with Section 15 Planning and Compulsory Purchase Act 2004 (as amended), in particular Section 15(8) which outlines that local planning authorities must revise an LDS when it is considered appropriate.

### **5. RISK**

5.1 The recommendations contained in this report seek to ensure that the risks associated with the production of the LPR are minimised. The recommendations have regard to the legal requirements of producing an LPR in accordance with an up-to-date LDS and also the desire for the LPR to meet the government tests of soundness at Independent Examination.

5.2 The revised timetable does not eliminate risk of the LPR being found unsound. However, it would help keep risks in that regard to acceptable levels.

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### **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

6.1 If approved by Full Council, the Local Development Scheme 2021-2023 will be published on the website. The delivery of the Local Plan Review against milestones in the LDS will be monitored through the Authority Monitoring Report, which is published each year.

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## **7. REPORT APPENDICES**

Appendix 1: Local Development Scheme 2021-2023

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## **8. BACKGROUND PAPERS**

Background document 1: Local Development Scheme 2020-2022 (September 2020 edition) – <https://localplan.maidstone.gov.uk/home/documents/local-plan-review-documents/lpr-progress/Local-Development-Scheme-2020-2022-September-2020-FINAL-VERSION.pdf>

# LOCAL DEVELOPMENT SCHEME

July 2021

2021-2023

**LOCAL DEVELOPMENT SCHEME 2021-2023**

**This document is produced by  
Maidstone Borough Council**

**This Local Development Scheme came into effect on 14<sup>th</sup> July 2021 and replaces all previous  
versions of the Scheme**

**All enquiries should be addressed to:**

**Strategic Planning**

**Maidstone Borough Council**

**Maidstone House**

**King Street**

**Maidstone**

**Kent**

**ME15 6JQ**

**Telephone: 01622 602000**

**Email: [LDF@maidstone.gov.uk](mailto:LDF@maidstone.gov.uk)**

## Contents

1. Introduction to the Local Development Scheme .....	4
What is the Local Development Scheme? .....	4
The Development Plan.....	4
Planning Documents .....	5
Maidstone Community Infrastructure Levy.....	5
2. The Local Development Scheme .....	7
Review of the Local Development Scheme 2020-2022 (September 2020 edition).....	7
Local Development Scheme 2020-2022 .....	8
Monitoring and Review.....	8
3. Document Project Plan .....	9
Maidstone Borough Local Plan Review.....	9
4. Appendix .....	11
Glossary of terms .....	11

## **1. Introduction to the Local Development Scheme**

### **What is the Local Development Scheme?**

1.1 The government requires local planning authorities to prepare a **Local Development Scheme** (LDS). The LDS is a project plan and this version covers the period 2021-2023. The purpose of a LDS includes setting out the timetable for the delivery of Council produced planning policy documents. These are often referred to as Development Plan Documents or Local Plans. The Council intends to produce a review of the Maidstone Borough Local Plan (October 2017). The Local Plan Review (LPR), as this document will be known, will affect the whole of Maidstone Borough. The LDS contains a timetable for the delivery of the LPR to inform local people and stakeholders of the key milestones in its production.

1.2 The previous iteration of the Local Development Scheme 2020-2022 was approved by Full Council on 30<sup>th</sup> September 2020 (referred to as the September 2020 edition) and contained a timetable for the delivery of the LPR for the period 2020-2022. The September 2020 edition was produced in response to government proposals to update the standard methodology used to calculate housing need, as well as proposed interim arrangements for the new methodology to come into effect. The changes in methodology would have significantly increased the number of houses the Borough would be required to provide.

1.3 The Local Development Scheme 2021-2023 supersedes the Local Development Scheme 2020-2022 (September 2020 edition). The Local Development Scheme 2021-2023 was approved by Full Council on 14<sup>th</sup> July 2021 and came into effect on the same day.

### **The Development Plan**

1.4 **Development Plans** are an important part of the English planning system and are needed to guide the local decision making process for land uses and development proposals. At 14<sup>th</sup> July 2021, the Development Plan for Maidstone borough comprises:

- Maidstone Borough Local Plan 2011-2031 and associated Proposals Map (October 2017)
- Staplehurst Neighbourhood Development Plan 2016-2031 (August 2020)
- North Loose Neighbourhood Development Plan 2015-2031 (April 2016)
- Loose Neighbourhood Development Plan 2018-2031 (September 2019)
- Marden Neighbourhood Development Plan 2017-2031 (July 2020)
- Lenham Neighbourhood Plan 2017 – 2031 (July 2021)
- Boughton Monchelsea Neighbourhood Plan (July 2021)
- Kent Minerals and Waste Local Plan 2013-2030 (September 2020)

1.5 Further information regarding each of these documents is provided below.

1.6 The **Maidstone Borough Local Plan** sets out the framework for development within the Borough until 2031. It includes a spatial vision, objectives and key policies. It also includes an associated 'Policies Map' that sets out the geographical extent of key designations and site specific proposals set out in the local plan. Maidstone has an on-line policies map that can be accessed through its website. The Maidstone Borough Local Plan plays a key part in delivering Maidstone Council's Strategic Plan. The Maidstone Borough Local Plan was found sound following independent

examination and was adopted by Full Council on 25 October 2017. The Maidstone Borough Local Plan contains Policy LPR1 'Review of the Local Plan'. This requires a review of the local plan to ensure that the plan continues to be up to date. Policy LPR1 outlines matters which may be addressed by the review. Key considerations are the need to maintain and enhance the natural and built environment; and improve air quality.

**1.7 Neighbourhood Development Plans** are prepared by Parish Councils or Neighbourhood Forums, and the plans are subject to consultation, independent examination and referendum. The plans must be in general conformity with the strategic policies of the adopted local plan and should have regard to any emerging Local Plan. A neighbourhood area has to be designated for a Neighbourhood Development Plan to be produced. In total, 15 Parish Councils and 1 Neighbourhood Forum have designated Neighbourhood Areas. **To date, six Neighbourhood Development** Plans have been made and a number of Neighbourhood Development Plans are at various stages of preparation.

**1.8 The Kent Mineral Sites Plan and the Early Partial Review of the Kent Minerals and Waste Local Plan and** was produced by Kent County Council and covers the whole county. Both plans were adopted in September 2020 and describes:

- 'The overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management for all waste streams that are generated or managed in Kent, and
- The spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.'

## **Planning Documents**

1.9 In addition to the above components of the Development Plan, there are other key planning documents that the Council produces. These include:

- **Supplementary Planning Documents** – these set out further information, interpretation or clarification regarding existing planning policies and are produced and adopted by the Council in accordance with government legislative requirements
- **Planning policy guidance** documents – these set out further information, interpretation or clarification regarding existing planning policies but have not been produced to meet government Supplementary Planning Document requirements
- **Statement of Community Involvement** – a procedural document that sets out the methods for consultation and engagement with the public and stakeholders. This includes consultation and engagement during the production of Local Plans, the production of Neighbourhood Development Plans, and the Development Management process.
- **Authority Monitoring Reports** – a procedural document, produced on an annual basis that monitors the performance of Maidstone's Local Plan and its policies.

## **Maidstone Community Infrastructure Levy**

1.10 The **Community Infrastructure Levy (CIL)** is a charge on specific new developments towards the provision of infrastructure. The Maidstone CIL **Charging Schedule** was adopted by Full Council on 25 October 2017, following examination in June 2017. The Maidstone CIL took effect on 1 October 2018.

1.11 The Charging Schedule sets out the charging rates for development in Maidstone Borough, including the types of development that are required to pay the Levy and where the proposed rates will apply. The CIL Charging Schedule was developed alongside the Maidstone Borough Local Plan, and the evidence base for infrastructure, planning, affordable housing requirements and development viability supported both the Maidstone CIL and Maidstone Borough Local Plan.

1.12 The infrastructure schemes and/or types of infrastructure to be funded by Maidstone CIL are set out in a Regulation 123 List. In December 2020, the Council published an Infrastructure Funding Statement on the website which replaced the current Regulation 123 List. In addition, Section 106 planning agreements, which are negotiated with developers to secure infrastructure funding, will continue to play a significant role in securing site related infrastructure.

## **2. The Local Development Scheme**

### **Review of the Local Development Scheme 2020-2022 (September 2020 edition)**

2.1 The Local Development Scheme 2020-2022 (September 2020 edition) was produced in response to government proposals to amend the planning system and included changes to the standard methodology used to calculate housing need. The proposals included interim arrangements for this to take effect. The changes in methodology would have significantly increased the number of houses the Borough would be required to provide.

2.2 It was likely that under the Local Development Scheme 2020-2022 (July 2020 edition), the Council would have to accommodate a higher housing need figure. The Local Development Scheme 2020-2022 (September 2020 edition) sought to bring the production of the Local Plan Review forward.

2.3 In the event, the government did not continue with the update to the standard methodology and reverted to the original standard methodology, meaning that the Council is required to build in the region of 1200 houses per year (updated annually).

2.4 A revised timetable for the implementation of the Maidstone Borough Local Plan review follows.



### 3. Document Project Plan

#### Maidstone Borough Local Plan Review

<b>Maidstone Borough Local Plan Review</b>	
<b>Subject/content</b>	<p>Matters to be reviewed include:</p> <ul style="list-style-type: none"> <li>• A review of housing of needs</li> <li>• The allocation of land at the Invicta Park Barracks broad location and at the Lenham broad location if the latter has not been achieved through a Lenham Neighbourhood Plan in the interim</li> <li>• Identification of additional housing land to maintain supply towards the end of the plan period and, if required as a result, consideration of whether the spatial strategy needs to be amended to accommodate such development</li> <li>• A review of employment land provision and how to accommodate any additional employment land needed as a result</li> <li>• Whether the case for a Leeds-Langley Relief Road is made, how it could be funded and whether additional development would be associated with the road</li> <li>• Alternatives to such a relief road</li> <li>• The need for further sustainable transport measures aimed at encouraging modal shift to reduce congestion and air pollution</li> <li>• Reconsideration of the approach to the Syngenta and Baltic Wharf sites if these have not been resolved in the interim</li> <li>• Extension of the local plan period</li> </ul>
<b>Status</b>	Local Plan
<b>Coverage</b>	Maidstone Borough
<b>Chain of Conformity – national</b>	Central government policy and guidance, including the National Planning Policy Framework, National Planning Practice Guidance and the Town and Country Planning (Local Planning) (England) Regulations 2012.
<b>Chain of Conformity – local</b>	<p>Regard to the Council's Plans and Strategies, including the Strategic Plan, Economic Development Strategy and Housing Strategy. Also have regard to the <b>Climate Change and Biodiversity Strategy and Action Plan.</b></p> <p><b>The LPR will need to take into account the policies within neighbourhood plans:</b></p> <ul style="list-style-type: none"> <li>• <b>North Loose Neighbourhood Plan 2015 – 2031 (2016)</b></li> <li>• <b>Staplehurst Neighbourhood Plan 2016 – 2031 (2020)</b></li> <li>• <b>Loose Neighbourhood Plan 2018 – 2031 (2019)</b></li> <li>• <b>Marden Neighbourhood Plan 2017 – 2031 (2020)</b></li> <li>• <b>Lenham Neighbourhood Plan 2017 – 2031 (2021)</b></li> <li>• <b>Boughton Monchelsea Neighbourhood Plan (2021)</b></li> </ul>
<b>Policies Map</b>	To be amended to reflect the policy content of the Local Plan Review
<b>Timetable</b>	
Sustainability Appraisal	Relevant appraisals and assessment will be carried out throughout the review of the Maidstone Borough Local Plan
Evidence gathering	June 2018 to September 2021
Draft DPD consultation (Regulation 19)	October – November 2021
Submission (Regulation 22)	March 2022

Examination hearing sessions (Regulation 24)	August – September 2022
Main Modification Consultation	November 2022
Adoption – Full Council (Regulation 26)	January 2023
<b>Arrangements for Production</b>	
Internal Partners	Key internal partners include relevant service areas within the Council, Chief Executive; Corporate Leadership Team; and Strategic Planning and Infrastructure Committee.
External Partners	Key external partners include specific and general consultation bodies (including parish councils and neighbourhood forums), local stakeholder groups, hard to reach groups and the local community.
External Resources	Kent County Council, Highways England, infrastructure providers, the Homes England, and use of external consultants to provide evidence (as required).

Table 3.1 Project Plan for the Maidstone Borough Local Plan Review

#### 4. Appendix

##### Glossary of terms

Acronym	Term	Description
AMR	Authority Monitoring Report	A report which is produced annually and monitors the performance against monitoring indicators in the Maidstone Borough Local Plan.
	Development Plan	The Development Plan includes adopted local plans/Development Plan Documents and made Neighbourhood Development Plans, and sets a framework for the local decision making process.
DPD	Development Plan Documents/Local Plans	A DPD/Local Plan is a spatial planning document which sets out the plan for the future development of the local area, drawn up by a local authority in consultation with the community. Once adopted, the local plan becomes part of the Development Plan. The Local Plan does not include SPDs or local Planning Guidance, although these documents are material considerations in the decision making process.
KCC	Kent County Council	The county planning authority, responsible for producing the Kent Minerals and Waste Local Plans, and are the highways authority.
LDS	Local Development Scheme	The LDS is a summary business programme and timetable for the production of the local plan.
MBC	Maidstone Borough Council	The local planning authority responsible for producing the Borough Local Plan.
NDP	Neighbourhood Development Plan	Neighbourhood Development Plans (also known as neighbourhood plans) are prepared by a parish council or neighbourhood forum for a particular neighbourhood area. Neighbourhood plans must be in conformity with the strategic policies of the Local Plan and, once made, form part of the Council's Development Plan.
	Planning Policy Guidance	Additional guidance which provides further detail to policies set out in local plans and is a material consideration in planning decisions but is not part of the local plan or the development plan. If subject to adequate stakeholder and public consultation, guidance can carry commensurate weight with SPDs in the decision making process.
	Policies Map	The Policies Map uses an on-line ordnance survey map base to show the spatial extent of all land use policies and proposals, and is updated with each new Local Plan so that it reflects the up-to-date planning strategy for the borough.
SA	Sustainability Appraisal	The SA is a tool for appraising policies and proposals to ensure they reflect sustainable development objectives, including social, economic and environmental objectives. An SA must be undertaken for all local plans and incorporates a Strategic Environmental Assessment.

SCI	Statement of Community Involvement	The SCI specifies how the community and stakeholders will be involved in the process of preparing local planning documents, Neighbourhood Development Plans and the Development Management process.
SEA	Strategic Environmental Assessment	SEA is a generic term used to describe the environmental assessment of policies, plans and programmes. The European SEA Directive requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use.
SoS	Secretary of State	Secretary of State for Housing, Communities and Local Government.
SPD	Supplementary Planning Document	An SPD provides further detail to policies set out in local plans. SPDs are a material consideration in the decision making process but are not part of the Development Plan or the Local Plan. They follow a statutory production and consultation process.

Table 4.1 Glossary of terms

