

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE MEETING

Date: Tuesday 8 March 2022
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.

AGENDA

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| 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information. | |
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Issued on Monday 28 February 2022

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

- | | |
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INFORMATION FOR THE PUBLIC

In order to ask a question at this meeting, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 4 March 2022). You will need to provide the full text in writing.

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

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 4 March 2022). You will need to tell us which agenda item you wish to speak on.

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

To find out more about the work of the Committee, please visit www.maidstone.gov.uk.

Should you wish to refer any decisions contained in these minutes to the Policy and Resources Committee, please submit a Decision Referral Form, signed by three Councillors, to the Head of Policy, Communications and Governance by: 28 February 2022

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 8 FEBRUARY 2022

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

Also Present: Councillor English

155. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Grigg.

156. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Cox was present as Substitute Member for Councillor Grigg.

157. URGENT ITEMS

The Chairman stated that he intended to take Item 24 – Article 4 Directions as an urgent item, alongside an urgent update to Item 24 – Article 4 Directions.

158. ITEMS WITHDRAWN FROM THE AGENDA

The Head of Planning and Development informed the Committee that planning permission was required to demolish a means of enclosure within a Conservation Area and was therefore an existing means of control.

RESOLVED: That Item 17 – Article 4 Direction for Bearsted Conservation Area, be withdrawn from the agenda.

159. NOTIFICATION OF VISITING MEMBERS

Councillor English was in attendance as a Visiting Member for Item 14 – Reference from the Policy and Resources Committee – Parking season Tickets – Fees and Charges 2022-23 and Item 16 – Conservation Area Appraisal and Management Plan Work Programme Update.

160. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

161. DISCLOSURES OF LOBBYING

All Members of the Committee had been lobbied on the following items:

- Item 18 – Local Plan Review Update
- Item 22 – SoCG in relation to the East Sussex, Brighton and Hove, and South Downs National Park Authority Minerals and Waste Plan
- Item 23 – Exempt Appendix 1 – Draft East Sussex, Brighton and North Downs Minerals and Waste SoCG, Item 22 SoCG in relation to the East Sussex, Brighton and Hove, and South Downs National Park Authority Minerals and Waste Plan

162. EXEMPT ITEMS

RESOLVED: That all items be taken in public, unless any Member of the Committee wished to refer to Item 23 – Exempt Appendix 1 – Draft East Sussex, Brighton and North Downs Minerals and Waste SoCG, to Item 22 – SoCG in relation to the East Sussex, Brighton and Hove, and South Downs National Park Authority Minerals and Waste Plan, in which case the Committee would enter into closed session due to the possible disclosure of exempt information.

163. MINUTES OF THE MEETING HELD ON 11 JANUARY 2022

RESOLVED: That the Minutes of the meeting held on 11 January 2022 be approved as a correct record and signed, subject to the addition of Councillor Munford’s departure time under Minute 138 – Minutes (Part I) of the Meeting held on 7 December 2021, to read:

‘Note: Councillor Munford left the meeting at 6.39 p.m.’

164. PRESENTATION OF PETITIONS

There were no petitions.

165. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were seven questions from Members of the Public.

Question from Mr John Horne to the Chairman of the Strategic Planning and Infrastructure Committee

‘The Minister of State for Housing (Rt. Hon Christopher Pincher MP) has published guidance that "Local Councils are expected to address water supply, wastewater and water quality as part of the Local Plan process". Accordingly, to ensure adequate water facilities for our Borough during the Review Period and within the drought contingency period, what evidence, if any, of suitable undertakings from relevant persons will accompany submission of the Review to the Secretary of State and concurrently achieve compliance with the Government’s 25 Year Environment Plan?’

The Chairman responded to the question.

Question from Mr Peter Coulling to the Chairman of the Strategic Planning and Infrastructure Committee

'MBC recently delivered 170% against the Housing Delivery Test, the highest in Kent. That is, MBC delivered 1,599 more homes over those three years than required by the Annual Assessed Needs in the Local Plan. That is now being justified as necessary to make-good under-delivery in the early years of that Local Plan. However, that means it is unnecessary for the Trajectory in the soon-to-be-submitted version of Reg19 to depict, or give rise to, a surge in the early years. Any such surge would again risk early failure against Five Years' Housing Supply and give rise to an acceleration of population projections and an even greater Housing Needs figure when the Local Plan is again reviewed five years from now.

'What additional policies will MBC add as Main Modifications to Reg19 to target a flat Trajectory and to control housing development against that Trajectory to avoid such risks?'

The Chairman responded to the question.

Mr Peter Coulling asked the following supplementary question:

'Development Plan Documents are fine, but my question was about what additional policies will be put into the main modifications; I am guessing that from your answer that it is concluded that Maidstone Borough Council will just give up on this issue and take whatever the developers deliver against the review. That does not seem right for our borough, does it?'

The Chairman responded to the supplementary question.

Question from Mr Chris Sheppard to the Chairman of the Strategic Planning and Infrastructure Committee

'Please will the Committee confirm they delivered 3,878 new homes built in the period April 2018 to March 2021, this is 1,599 new homes or 170% above target?'

The Chairman responded to the question.

Mr Sheppard asked the following supplementary question:

'Why do you still pursue the need to build the Lidsing garden development of over 2,000 plus new homes in an area of outstanding natural beauty which has no support from anybody but the developers. Please will you confirm that you're developing your proposals with the neighbouring councils, particularly Medway Unitary Authority and stakeholders and how you intend to deal with the complete lack of infrastructure including health, schools, highways, water and sewerage in this beautiful rural area?'

The Chairman responded to the supplementary question.

Question from Ms Vanessa Jones to the Chairman of the Strategic Planning and Infrastructure Committee

Of the 2,250 representations submitted, please confirm the number which relate to the Lidsing Garden Community proposal and, of those, how many are objections?

The Chairman responded to the question.

Ms Jones asked the following supplementary question:

'When processing the representations, do officers work to written guidance and if so, can this please be made public. If there is no written guidance, how does MBC ensure consistency and impartiality. In a quick poll of 'Against Lidsing' supporters yesterday, of the 190 people who submitted objections, only 57 have received a unique response ID from MBC. Does this low number concern you and by what date will everyone receive their number?

The Chairman responded to the supplementary question.

Question from Ms Kate Hammond to the Chairman of the Strategic Planning and Infrastructure Committee

At January's SPI Committee meeting, a public question asked if you were planning to submit the draft Local Plan without any significant changes. You answered by saying you didn't expect to have to make any changes that would require further consultation and that you fully intended to submit the draft plan for examination in March 2022. Given you have yet to fully analyse the nearly 3,000 Regulation 19 consultation responses and present them before this Committee, can you please explain what you think the point of public consultation is?

The Chairman responded to the question.

Ms Hammond asked the following supplementary question:

'Does this suggest you are predetermined?'

The Chairman responded to the supplementary question.

Question from Mr Steve Heeley to the Chairman of the Strategic Planning and Infrastructure Committee

The draft for submission document of your Local Plan review includes policy LPRSP4(A) Heathlands which proposes a new town east of Lenham with 5,000 homes in the middle of the Kent countryside. The Policy & Resources Committee received an update in January on Heathlands that confirmed only 30% of landowners had agreed to their land being included in the masterplan and had subsequently agreed options. Can you tell me whether you will be submitting your draft Local Plan for Examination in March without 100% of landowners having signed options in place?

The Chairman responded to the question.

Mr Heeley asked the following supplementary question:

'That doesn't really answer whether you are going to submit if you haven't got 100% of landowners. If you've got less than all of the 5 principal land owners that own the land for the Heathlands development and if they're not signed up by point that you submit your plan, will you delay submitting your plan or will you carry on regardless?'

The Chairman responded to the supplementary question.

Question from Mr John Hughes to the Chairman of the Strategic Planning and Infrastructure Committee

Covid has rapidly accelerated the growth of online shopping and therefore is likely to lead to the closure of more shops in the town centre, which could threaten its "county town" role. How does the Reg19 Plan adapt to this trend and ensure the attractiveness and viability of the whole of the town centre in the future?

The Chairman responded to the question.

Mr Hughes asked the following supplementary question:

'As you rightly say Maidstone has a great opportunity to develop the Town Centre and make more of the river Medway frontage which will attract lots of people for shopping, leisure and to visit, but there is some critical infrastructure required to do that, and that is two things; a pedestrian bridge from the shopping centre to the other side of the river, to what is in fact the riverside opportunity area and riverside walking and cycling paths, which are mostly there at the moment. I note that in the 2016 Integrated Transport Strategy there was an action, W2, which was to put in place a pedestrian bridge over the Medway and as far as I'm aware no progress seem to have been made in the last 6 years, but I would be very grateful if you could bring me up to date on that. Will the Local Plan Review strengthen the remit for the Town Centre plan to achieve a new central river pedestrian bridge and the enhancement of the riverside setting, particularly in the riverside opportunity area which it doesn't do at the moment?'

The Chairman responded to the supplementary question.

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

Mrs Harwood had given notice of her wish to ask a question but was unable to do so at the meeting.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website. The question-and-answer session took place between minutes 6:08 to 32:21 of the recording.

To access the webcast, please use the link below:

[Strategic Planning and Infrastructure Committee Meeting - 8 February 2022 - YouTube](#)

166. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

167. COMMITTEE WORK PROGRAMME

RESOLVED: That the Committee Work Programme be noted.

168. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

169. CHANGE TO THE ORDER OF BUSINESS

The Chairman intended to take Item 18 – Local Plan Review Update, after Item 12 – Committee Work Programme to facilitate the public speaker in attendance.

170. LOCAL PLAN REVIEW UPDATE

Prior to the report's introduction, Mr Peter Titchener addressed the Committee.

The Strategic Planning Manager introduced the report and stated that the report on the main modifications arising from the Regulation 19 'draft for submission' documents public consultation would be presented to the Committee on 21 March 2022.

The processing and analysis of the representations submitted continued; the Lidsing Garden Community proposal had currently received the highest number of representations, with a large number received for the Heathlands Garden Community proposal alongside those for the Invicta Barracks site as carried forward from the 2017 adopted Local Plan (LP). The comments made within the representations, such as the effects to the local landscapes of the proposals, were outlined. Technical work continued in relation to those proposals to provide reassurance to the Inspector following the LP's submission and to ensure compliance to the Regulation 19 policies that required such work to be conducted in the production of Supplementary Planning Documents.

It was likely that additional Statements of Common Ground would be presented to the Committee prior to the LPs submission. Further transport work may also be available at the time of submission.

RESOLVED: That the report be noted.
171. REFERENCE FROM THE POLICY AND RESOURCES COMMITTEE - PARKING SEASON TICKETS - FEES AND CHARGES 2022-23

The Democratic Services Officer introduced the referenced received from the Policy and Resources Committee, following its consideration of the proposed Fees and Charges 2022-23.

The Committee expressed support for retaining the current charge level across the 2022/23 financial year, to provide further support for season ticket holders after the Park and Ride Services' end. It was highlighted that the 2022/23 fees and charges within the Committee's remit had been agreed prior to the decisions taken in relation to the Park and Ride service. It was confirmed that charges referred to were shown in Appendix 2 to the report, under the heading 'Season Tickets – Car Parks D041 RC20'.

Several Members expressed support for residents being able to use their parking permits across the car parks owned by the Council to increase the parking available. In response, the Chairman and Vice-Chairman would raise the issue with the relevant officers with a view to having a report presented to the Committee at a later date.

RESOLVED: That the parking season ticket charges remain the same as the current 2021-22 financial year.

172. SHORT TERM OPTIONS TO UTILISE PARK & RIDE SITES POST SERVICE CLOSURE

The Parking Services Manager introduced the report, which proposed a series of short-term uses for the Willington Street Park and Ride site up until 31 March 2023.

The proposals included the provision of a mobile Covid-19 testing site from February 2022, use of the site to conduct NHS Galleri Trials from May 2022 and the sites' use as an external parking facility for events held at Mote Park from June 2022. The latter would generate additional funds to offset the site's costs, alongside reducing traffic into the town centre.

In response to questions, the Parking Services Manager confirmed that the payable business rates for the Willington Street site were in the region of £35,000. There was no definitive estimation of the financial income that could be generated from the site's proposed usage, however the income generated would be used to offset costs. A future report on the long-term uses of the site would be presented to the appropriate Committee at a later date.

The Committee expressed support for the short-term actions proposed which were felt to be sensible. It was reiterated that a wide range of options should be considered within the report containing the medium and long-term options for the site's use.

RESOLVED: That Officers

1. Relocate the Covid-19 mobile testing unit to the Willington Street Site from February 2022;
2. Engage with EMS Mobile Healthcare in relation to the NHS Galleri Trials to allow use of the Willington Street site from May 2022; and
3. Promote the Willington Street car park for event parking and apply market rate charges to event organisers.

173. ADJOURNMENT OF MEETING

The Committee adjourned for a short break between 7.58 p.m. to 8.10 p.m.

174. CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN WORK PROGRAMME UPDATE

The Principal Conservation Officer introduced the report and stated that the two-year work programme previously agreed by the Committee in 2019 had ended in December 2021. Nine conservation area appraisals and management plans had been completed during the period.

The priority areas for the creation of appraisals and management plans were outlined, with a checklist to be provided to Parish Councils to assist in their development. The work's progression depended on the resources available to the Heritage, Design and Landscape Team given its significant workload which included updating the list of locally scheduled heritage assets as part of the Local Plan Review and existing case work. It was therefore anticipated that one appraisal and management plan could be completed in the next year from 2022-23, beginning with Staplehurst.

Several Members expressed disappointment at the number of areas that did not have an appraisal or management plan in place, especially as the management plan could be taken into account in planning decisions. The Head of Planning and Development confirmed that management plans were more effective than Article 4 Directions in Conservation Areas due to limited permitted development rights of listed buildings.

The importance of providing adequate resources to enable the documents to be produced in a timely manner alongside the other ongoing work, for example the Local Plan Review and the creation of Development Plan Documents, was reiterated.

RESOLVED: That

1. The report be deferred with officers requested to seek further funding opportunities and report back to the Committee; and
2. Further engagement take place with Parish Councils.

175. ARTICLE 4 DIRECTIONS

The Head of Planning and Development introduced the report, referencing the expansion of permitted development rights and the Committee's previous resolutions on the exploration of Article 4 Directions in Fant and the protection of essential services within the village development hierarchy. The initial work undertaken in Fant had not uncovered many streets where it would be appropriate to implement an Article 4 Directions on Houses of Multiple Occupation (HMO).

The proposed strategic prioritisation of the Article 4 Directions was outlined taking account of the resource intensive work currently being carried out, such as the preparation of the Design and Sustainability Development Plan Document. The prioritisation included the completion of the exploratory work in the Fant Area, the commencement of the exploratory work across the development hierarchy followed by the Conservation and Employment Protection areas. Additional resources would be required.

In response to questions, the Head of Planning and Development confirmed that Neighbourhood Plans were similar to Management Plans in that the document could influence local developments. The protection of everyday services within Conservation Areas would be considered as part of the creation of a management plan.

Whilst several Members expressed support for pursuing the Article 4 Directions as proposed, it was felt overall that there should be greater strategic priority given to the initial development of management plans in Conservation Areas, to provide the policy to support any future Article 4 Directions and ensure the quality of development within a local area.

RESOLVED: That

1. Work on prioritising Conservation Areas and getting the management plans in place be completed, before proceeding with Article 4 Directions.

176. MAIDSTONE DESIGN AND SUSTAINABILITY DEVELOPMENT PLAN DOCUMENT UPDATE

The Interim Local Plan Review Director introduced the report and referenced the previous decision taken by the Committee in September 2021.

An initial market engagement exercise had taken place in October 2021 but no submissions had been received. In response, several companies that had visited the portal were contacted and officers were advised that due to the current high demand for consultancy services combined with staffing issues, companies were reluctant to engage in pre-tender exercises. A formal tender exercise was undertaken between 15 November to 8 December 2021, followed by a further tender period

between 10 December 2021 to 14 January 2022. As a result, one bid had been received from an international multi-disciplinary built consultancy.

The company had since been interviewed and was felt to possess the range of skills and background required to complete the work. In order to secure the consultant and avoid further delay, it was recommended that the all-Member briefing take place after the consultant was appointed rather than prior to their appointment as previously agreed.

In response to questions, the Interim Local Plan Review Director confirmed that there were no immediate concerns arising from the possible prioritisation of the work required after having entered into a contract. It was reiterated that the company had a good reputation within the market.

The Committee expressed support for the company's appointment, prior to the all-Member engagement exercise to secure their availability.

RESOLVED: That

1. Officers be authorised to enter into a contract for the preparation of the Design and Sustainability Development Plan Document in advance of the all-Member briefing session required by the 21 September 2021 resolution of the Committee, subject to:
 - a. An assurance from officers that the all-Member engagement session be conducted in advance of any significant work being undertaken post contract.

177. RESPONSE TO SWALE BOROUGH COUNCIL LOCAL PLAN REVIEW 'ISSUES AND PREFERRED OPTIONS' CONSULTATION

The Strategic Planning Manager introduced the report and stated that Swale Borough Council (SBC) had repeated its Regulation 18 'Issues and Preferred Options' consultation in November 2021, as part of its Local Plan Review. Due to technical issues that had affected multiple local authorities the Council was unable to respond at that time. SBC had given agreement for the Council to submit a representation.

The contents and purpose of SBC's Regulation 18 document and preferred housing strategy were briefly outlined. Particular attention was drawn to the question within that consultation on whether neighbouring authorities should be asked to provide for SBC's unmet housing need. The proposed response, as shown in Appendix 1 to the report, included that SBC was able to accommodate its housing needs figure and that any departure from that assumption was unlikely to be successful. Additional new evidence would also be required in light of the evidence previously submitted by SBC.

In response to questions, the Strategic Planning Manager stated that SBC were conducting further transport work, which would likely be included

within the evidence base of its Regulation 19 consultation, due to take place later in 2022.

The Committee expressed support for the response as proposed, with a request made to use plain English.

RESOLVED: That

1. The consultation on the Swale Borough Council Local Plan Review Regulation 18 'Issues and Preferred Options', be noted; and
2. The response to the Swale Borough Council Local Plan Review Regulation 18 'Issues and Preferred Options' consultation, attached as Appendix 1 to the report, be agreed.

178. MBC RESPONSE TO THE KENT MINERALS AND WASTE PLAN REFRESH

The Principal Planning Officer introduced the report and stated that the Kent Minerals and Waste Plan was undergoing a refresh following the review undertaken in 2020.

The plan formed part of the Council's Development Plan Documents and was used in the assessment of planning applications. There had not been any new mineral site allocations proposed. The proposed changes related to policy amendments that would require consideration towards a circular waste economy, for example the re-use of materials. The suggested response was contained within Appendix 1 to the report.

The Committee expressed support for the expansion of the existing recycling site, alongside the additional site proposed. The Principal Planning Officer confirmed that the contents of the plan did not have any implications on the site allocations within the borough.

RESOLVED: That

1. The current consultation on the proposed refresh of the Kent Minerals and Waste Plan, be noted;
2. The proposed response to the consultation as shown at Appendix 1 to the report, be agreed; and
3. The additional household recycling site and the expansion of the existing site be welcomed.

179. SOCG IN RELATION TO THE EAST SUSSEX, BRIGHTON AND HOVE, AND SOUTH DOWNS NATIONAL PARK AUTHORITY MINERALS AND WASTE PLAN

The Principal Planning Officer introduced the report and stated that East Sussex, Brighton and Hove and South Downs National Park Authorities were undertaking a joint review of the adopted Waste and Mineral Local Plan.

A brief explanation of the Statement of Common Ground attached as exempt Appendix 1 to the report was provided, which included recognition of the historic provision of soft sand from Kent County. As such, Kent County Council (KCC) and the Council had been consulted as co-signatories to the document.

In response to questions, the Principal Planning Officer stated that KCC was the minerals planning authority and would, for example, determine any planning applications relating to minerals extraction sites.

RESOLVED: That the Statement of Common Ground, as attached at Exempt Appendix 1 to the report, between Maidstone Borough Council, Kent County Council, East Sussex County Council, Brighton and Hove City Council, West Sussex County Council and the South Downs National Park Authority, be agreed.

180. EXEMPT APPENDIX 1 - DRAFT EAST SUSSEX, BRIGHTON AND NORTH DOWNS MINERALS AND WASTE SOCG, ITEM 22 - SOCG IN RELATION TO THE EAST SUSSEX, BRIGHTON AND HOVE, AND SOUTH DOWNS NATIONAL PARK AUTHORITY MINERALS AND WASTE PLAN

RESOLVED: That the item be considered alongside Item 22 – SoCG in relation to the East Sussex, Brighton and Hove, and South Downs National Park Authority Minerals and Waste Plan.

181. ARTICLE 4 DIRECTION FOR BEARSTED CONSERVATION AREA

RESOLVED: See Minute 158 above.

182. DURATION OF MEETING

6.30 p.m. to 9.41 p.m.

Note: The Committee adjourned between 7.58 p.m. to 8.10 p.m. for a short break.

2021/22 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
Regulation 19 - Main Modifications	SPI	21-Mar-22	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
Statements of Common Ground	SPI	21-Mar-22	Officer Update		Mark Egerton	Helen Garnett
Local Plan Review Update	SPI	12-Apr-22	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
Refresh of the Council's Air Quality Management Area and Air Quality Action Plan	SPI	TBC	Officer Update		John Littlemore	Tracey Beattie
Conservation Area Appraisal and Management Plan Update	SPI	TBC	Officer Update		Rob Jarman	Deanne Cunningham/Jeremy Fazzalano
Update Report on the Maidstone Strategic Infrastructure Working Group	SPI	TBC	Committee Request		Alison Broom	Alison Broom
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
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
Virtual Permit Management - Visitor Permits	SPI	TBC	Officer Update		Jeff Kitson	Alex Wells
First Homes	SPI	TBC	Officer Update		William Cornall/Rob Jarman	TBC
Updating the Community Infrastructure Levy Charging Schedule	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Helen Smith

STRATEGIC PLANNING & INFRASTRUCTURE COMMITTEE

8 March 2022

3rd Quarter Financial Update & Performance Monitoring Report 2021/22

Final Decision-Maker	Strategic Planning & Infrastructure Committee
Lead Head of Service	Mark Green, Director of Finance and Business Improvement
Lead Officer and Report Authors	Paul Holland, Senior Finance Manager (Client) Georgia Harvey, Senior Information Governance Officer Anna Collier, Corporate Insight, Communities and Governance Manager
Classification	Public
Wards affected	All

Executive Summary

This report sets out the 2021/22 financial and performance position for the services reporting into the Strategic Planning & Infrastructure Committee (SPI) as at 31st December 2021 (Quarter 3). The primary focus is on:

- The 2021/22 Revenue and Capital budgets; and
- The 2021/22 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.

Budget Monitoring

Overall net expenditure at the end of Quarter 3 for the services reporting to SPI is -£0.513m, compared to the approved profiled budget of -£0.069m, representing an underspend of £0.445m.

Capital expenditure at the end of Quarter 3 was £0.007m against a total budget of £0.086m. Forecast spend for the year is £0.032m.

The budgets in this report are the revised estimates for 2021/22.

Performance Monitoring

66.7% (4 of 6) targetable quarterly key performance indicators reportable to the Communities, Housing & Environment Committee achieved their Quarter 3 target.

Recovery & Renewal Update

In October Policy and Resources Committee agreed a range of actions for spending under Recovery and Renewal, with updates provided alongside the quarterly performance and budget report. Progress against actions relevant to this Committee can be seen at Appendix 3. Positively substantial progress has been made across all the whole action plan.

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 31st December 2021.

This report makes the following Recommendations to the Committee:

1. That the Revenue position as at the end of Quarter 3 for 2021/22, 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 3 be noted; and
3. That the Performance position as at Quarter 3 for 2021/22, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.
4. That the Recovery & Renewal Update be noted.

Timetable

Meeting	Date
Strategic Planning & Infrastructure Committee	8 March 2022

3rd Quarter Financial Update & Performance Monitoring Report 2021/22

CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<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)
Cross Cutting Objectives	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)
Risk Management	This is addressed in Section 5 of this report.	Director of Finance and Business Improvement (Section 151 Officer)

Issue	Implications	Sign-off
Financial	<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)
Staffing	<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)
Legal	<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>	Senior Lawyer (Corporate Governance), MKLS

Issue	Implications	Sign-off
Privacy and Data Protection	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
Equalities	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 Communities Officer
Public Health	The performance recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	There are no specific issues arising.	Director of Finance and Business Improvement (Section 151 Officer)
Procurement	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)
Biodiversity & Climate Change	The implications of this report on biodiversity and climate change have been considered and there are no direct implications on biodiversity and climate change.	Biodiversity and Climate Change Manager

1. BACKGROUND AND INTRODUCTION

- 1.1 The Medium-Term Financial Strategy for 2021/22 to 2025/26 - including the budget for 2021/22 - was approved by full Council on 24th February 2021. 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 This report also includes an update to the Committee on progress against its Key Performance Indicators (KPIs).
- 1.3 Attached at **Appendix 1** is a report setting out the revenue and capital spending position at the Quarter 3 stage. Attached at **Appendix 2** is a report

setting out the position for the KPIs for the corresponding period.

- 1.4 Also attached at **Appendix 3** is an update on the actions taken to date with regards to the Recovery & Renewal Plan agreed previously by Policy & Resources Committee.
-

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, KPIs and the Recovery & Renewal Update at the end of December 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 as no further actions are required.
-

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 2021/22. 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 3 Budget & Performance Monitoring reports are being considered by the relevant Service Committees during February and March 2022, including a full report to the Policy & Resources Committee on 9th February 2022.
 - 6.2 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.
 - 6.3 There remains uncertainty regarding the Council’s financial position beyond 2021/22, 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.
-

7. REPORT APPENDICES

- Appendix 1: Third Quarter Budget Monitoring 2021/22
 - Appendix 2: Third Quarter Performance Monitoring 2021/22
 - Appendix 3: Recovery & Renewal Update
-

8. BACKGROUND PAPERS

None.

Third Quarter Financial Update 2021/22

Strategic Planning & Infrastructure Committee

8th March 2022

Lead Officer: Mark Green

Report Author: Paul Holland

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Part C: Capital Budget Q3 2021/22

C1) Capital Budget Page 9

Part A

Executive Summary & Overview



This report provides members with the financial position as at 31 December 2021, covering activity for both the Council as a whole and this committee's revenue and capital accounts for the first three quarters of 2021/22.

Members will be aware of the significant uncertainty in the 2021/22 budget estimates arising from the ongoing impact of the Covid-19 pandemic, both in relation to demands on the Council to respond and the speed of local economic recovery. Financial support from central government received during 2020/21 continues to support specific activities, and the unringfenced Covid-19 grant of £860,000 will be used to support recovery and renewal activities.

The headlines for Quarter 3 are as follows:

Part B: Revenue budget – Q3 2021/22

- Overall net expenditure at the end of Quarter 3 for the services reporting to this committee is -£0.513m, compared to the approved profiled budget of -£0.069m, representing an underspend of £0.445m.

Part C: Capital budget – Q3 2021/22

- Capital expenditure at the end of Quarter 3 was £0.007m against a total budget of £0.086m. Forecast spend for the year is £0.032m.

The budgets in this report are the revised estimates for 2021/22.

Part B

Third Quarter Revenue Budget 2021/22



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 3. 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 3

Planning Services

(a)	(b)	(c)	(d)	(e)	(f)	(g)
Cost Centre	Approved Budget for Year £000	Budget to 31 December 2021 £000	Actual £000	Variance £000	Forecast 31 March 2022 £000	Forecast Variance 31 March 2022 £000
Building Regulations Chargeable	-347	-264	-332	69	-430	83
Building Control	-1	-1	0	-1	-1	0
Street Naming & Numbering	-73	-55	-51	-4	-73	0
Development Control Advice	-253	-184	-162	-22	-207	-46
Development Control Appeals	129	34	17	17	129	0
Development Control Majors	-511	-388	-300	-88	-391	-120
Development Control - Other	-641	-482	-654	172	-864	223
Development Control Enforcement	70	40	41	-1	70	0
Planning Policy	479	364	378	-14	479	0
Neighbourhood Planning	0	0	-37	37	-37	37
Conservation	-11	-7	-2	-5	-11	0
Land Charges	-265	-196	-227	31	-307	42
Spatial Policy Planning Section	440	332	319	12	440	0
Head of Planning and Development	110	82	84	-2	110	0
Development Management Enforcement Section	0	0	0	0	0	0
Building Surveying Section	442	344	334	11	442	0
Mid Kent Planning Support Service	315	234	198	36	266	48
Heritage Landscape and Design Section	206	154	156	-2	206	0
CIL Management Section	61	46	4	42	-11	72
Mid Kent Local Land Charges Section	94	60	17	43	36	58
Development Management Section – Majors	288	216	204	12	288	0
Development Management Section – Others	856	642	667	-25	856	0
Salary Slippage	-92	-69	0	-69	0	-92
Sub-Total: Planning Services	1,295	903	653	250	990	305

Parking Services

(a)	(b)	(c)	(d)	(e)	(f)	(g)
Cost Centre	Approved Budget for Year £000	Budget to 31 December 2021 £000	Actual £000	Variance £000	Forecast 31 March 2022 £000	Forecast Variance 31 March 2022 £000
Environment Improvements	7	-29	-45	16	7	0
Name Plates & Notices	19	14	14	1	19	0
On Street Parking	-322	-238	-314	76	-402	80
Residents Parking	-205	-148	-154	6	-205	0
Pay & Display Car Parks	-1,188	-827	-777	-50	-1,113	-75
Non Paying Car Parks	15	13	9	4	15	0
Off Street Parking - Enforcement	-118	-86	-153	67	-193	75
Mote Park Pay & Display	-186	-155	-177	22	-186	0
Sandling Road Car Park	3	2	0	2	3	0
Former Park & Ride Sites	160	140	118	21	160	0
Other Transport Services	-4	6	-13	19	-4	0
Parking Services Section	317	337	327	10	317	0
Sub-Total: Parking Services	-1,501	-971	-1,166	195	-1,581	80
Total	-206	-69	-513	445	-591	385

B1.2 The table shows that at the end of the third quarter overall net expenditure for the services reporting to SPI is -£0.513m, compared to the approved profiled budget of -£0.069m, representing an underspend of £0.445m.

B1.3 The table indicates that in certain areas, significant variances to the budgeted income levels have emerged during the third quarter of the year. The reasons for the more significant variances are explored in section B2 below.

B2) Variances

B2.1 The most significant variances for this Committee are as follows:

	Positive Variance Q3	Adverse Variance Q3	Year End Forecast Variance
Strategic Planning & Infrastructure Committee	£000		
PLANNING SERVICES			
Building Regulations Chargeable - The budget figure was reduced by 10% for this year, and income has been higher than expected so far, and is forecast to continue to be for the rest of the year.	69		83
Development Control (Majors) - The number of major applications remains low and is not expected to improve significantly for the remainder of the year.		-88	-120
Development Control (Minors) - The positive variance is due to a high level of income being generated coupled with the 10% decrease in income budget. The excess in income is due to a substantial increase in principally householder applications.	171		223

Local Plan Review

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.

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 December 2021.

Opening Balance 01/04/2021	Spending April - December 2021	Forecast Spending January - March 2022	Forecast Spending Balance 31/03/2022
£'s	£'s	£'s	£'s
416,912	445,627	326,120	-354,836

The above forecast excludes expenditure on the Town Centre Strategy, which was covered by a previous separate report to this committee.

The residual overspend, currently estimated to be £355,000 will be funded from corporate contingency budgets, as agreed by Policy and Resources Committee on 24 March 2021.

In addition to the resources and planned expenditure outlined above, £140,000 was allocated from the 2020/21 underspend for non-spatial planning policy development. This will be overseen by the Interim Local Plan Review Director in consultation with the Chairman and Vice-Chairman of the Strategic Planning and Infrastructure Committee. Planned expenditure on these activities has not been included within the table above.

	Positive Variance Q3	Adverse Variance Q3	Year End Forecast Variance
Strategic Planning & Infrastructure Committee	£000		
PARKING SERVICES			
On Street Parking – Penalty Charge Notice (PCN) income is higher than forecast, and there are also reduced running costs, although spend is expected to increase for the remainder of the year.	76		80
Pay & Display Car Parks - The adverse variance is due to a continuing reduction from income. Short Stay car parks are over budget for the Q3 with Long Stay and Lockmeadow under budget, although Lockmeadow income has improved slightly at the end of Q3. There is no evidence that long stay income will improve with the continuation of home working. Season ticket income has also been affected.		-50	-75
Off Street Parking (Enforcement) - PCN income is higher than forecast due to a higher number of notices that have been issued.	67		75

Part C

Third Quarter Capital Budget 2021/22



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

B1.1 The position of the 2021/22 SPI element of the Capital Programme at the Quarter 3 stage is presented in Table 3 below. The budget for 2021/22 includes resources brought forward from 2020/21.

Capital Programme 2021/22 (@ Quarter 3)

	Revised Estimate 2021/22 £000	Actual to December 2021 £000	Budget Remaining £000	Q4 Profile £000	Projected Total Expenditure £000	Projected Slippage to 2022/23 £000
Bridges Gyrotory Scheme	86	7	80	25	32	55
Total	86	7	80	25	32	55

SPI: Quarter 3 Performance Report

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 ¹	Total
KPIs	4	2	0	3	9
Direction	Up	No Change	Down	N/A	Total
Last Quarter	1	1	5	2	9
Last Year	2	0	5	2	9

- 66.7% (4 of 6) targetable quarterly key performance indicators (KPIs) reportable to the Strategic Planning and Infrastructure Committee achieved their Quarter 3 (Q3) target¹.
- Compared to last quarter (Q2 2021/22), performance for 14.3% (1 of 7) KPIs has improved, and for 71.4% (5 of 7) has declined¹.
- Compared to last year (Q3 2020/21), performance for 28.6% (2 of 7) KPIs has improved, and for 71.4% (5 of 7) has declined¹.

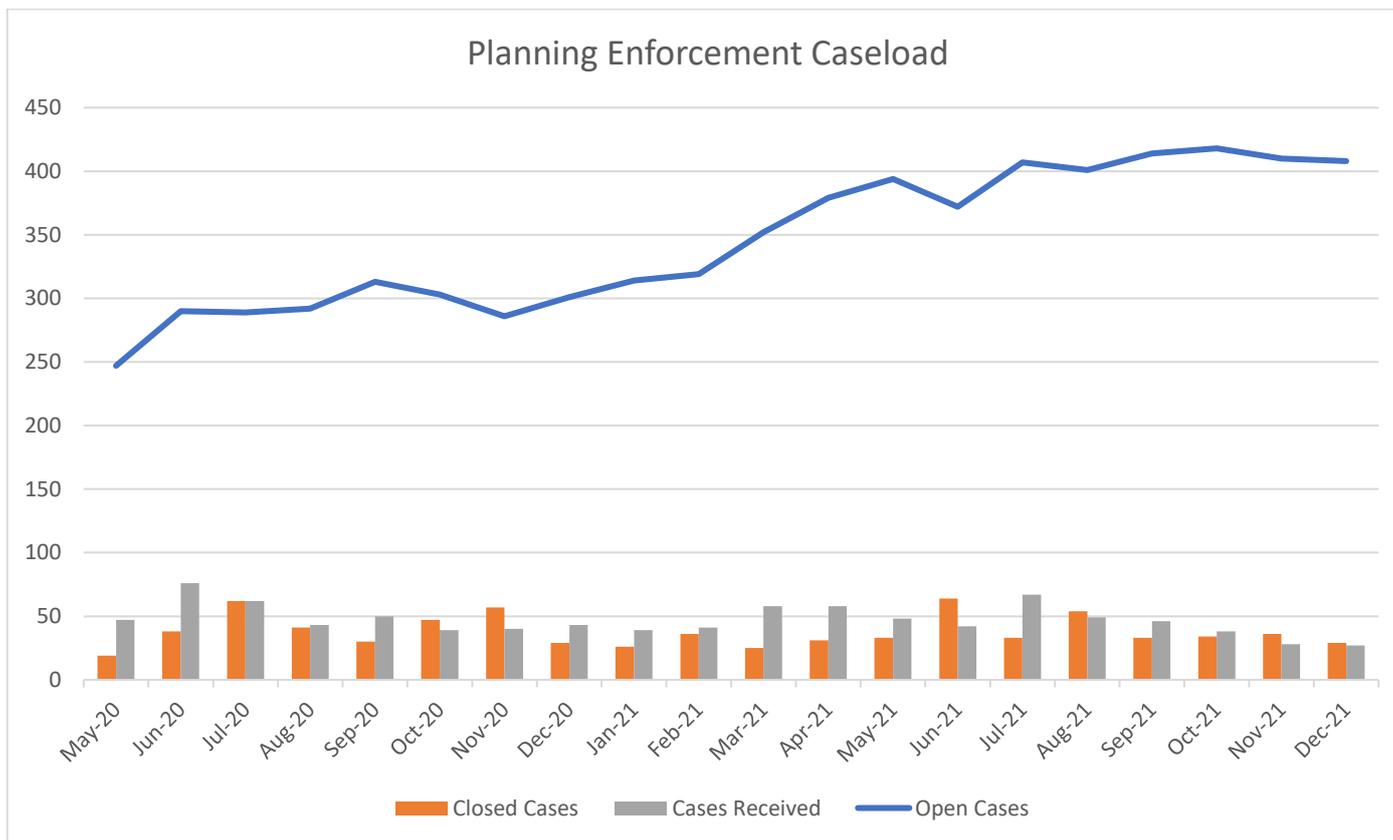
Embracing Growth & Enabling Infrastructure

Performance Indicator	Q3 2021/22				
	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	91.21%	90%			
Number of enforcement complaints received	93	-			
Processing of planning applications: Major applications (NI 157a)	87.50%	90%			
Processing of planning applications: Minor applications (NI 157b)	94.44%	95.00%			
Processing of planning applications: Other applications (NI 157c)	99.12%	98.00%			
Number of affordable homes delivered (Gross)	59	50			

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

Performance Indicator	Q3 2021/22				
	Value	Target	Status	Short Trend (Last Quarter)	Long Trend (Last Year)
Affordable homes as a percentage of all new homes	Annual KPI				
Net additional homes provided (NI 154)	Annual KPI				

	Open planning enforcement cases (as of start of each month)				
	Value	Target	Status	Short Trend (Last Month)	Long Trend (Last Year)
October 2021	414				
November 2021	418				
December 2021	410				



The “**Processing of planning applications: Major applications**” KPI achieved a result of 87.50%, missing its target of 90% by less than 10%. When comparing this outcome to performance in Q2 2021, there was a decline of 1.39% percentage points, but an overall total average for the year is 89.8%: just 0.2% below target. There is no significant downward trend in performance in this area, and it is expected that the year-end target will be met or fall marginally short.

Another indicator, which has missed target is the “**Processing of planning applications: Minor applications**”. It has achieved a result of 94.44% against its target of 95%, missing

its target by less than 10%. Performance for this indicator declined slightly when comparing it to quarter 2 (94.44% down from 96.64%), however, an overall total average for a year is 96% which is above the annual target for minor applications. The minor applications team has been affected by staff sickness this quarter, however, there is no downward trend in performance for this area and it is expected that year end performance will meet the overall target.

Recovery and Renewal Progress Update

Responding to Increased Demands arising from COVID-19					
Action	Agreed funding	Target Start	Target End	Success	Progress at January 2022
Planning Development Control fixed term post	£35,000 Recovery Fund	ASAP		Backlog resolved and staff able to meet demands on the service	A contractor has in place since mid- October helping process both other and minor applications. This will continue until the end of the financial year when the expected the money allocated will be used up.
Planning Enforcement fixed term post	£35,000 Recovery Fund	ASAP	Mar-22	Backlog resolved and staff able to meet demands on the service	The fixed term post be changed to a consultant post given the difficulties in recruiting at a senior officer level. A consultant senior enforcement officer has been in post since mid-October-21 and funding is in place to continue this until the end of the financial year when the budget will be used up.
Increased capacity in Heritage and Landscape	£70,000 Recovery Fund	ASAP		Backlog resolved and staff able to meet demands on the service	The process is in place to recruit to several posts in HLD. One of which is for the appointment of a new fixed term (1 year) Landscape Conditions Implementation Officer post. The contract for the part-time Principal Conservation Officer post (2 days per week) comes to an end at the end of March 2022 and the post will be re-advertised as another 1-year fixed term contract. Additionally, a specialist contractor is about to be appointed for 4 months to help clear the backlog of tree applications. Funding will need to be carried forward to 2022/23 to accommodate these arrangements.

Agenda Item 15

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

8 March 2022

Working with the Maidstone Campaign for Cycling Forum (MCCF)

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

Executive Summary

That working relations with the MCCF, including reporting to this Committee, are the same as with other outside bodies.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. Engagement between the Council and the Maidstone Cycle Campaign Forum take place through the normal Council Outside Body mechanism available.

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	8 March 2022

Working with the Maidstone Campaign for Cycling Forum (MCCF)

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place • We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council’s overall achievement of its aims. 	Rob Jarman
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation(s) supports the achievement(s) of the fourth cross cutting objective</p>	Rob Jarman
Risk Management	N/A	Rob Jarman
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Paul Holland, Senior Finance Manager (Client)

Staffing	We will deliver the recommendations with our current staffing.	Rob Jarman
Legal	<ul style="list-style-type: none"> Accepting the recommendations will fulfil the Council's duties under [act]. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of [act]. Acting on the recommendations is within the Council's powers as set out at [x]. 	[Legal Team]
Privacy and Data Protection	N/A	Policy and Information Team
Equalities	N/A	[Policy & Information Manager]
Public Health	N/A	Rob Jarman
Crime and Disorder	N/A	Rob Jarman
Procurement	N/A	Rob Jarman
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and Actions 1.1 / 1.3 / 1.4 / 1.6 of the MBC action plan are closely aligned with MCCF's role to encourage active travel and support the development of safe cycling infrastructure.	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 There was a motion referred to this Committee by full Council in March 2021 with regard to working relationships between the Council and the MCCF.
- 2.2 At the 7 December 2021 SPIC, it was agreed that Councillor Parfitt-Reid be appointed as the Council's representative on the MCCF effective from 8 December 2021. Previous to this, Councillor English was elected in 2019.
- 2.3 Ad hoc meetings have also been taking place with the MCCF as a result of the Council resolution mentioned in paragraph 2.1.
- 2.4 It is proposed that the sole formal engagement with the MCCF is as per with any other outside body (for example the Kent Downs AONB Joint Advisory Committee whereby Cllr Garten provided an update report for the 11 January 2022 SPIC). This has been discussed with the MCCF.

- 2.5 Details of MCCF's governance arrangements, purpose and objectives are set out in the appendices.
-

3. AVAILABLE OPTIONS

- 3.1 Do nothing or take the same approach as with other outside bodies.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is recommended that the MCCF are treated in the same way as with other outside bodies.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 This recommendation has been discussed with the MCCF.
-

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 That the decision of this Committee is formally reported to the MCCF and Councillor Parfitt-Reid and Councillor English.
-

7. REPORT APPENDICES

- Appendix 1: Role of the MCCF.
-

8. BACKGROUND PAPERS

None

APPENDIX 1: Role of the Forum

The Role of the Maidstone Cycle Campaign Forum (MCCF) Draft

Introduction

In 2020 the forum set its objectives to:

1. Campaign for improved cycle infrastructure
2. Encourage more people to cycle

Organisation of the Forum

The forum is a registered charity Number 1172691 and is managed by a board. The board is responsible for all aspects of the operation of the forum and its full membership is published on the website <https://maidstonecycling.uk/about-us>.

The forum is supported by two observers from Maidstone Borough Council who are Councillor Lottie Parfitt-Reid and Councillor Clive English.

The forum has a membership which supports its activities through a small subscription.

The forum focuses its activities exclusively on Maidstone but is a member of the Active Travel Kent group which brings together all the similar cycling advocacy groups across the county and through this can work effectively with KCC at the county level. Members of Active Travel Kent include:

- Spokes East Kent Cycle Campaign
- Tunbridge Wells Bicycle User Group (TWBUG)
- Tonbridge Bicycle User Group (TBUG)
- Sevenoaks Bicycle User Group (SBUG)
- Maidstone Cycle Campaign Forum (MCCF)
- Dartford and Gravesham Cycle Forum
- Thanet Cycle Forum
- 20s Plenty
- Action Vision Zero for the South East
- Sustrans
- Cycling UK
- Living Streets

APPENDIX 1: Role of the Forum

Activity of the Forum

Contribution to Maidstone Active Travel Strategy

- Local Plan
- Integrated Transport Strategy
- LCWIP

By working within the council's consultation structure

Communication and Engagement to Maidstone Residents

- Website - <https://maidstonecycling.uk/>
- Facebook - <https://www.facebook.com/MaidstoneCCF>
- Twitter - <https://twitter.com/maidstonecycle>
- Newsletters

Coordination with councillors and officers

- On specific schemes e.g. Hermitage Lane Cycle Route
- On specific planning developments e.g. Church Road
- Contribution to council meetings e.g. Joint Transportation Board and Strategic Planning and Infrastructure Committee

Championing National and County Policy into Maidstone

- Vision Zero
- Department of Transport Local Transport Note 1/20
- Active Travel Fund
- New Highway Code

APPENDIX 1: Role of the Forum

Measures of Success

1. Influence - be seen as a trusted and authoritative advocate of active travel cycling amongst Maidstone councillors and (relevant) officers.
2. Profile - To be known by Maidstone residents as a key advocate of cycling infrastructure and cycling transport in the borough.
3. Support - To deliver a practical contribution to strategy, cycle related schemes and planning applications.

Strategic Planning and Infrastructure Committee

8 March 2022

S106 Update Spend by Dates

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

Executive Summary

At the 11 January 2022 meeting of this committee Members resolved that officers ensure that s106 monies are spent before their expiry date focusing on those agreements nearing expiry. This report provides the requested update as set out in the attached Appendix.

Purpose of Report

Noting

This report makes the following recommendations to this Committee:

- 1.** That the report be noted.

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	8 March 2022

S106 Update Spend by Dates

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations will materially improve the Council's ability to achieve the first corporate objective. We set out the reasons other choices will be less effective in section 2 [available alternatives].</p>	Rob Jarman Head of Planning & Development
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation(s) supports the achievement(s) of the second cross cutting objectives by providing s106 monies for health care.</p>	Rob Jarman Head of Planning & Development
Risk Management	The report reduces risk by focusing on 'spend by' dates.	Rob Jarman Head of Planning & Development
Financial	Failure to spend S.106 monies within the agreed deadlines may lead to the Council incurring additional costs and may also impact on the delivery of capital projects.	Paul Holland, Senior Finance Manager
Staffing	We will deliver the recommendations with our current staffing.	Rob Jarman Head of Planning & Development

Legal	This report is for noting only. Any legal consequences depend on the terms of the individual s.106 planning obligation.	Russell Fitzpatrick (Mid Kent Legal Services (Planning))
Privacy and Data Protection	There are no implications	Carole Williams S106 Officer Development Management
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	There are no crime and disorder implications.	Rob Jarman Head of Planning & Development
Procurement	There are no procurement implications	Rob Jarman Head of Planning & Development & Section 151 Officer
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and there are no implications on biodiversity and climate change.	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 At the 11 January 2022 meeting of the Strategic Planning and Infrastructure Committee, Members resolved that the report be presented to the Committee bi-annually and that officers ensure that monies are spent before expiry dates for those agreements nearing these dates. This report provides an update to the spend by dates. Appendix 1 to this Report adopts a RAG (red/amber/green) status order of expiry dates.
- 2.2 Officers sought responses from bodies benefiting from the funding secured pursuant to various s.106 planning obligations including the NHS Kent and

Medway CCG, Parish Councils and the Council's Parks and Recreation team in relation to those sums secured which have spend by dates of on or before the end of May 2023. It was made clear to these bodies that those sums were at risk of being lost back to the developer if they failed to spend the sums to deliver the infrastructure identified within the S106 before the payback date.

- 2.3 The resulting communication with these bodies' is summarised in the "Comments -Feb 2022" column in Appendix 1. Of the funding reported on in Appendix 1, 8 relate to healthcare, 6 relate to Open Space (although for one of these the expiry date has been extended) and 1 relates to cycle parking.
- 2.4 The Clinical Commissioning Group (CCG) (who are responsible for the delivery of the healthcare obligations) explained that as the NHS hold the capital funding obtained from S106s, the CCG can only draw funds down once the NHS approve and invoice for project works. In relation to the 4 contributions due to expire within the next 6 months.
 - 2.4.1 12/1949 & 13/1943 – The Grigg Lane Surgery loft extension project has had the legal documents finalised and is with the evaluator for approval, funds will be drawn down in April 2022.
 - 2.4.2 14/0836- Coxheath Medical Centre project timeline has been delayed by 3-4 months due to building industry labour shortages, therefore the money will be drawn down before June 2022.
 - 2.4.3 14/503755- The College Practice works have been approved therefore the CCG will be drawing down the funds before the end of the financial year.
 - 2.4.4 For further information, the CCG referred to two pipeline schemes in early discussions which could be considered for forthcoming S106 funding; Maidstone East Medical Centre and Sutton Valence Medical Centre a new build proposal to develop a doctors surgery 'The Haven' to replace the two existing surgeries, as identified in the LPR and the Kent & Medway CCG GP Estates Strategy August 2021.
- 2.5 Southeastern Railway and Network Rail will request to draw down funds from 13/0693 towards the provision of bicycle parking facilities at Marden Railway Station before the end of the financial year (i.e. 31 March 2022).
- 2.6 The Council's Parks and Recreation officer clarified the three S106 open space funds are to be spent before March 2023 towards ongoing programmed works to the River Len Nature Reserve and at Collis Millennium Green.
- 2.7 As is evident from the attached, some Parish Councils (like Harrietsham and Marden Parish Councils) have engaged in discussions with developers to modify S106 obligations and have secured agreement to extend payback dates.
- 2.8 Officers have made considerable progress to address the spend of S106 funds due to expire. It is worth noting that with regular monitoring of , meetings with stakeholders and a bi-annual report to this Committee, the

risks to the Council impacting on the delivery of capital projects would be significantly reduced.

3. AVAILABLE OPTIONS

3.1 This report is for noting only.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 N/A

5. RISK

5.1 The report reduces the risk of monies not being spent.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 N/A

7. REPORT APPENDICES

The following document is to be published with this report and form part of the report:

Appendix 1: Updated S.106 Spend by Dates to May 2023

Appendix 1 Updated S106 Spend By Date Report

S106 Available Funds with Spend by dates up to May 2023

App No	Address	Ward	Type	Definition	Received	Spent	Available	Spend-By Date	Project Status	COMMENTS- FEB 2022
12/1949	(Phase 1)Kent Cottage And Chance Holding, Grigg Lane, Headcorn, Kent, TN27 9TD	Headcorn	Open Space	improvement of outdoor playing fields within the village of Headcorn	21,255.58	18,641.96	2,613.62	31/05/2022	Parish Council to spend the funds on the installation of three picnic tables for Parsonage Meadow	Headcorn PC have submitted pro-forma application and MBC have approved remaining funds for the installation of three picnic tables on Parsonage Meadow - monies have been sent to Headcorn Parish Council to order from the supplier to install.
12/1949	(Phase 1)Kent Cottage And Chance Holding, Grigg Lane, Headcorn, Kent, TN27 9TD	Headcorn	Healthcare	towards the provision of healthcare services and facilities within Headcorn Parish	21,769.96	5,113.00	16,656.96	31/05/2022	Project plan has been developed to convert loft space in the Griggs Lane, Headcorn surgery. Legal documents are being finalised. Project expected to start in April 22. Project expected to start in April 22; completion date tbc.	The Grigg Lane Surgery loft extension project has had the legal documents finalised and is with the evaluator for approval, funds will be drawn-down in April 2022. CCG will be submitting a pro-forma application to be approved by MBC for the release of funds towards the identified project.
14/0836	Land North Of, Heath Road, Coxheath, Kent, ,	Coxheath And Hunton	Healthcare	towards enhancing healthcare at Stockett Lane Practice and Orchard Surgery, Coxheath	71,436.79	0.00	71,436.79	22/06/2022	To be pooled towards new medical centre at Coxheath, expected completion date is April 2022	Coxheath Medical Centre project timeline has been delayed by 3-4 months due to building industry labour shortages, therefore the money will be drawn down before 22 June 2022.
13/0693	The Parsonage, Land East Of Goudhurst Road, Marden	Marden And Yalding	Cycle Parking	towards the provision of bicycle parking facilities at Marden Railway Station	20,716.24	0.00	20,716.24	30/06/22	MBC are liaising with SE Railway & Network Rail for bicycle parking project at Marden Railway Station	Southeastern Railway and Network Rail will be submitting a pro-forma application by 31st March 2022 to be approved by MBC for the release of funds towards the identified project.
14/0828	(Saxon Place), Land South Of Ashford Road, Harrietsham, Kent, ,	Harrietsham And Lenham	Open Space	towards the cost of improvements refurbishment and replacement of offsite outdoor sports facilities and children's and young people's equipped play areas at Glebe Fields and 'Open Space' shall be construed accordingly	108,124.02	0.00	108,124.02	09/08/2022	MBC are liaising with developer re. a modification to s106 for an alternative project. Modification to be submitted by 31st March 2022.	Harrietsham Parish Council have advised they are not able to use the money towards the project identified in the s106 (Glebe Fields play area). MBC are therefore liaising with the developer and Parish Council re. an alternative project and submission of a modification to the s106 has been requested by 31st March 2022.
14/503755/FULL	Land To The Rear Of Milton Street And Hartnup Street, Maidstone, Kent, ME16 8LL,	Fant	Healthcare	towards improvement of services and facilities in local doctors' surgeries at Blackthorne Surgery, College Practice, Lockmeadow Surgery, Bower Mount Surgery and The Vine Surgery payable in accordance with the provisions set out in Schedule 4	17,982.12	0.00	17,982.12	24/08/2022	The College Practice to install automatic entrance doors at the main surgery (50 – 52 College Road). The current door is not appropriate for the patients and staff, replacing the doors will improve physical access to the premises and ensure compliance with the Equality Act 2010.	NHS will be submitting a pro-forma application by 31st March 2022 to be approved by MBC for the release of funds towards the identified project.
13/1943	(Phase 2)Land Rear Of The Hardwicks And Elizabeth House,Grigg Lane,Headcorn,Kent,TN27 9TD,	Headcorn	Healthcare	provision of healthcare services and facilities at Surgery Grigg Lane Headcorn (or such other services or facilities as are within NHSCB (NHS England)'s statutory functions)	6,641.27	0.00	6,641.27	02/10/2022	Project plan has been developed to convert loft space in the Griggs Lane, Headcorn surgery. Legal documents are being finalised. Project expected to start in April 22.	The Grigg Lane Surgery loft extension project has had the legal documents finalised and is with the evaluator for approval, funds will be drawn-down in April. CCG will be submitting a pro-forma application to be approved by MBC for the release of funds towards the identified project.
13/2008	Linden Farm, Stockett Lane, East Farleigh, Maidstone, Kent, ME15 0QD	Coxheath And Hunton	Healthcare	towards expansion and improved services provision at Stockett Lane and Orchard Surgeries, Coxheath.	45,783.83	0.00	45,783.83	08/01/2023	Funding will be pooled towards the new medical centre at Coxheath, expected completion date April 22.	Coxheath Medical Centre project timeline has been delayed by 3-4 months due to building industry labour shortages, therefore the money will be drawn down before 22 June 2022.
10/0594	Kent Music School, Astley House, Hastings Road, Maidstone, Kent, ME15 7SG	High Street	Open Space	improvements to the play area currently sited within Mote Park Maidstone Kent and then any unexpended sums on improvements to the Len Valley Nature Reserve Maidstone Kent	39,554.79	37,425.00	2,129.79	09/01/2023	River Len Nature Reserve	Works for River Len Nature Reserve currently being costed by MBC Open Space prior to pro-forma being submitted for approval. Works programmed for completion by 31st December 2022
15/502916/FULL	British Queen, 7 - 8 Square Hill, Maidstone, Kent, ME15 7TJ,	High Street	Open Space	towards the enhancement, maintenance, and improvement of the River Len Nature Reserve which is local to the Development	23,602.82	0.00	23,602.82	25/01/2023	River Len Nature Reserve	Works for River Len Nature Reserve currently being costed prior to pro-forma being submitted for approval. Works programmed for completion by 31st December 2022
12/1749	Land Off, Marigold Way, Maidstone, Kent	Heath	Healthcare	towards improvements to existing and new healthcare services and facilities (including upgrading and improving the doctors surgeries which will serve the Development within a two mile radius of the Site)	26,516.24	0.00	26,516.24	04/02/2023	Project to be identified	The CCG will continue to work within their Estates Strategy 2021 to understand the ambitions of existing GP practices to identify projects to support the expected growth in population and the requirements from a premises perspective.
12/0590	Land At Depot Site, George Street, Maidstone, Kent, ME15 6NX	High Street	Open Space	for the enhancement maintenance and repair and renewal of the Open Space in the following order of attention: firstly Collis Millennium Green secondly South Park and thirdly Mote Park	52,030.75	19,849.00	32,181.75	20/02/2023	Funds being spent firstly at Collis Millennium Green by the Collis Millennium Green Trust	All remaining funds for Collis MG
14/0095	Land At Bell Farm (Chantry Green), Church Road, Harrietsham, Kent	Harrietsham And Lenham	Healthcare	to be used for the extension refurbishment and/or upgrade of The Glebe Medical Centre (branch of Len Valley Practice) and The Len Valley Practice	51,690.52	0.00	51,690.52	22/03/2023	Len Valley practice - feasibility work recently completed to determine options for premises projects to expand capacity at main and/or branch surgeries. Projects to be determined as a result of the feasibility study.	Project scoping exercise complete, the practice is working on business case to go through governance.
14/0475	Land Adjacent To 103, Eyhorne Street, Hollingbourne, Maidstone, Kent, ME17 1TX	North Downs	Healthcare	means the extension, refurbishment and or upgrade of Orchard Surgery Langley, Glebe Surgery Harrietsham and Yeomans Lane Surgery, Bearsted all of which are within a 2.5 radius of the Development	20,880.00	8,231.18	12,648.82	25/05/2023	Project plan has been developed to convert loft space in the Griggs Lane, Headcorn surgery. Legal documents are being finalised. Project expected to start in April 22. Project expected to start in April 22; completion date tbc.	The Grigg Lane Surgery loft extension project has had the legal documents finalised and is with the evaluator for approval, funds will be drawn-down in April. CCG will be submitting a pro-forma application to be approved by MBC for the release of funds towards the identified project.
13/1585	Land At Stanley Farms, Plain Road, Marden, Kent, TN12 9EH	Marden And Yalding	Open Space	towards improving the existing play areas at Napoleon Drive and Marden Playing Fields	34,539.05	3,409.39	31,129.66	08/01/2023 NEW DATE 30/06/2025	Parish Council to advise MBC on spend	Millwood Developers agreed on 25.03.21 to extend the Spend By Date to 30th June 2025 to enable Marden PC to begin discussions again after the pandemic to draw up plans, submit planning application and obtain further funding if necessary for the playing fields area

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

08 March 2022

Local Plan Review Update

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

Executive Summary

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

Purpose of Report

Noting

This report makes the following recommendations to this Committee:

1. That the report is noted

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	08 March 2022

Local Plan Review Update

1. INTRODUCTION AND BACKGROUND

- 1.1 At the 10th March 2020 meeting of the Strategic Planning and Infrastructure (SPI) Committee, Members resolved that officers should provide a short-written update at each future meeting concerning any slippage and/or progress on delivering the plan on the timescale agreed. This report provides the requested update.
- 1.2 Work on the Local Plan Review is now focussed on completing core work streams in preparation for the 21st March 2022 special meeting of this committee.
- 1.3 The first work stream is the generation of proposed Main Modifications arising from the Local Plan Review Regulation 19 consultation documents. This committee will be asked to consider the Main Modifications in the context that they would then be put forward as proposals to the Secretary of State for Levelling Up, Housing and Communities, for subsequent consideration by a Planning Inspector.
- 1.4 These Main Modification proposals would then be considered by an Inspector appointed to conduct an Examination in Public into the Local Plan Review, and the merits of the Main Modifications. If Main Modifications are agreed, they would therefore form part of the Local Plan Review submission documents and would form part of the examination of the Local Plan Review that it is anticipated will commence later this year.
- 1.5 Having completed public consultation on the Local Plan Review Regulation 19 'Draft for Submission' documents on 12th December, work is ongoing in processing and analysing the approximately 2,250 representations received.
- 1.6 The second core work stream is around the Duty to Cooperate and Statements of Common Ground. The Local Planning Authority has been undertaking further ongoing engagement in this regard and the 21st March meeting of this committee will provide Members with an opportunity to consider the latest versions of the Statements of Common Ground (SoCG's), in order that they may too be submitted to the Inspector appointed by the Secretary of State, along with the other submission documents.
- 1.7 It should be pointed out here that these SoCG's are iterative documents which detail for the Inspector discussions on various elements of the Local Plan Review with statutory bodies, adjacent Local Authorities and other agencies, and as such, they are snapshots in time. Even when signed off at the point of submission, they remain as working documents and may be subject to further updates, where appropriate and agreed by relevant parties.
- 1.8 The final core work stream is associated with additional evidence that will support the key Local Plan Review proposals, including the proposals for the strategic sites at Heathlands and Lidsing and Invicta Barracks.

- 1.9 It is important that work is undertaken on strategic allocations while the Local Plan Review progresses and this will help inform future Supplementary Planning Documents for these schemes, as well as providing reassurance to the Inspector of commitment to delivery of the schemes from both the promoter and the Local Planning Authority. There is also a strong transport component to this work, involving work with Kent County Council on updates to transport modelling as part of the preparation for both submission and examination.
- 1.10 It is anticipated that progress reports such as this one will continue to be presented to the Committee between submission and examination, to provide brief updates on continuing work and discussions with the Planning Inspectorate around the timing of the examination as well as topics considered by the Inspector under 'Matters, Issues and Questions' (MIQ's).
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2. RISK

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

- 3.1 None
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