

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 20 JULY 2022

Present: Councillor Mortimer (The Mayor) and
Councillors Bartlett, Mrs Blackmore, Brice, Brindle,
Bryant, Burton, Cannon, Clark, Cleator, Coates,
Conyard, Cooke, English, Forecast, Fort, Harwood,
Hinder, Holmes, Jeffery, Joy, Kimmance, Knatchbull,
McKenna, Munford, Naghi, Newton, Parfitt-Reid,
Perry, Mrs Robertson, Russell, J Sams, T Sams,
Spooner, Springett, Trzebinski, R Webb, S Webb,
D Wilkinson, T Wilkinson and Young

24. **PRAYERS**

Prayers were said by the Very Reverend John S Richardson of All Saints Church.

25. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillors Cooper, Cox, Garten, Mrs Gooch, Mrs Grigg, Harper, Hastie, Khadka, Mrs Ring, Rose, Round, and Wilby.

26. **DISPENSATIONS**

There were no applications for dispensations.

27. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

28. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

29. **EXEMPT ITEMS**

RESOLVED: That the items on the agenda be taken in public as proposed.

Note: Councillor Holmes entered the meeting during consideration of this item (6.35 p.m.).

30. MINUTES OF THE ANNUAL MEETING OF THE BOROUGH COUNCIL HELD ON 21 MAY 2022

RESOLVED: That the Minutes of the Annual Meeting of the Borough Council held on 21 May 2022 be approved as a correct record and signed.

31. MAYOR'S ANNOUNCEMENTS

The Mayor announced that:

- He had enjoyed a fantastic couple of months so far, completing 45 engagements to date. During that time, he had met some of the Borough's most talented, gifted and committed people of all ages. He had visited schools, charities, exhibitions and churches, and attended Battle of Britain ceremonies and events to celebrate The Queen's Platinum Jubilee. He wished to thank all Members and Officers who had supported him and the Mayoress at these events.
- In August, he would be hosting an informal meet and greet evening at the Town Hall to welcome Ukrainian friends to the Borough. The event would be supported by Group Leaders and Officers.
- The official opening of the Trinity Foyer following its conversion would take place in September. In the meantime, together with stakeholders, he had visited the facility which would provide a central destination for people with housing issues.
- As a reminder, the Mayor's Garden Party would be held on 7 September 2022.

32. PETITIONS

There were no petitions.

33. QUESTION AND ANSWER SESSION FOR LOCAL RESIDENTS

Question from Mr Stephen Thompson to the Leader of the Council

With the significant level of housing developments planned and being delivered on the periphery of town and in the rural areas, along with Maidstone continuing to have some of the worst air pollution in the South-East with its commensurate high death toll, what measures are being built in to not only mitigate the additional pollution but to reduce the pollution levels overall?

The Leader of the Council responded to the question.

Mr Thompson asked the following supplementary question of the Leader of the Council:

It would be useful to know what briefing or training the Council and Councillors have had or may be about to receive on the issues talked about.

The Leader of the Council responded to the question.

Question from Mr Mike Summersgill to the Leader of the Council in the Absence of the Lead Member for Environmental Services

The question relates to the Borough's Contaminated Land Strategy, approved by Council in March 2016, and which covered the period 2016-2021.

How many potentially contaminated sites that were identified during the first Contaminated Land Strategy document period (2010-2015) have been investigated during the second five-year period, the numbers to be separately quantified as either Phase 1 and/or Phase 2 investigations?

The Leader of the Council responded to the question.

Mr Summersgill asked the following supplementary question of the Leader of the Council:

As the Strategy reached its timescale end in 2021, what is Maidstone Borough Council intending to do about updating it from 2022 onwards?

The Leader of the Council responded to the question.

To listen to the answers to these questions, please follow this link:

<https://www.youtube.com/watch?v=xmIWIqk0Q0&t=1051s>

34. **QUESTIONS FROM MEMBERS OF THE COUNCIL**

Question from Councillor J Sams to the Lead Member for Communities and Public Engagement

Three years ago, I asked a question of the then Leader of the Council about organising a Youth Forum on Climate Change.

My question tonight is, can this Council now bring this to the fore and take the lead in organising an assembly, inviting delegates from schools and youth organisations to come together, to bring forward ideas and initiatives that can effect a change within the Borough?

The Lead Member for Communities and Public Engagement responded to the question.

Councillor J Sams did not wish to ask a supplementary question of the Lead Member for Communities and Public Engagement.

To listen to the answers to these questions, please follow this link:

<https://www.youtube.com/watch?v=xmIWIqk0Q0&t=1051s>

35. CURRENT ISSUES - REPORT OF THE LEADER OF THE COUNCIL, RESPONSE OF THE GROUP LEADERS AND QUESTIONS FROM COUNCIL MEMBERS

Councillor Burton, the Leader of the Council, submitted his report on current issues. After Councillor Burton had submitted his report, Councillor English, the Leader of the Liberal Democrat Group, Councillor Munford, the Leader of the Independent Group, and Councillor Cleator, the Leader of the Labour Group, responded to the issues raised.

The Leader of the Council then responded to a question arising from his speech.

36. REPORT OF THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE HELD ON 22 JUNE 2022 - PRE-REVIEW CONSTITUTION CHANGES

It was moved by Councillor Mrs Joy, seconded by Councillor English, that the recommendation of the Democracy and General Purposes Committee relating to Pre-Review Constitution Changes be approved.

RESOLVED: That the following changes to the Constitution be approved:

1. Part C2, 8.2 (Standing Items) be amended to:

"Before any substantive items are considered, *where appropriate*, the following items shall be considered at each meeting of any Committee";

and

2. Part C2, 2.5.1 (Members as Substitutes on Committees) be amended to:

'For each Committee any Member who is not a Member of that Committee may act as a Substitute on that Committee for a seat allocated to their political group.'

37. NOTICE OF MOTION - WATER QUALITY

The following motion was moved by Councillor Jeffery, seconded by Councillor English:

Residents are deeply concerned about water quality and the impact of regular wastewater discharges, which include untreated sewage, into our local rivers and seas and the impacts on wildlife and on human health.

The UK has the dirtiest rivers in Europe. Here in this Borough we have two river systems, the Medway and the Stour. Southern Water reported around 42,000 hours of sewage spills into the Medway and its tributaries in 2020 and the Environment Agency reports show large sections of the

river as having poor or bad water quality. River Beult's SSSI categorisation, for instance – one of the few UK examples of a lowland clay river, is consistently in a 'poor' chemical and ecological state (EA data). In addition to the Medway, the Stour rises in Lenham and becomes an important designated wildlife area after flowing through Ashford and Canterbury, yet it too has similarly poor water quality reports.

Releasing sewage into rivers is no longer an emergency-only situation occurring as a result of severe rainstorms, but an everyday occurrence even in 'normal' rainfall events, exacerbated because of new properties adding to the existing drainage infrastructure without modification or upgrading, and that we are in a situation of cumulative overload on the sewerage and wastewater treatment systems.

Whilst there are long term commitments, there are no plans in place which will address the immediate unacceptable situation either locally by Southern Water or by national government. Both the local (e.g. LPRSP14A) and national planning policy requires a robust approach to both water quality and pollution, and a recent legal opinion from the Environmental Law Firm confirms the need to consider cumulative impacts. Yet planning consultation documents show that it has not been the practice of Council planners to ask Water Companies to report on cumulative impact, i.e. whether or not one or more developments may lead to any potential increase in 'emergency' discharges into rivers through stormwater overflows (CSOs) or because of sewage treatment works' capacity constraints.

This Council resolves to:

- 1. Recognise this Council's obligation to protect its streams and rivers, including from the cumulative impacts of pollution, in line with its local planning policy and the National Planning Policy Framework.*
- 2. Recognise that there is clear evidence of deterioration of water quality due to cumulative impacts of multiple sewage discharge events or 'sewerage overload'.*
- 3. Ensure that an evidence base is compiled that assesses the cumulative impact of sewage discharges so that this is factored into decisions made in new iterations of the local plan, including the overall level of future development.*
- 4. Seek to better understand the cumulative impact of wastewater discharges including untreated sewage on our local rivers, wildlife and the health of our residents.*
- 5. Continue to take a lead on addressing this issue, working constructively with other agencies and local authorities.*
- 6. Ask the Overview and Scrutiny Committee to invite the Chief Executive of Southern Water plus senior representatives from the Environment Agency and Natural England to attend a meeting to*

answer questions on the current levels of CSO and sewage plant discharge.

7. *Ask Southern Water, from this date onwards, in its planning consultation responses for major developments, to clarify which treatment works will be managing the sewerage; whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be requested not required).*
8. *Request that planning officers, from now onwards, include in all reports relating to major development a specific section on the impact on watercourses, including the potential for the development to affect sewage outflow into watercourses (i.e. cumulative impact), or to flag if this information is not fully available, so that this information (or the lack of it) is clearly and transparently set out.*

During the debate, the mover and the seconder said that they were willing to accept suggestions that the following paragraphs be added to the motion:

9. Request that water providers, to include South East Water and Southern Water, are consulted regarding the availability of water supply to any new major developments, or to flag if this information is not fully available, so that this information (or the lack of it) is clearly and transparently set out.
10. Consider the whole issue of surface water and how it is disposed of.

At the conclusion of the debate, in exercising his right of reply, Councillor Jeffery proposed that in accordance with Council Procedure Rule 12.9.2, the motion, as amended, be referred directly to the Executive for consideration. This proposal was seconded by Councillor English.

RESOLVED: That the motion, as amended, be referred to the Executive for consideration.

Note: Councillor Forecast entered the meeting during consideration of this item (7.12 p.m.). He said that he had no disclosures of interest or of lobbying.

38. REPORT OF THE LEADER OF THE COUNCIL - URGENT DECISIONS TAKEN BY THE EXECUTIVE BETWEEN 23 MAY 2022 - 20 JULY 2022

It was moved by Councillor Burton, seconded by Councillor English, and

RESOLVED: That the report setting out details of urgent decisions taken by the Executive between 23 May 2022 - 20 July 2022 be noted.

39. DURATION OF MEETING

6.30 p.m. to 7.30 p.m.