

HOUSING, HEALTH AND ENVIRONMENT POLICY ADVISORY COMMITTEE MEETING

Date: Tuesday 11 July 2023
Time: 6.30 p.m.
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Hastie, Jeffery, Joy (Vice-Chairman), Khadka, Knatchbull
(Chairman), Mortimer, Riordan, Rose and Springett

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

Page No.

- | | |
|---|-----------|
| 1. Apologies for Absence | |
| 2. Notification of Substitute Members | |
| 3. Urgent Items | |
| 4. Notification of Visiting Members | |
| 5. Disclosures by Members and Officers | |
| 6. Disclosures of Lobbying | |
| 7. To consider whether any items should be taken in public due to the possible disclosure of exempt information | |
| 8. Minutes of the meeting held on 13 June 2023 | 1 - 4 |
| 9. Forward Plan relating to the Committee's Terms of Reference | 5 - 7 |
| 10. Revisions to the Covert Surveillance and Access to Communications Data Policy and Guidance Notes | 8 - 39 |
| 11. Biodiversity and Climate Change Action Plan Update and Cost for Achieving Net Zero 2030 | 40 - 103 |
| 12. Public Spaces Protection Order – Town Centre Renewal | 104 - 143 |
| 13. Housing Strategy 2023 - 28 Action Plan | 144 - 159 |

Issued on Monday 3 July 2023

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

INFORMATION FOR THE PUBLIC

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 4 p.m. one clear working day before the meeting (i.e. by 4 p.m. on Friday 7 July 2023). 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**.

To find out more about the work of the Committee, please visit the [Council's Website](#).

MAIDSTONE BOROUGH COUNCIL

HOUSING, HEALTH AND ENVIRONMENT POLICY ADVISORY COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 13 JUNE 2023

Attendees:

Committee Members:	Councillor Knatchbull (Chairman) and Councillors Mrs Gooch, Hastie, Jeffery, Khadka, Kimmance, Riordan, Rose and Springett
Cabinet Members:	Councillor Parfitt-Reid - Cabinet Member for Housing and Health

6. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Joy and Mortimer.

7. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Gooch was present as a substitute for Councillor Joy and Councillor Kimmance was present as a substitute for Councillor Mortimer.

8. URGENT ITEMS

There were no urgent items.

9. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

10. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by members or officers.

11. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

12. EXEMPT ITEMS

RESOLVED: That all items be taken in public, unless any member of the Committee wishes to refer specifically to the information contained within Appendices 13 and 14 for Items 11 and 12 – Property Acquisition and Property Acquisition for 1,000 homes due to the likely disclosure of exempt information.

13. MINUTES OF THE MEETING HELD ON 23 MAY 2023

RESOLVED: That the Minutes of the meeting held on the 23 May 2023 be approved as a correct record and signed.

14. FORWARD PLAN RELATING TO THE COMMITTEE'S TERMS OF REFERENCE

RESOLVED: That the Forward Plan relating to the Committee's Terms of Reference be noted.

15. 4TH QUARTER FINANCIAL UPDATE & PERFORMANCE MONITORING REPORT 2022/23

The Cabinet Member for Housing and Health introduced the report, outlining the council's capital expenditure and overspend in Quarter 4 of £475,000 which had been driven by the cost of living.

In response to questions on the council's flood action plan and delay to the subway gate the Cabinet Member for Environmental Services stated an explanation of the situation would be provided to committee members after the meeting.

The Committee expressed their thanks to both the Housing and Finance teams.

RESOLVED: That

1. The Revenue position as at the end of Quarter 4 for 2022/23, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. The Capital position at the end of Quarter 4 be noted;
3. The Performance position as at Quarter 4 for 2022/23, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted;
4. The proposed new KPIs for 2023/24 be recommended to the Cabinet; and
5. The UK Shared Prosperity Fund update, attached at Appendix 3, be noted.

16. PROPERTY ACQUISITION

The Cabinet Member for Housing and Health introduced the report and outlined an opportunity for MBC Property Holdings to acquire a completed block of 25 units in High Street ward.

It was stated that there would be six car parking spaces for the 25 units but there was a limited supply of land in the town centre and the council could miss the opportunity.

In response to questions about the capacity of Mid Kent Legal Services the Director of Regeneration and Place confirmed that it did, through either internal or external legal support.

RESOLVED: That the Cabinet be recommended to:

1. Approve the financial returns for the proposed acquisition as shown in Exempt Appendix 3 of this report, which supports the Housing Development and Regeneration Investment Plan and overall Development Strategy.
2. Give delegated authority to the Director of Finance, Resources and Business Improvement to:
 - a) Negotiate terms for the purchase of the proposed acquisition for the sum as shown in the Exempt Appendix 3 of this report.
 - b) Procure and enter into all such deeds, agreements, contracts and documents which may be required to facilitate the purchase of the site, and the subsequent redevelopment works required to deliver the scheme referred to in this report. Including (but not limited to) any related appointments such as suitably qualified consultants and a Contractor.
 - c) Subject to satisfactory conclusion of all due diligence to negotiate and finalise and complete all legal formalities, deeds and agreements which may be required to facilitate the purchase.
 - d) Negotiate and agree any lease between the Council and Maidstone Property Holdings.
3. Authorise the Head of Mid Kent Legal Services to appoint the Solicitors required to negotiate and complete the necessary contract documentation, deeds and agreements associated with the purchase and construction works on the terms as agreed by the Director of Finance, Resources & Business Improvement.

17. PROPERTY ACQUISITION FOR 1,000 AFFORDABLE HOMES PROGRAMME

The Cabinet Member for Housing and Health introduced the report and outlined an opportunity for MBC Property Holdings to acquire a set of flat units in Fant ward, with an intention of repurposing it for affordable tenure.

The Committee expressed support for the scheme and the Director of Regeneration and Place confirmed Mid Kent Legal Services had the capacity to carry out the scheme.

RESOLVED: That the Cabinet be recommended to:

1. Approve the financial returns for the proposed acquisition as shown in Exempt Appendix 3 of this report, which supports the Housing Development and Regeneration Investment Plan and overall Development Strategy.
2. Give delegated authority to the Director of Finance, Resources and Business Improvement to:
 - a) Negotiate terms for the purchase of the proposed acquisition for the sum

as shown in the Exempt Appendix 3 of this report.

b) Procure and enter into all such deeds, agreements, contracts and documents which may be required to facilitate the purchase of the site, and the subsequent redevelopment works required to deliver the scheme referred to in this report. Including (but not limited to) any related appointments such as suitably qualified consultants and a Contractor.

c) Subject to satisfactory conclusion of all due diligence to negotiate and finalise and complete all legal formalities, deeds and agreements which may be required to facilitate the purchase.

3. Authorise the Head of Mid Kent Legal Services to appoint the Solicitors required to negotiate and complete the necessary contract documentation, deeds and agreements associated with the purchase and construction works on the terms as agreed by the Director of Finance, Resources & Business Improvement.
4. Agree, post completion of the procurement process, to appoint a contractor for the works cost detailed in the financial summary at Exempt Appendix 3. If in the event tenders for the works cost are in excess of the agreed sum then 48 officers will return to the Committee/Cabinet to seek further approval prior to the development itself commencing.

18. DURATION OF THE MEETING

6.30pm to 7.10pm

MAIDSTONE BOROUGH COUNCIL FORWARD PLAN FOR THE FOUR MONTH PERIOD 30 MAY 2023 TO 30 SEPTEMBER 2023

This Forward Plan sets out the details of the key and non-key decisions which the Cabinet or Cabinet Members expect to take during the next four-month period.

A Key Decision is defined as one which:

1. Results in the Council incurring expenditure, or making savings, of more than £250,000; or
2. Is significant in terms of its effects on communities living or working in an area comprising two or more Wards in the Borough

The current Cabinet Members are:

5	 Councillor David Burton Leader of the Council DavidBurton@maidstone.gov.uk 07590 229910	 Councillor Paul Cooper Deputy Leader and Cabinet Member for Planning, Infrastructure and Economic Development PaulCooper@Maidstone.gov.uk 01622 244070	 Councillor John Perry Cabinet Member for Corporate Services JohnPerry@Maidstone.gov.uk 07770 734741
	 Councillor Claudine Russell Cabinet Member for Communities, Leisure and Arts ClaudineRussell@Maidstone.gov.uk	 Councillor Patrik Garten Cabinet Member for Environmental Services PatrikGarten@Maidstone.gov.uk 01622 807907	 Councillor Lottie Parfitt-Reid Cabinet Member for Housing and Health LottieParfittReid@Maidstone.gov.uk 07919 360000

Anyone wishing to make representations about any of the matters listed below may do so by contacting the relevant officer listed against each decision, within the time period indicated.

Under the Access to Information Procedure Rules set out in the Council's Constitution, a Key Decision or a Part II decision may not be taken, unless it has been published on the forward plan for 28 days or it is classified as urgent:

The law and the Council's Constitution provide for urgent key and part II decisions to be made, even though they have not been included in the Forward Plan.

Copies of the Council's constitution, forward plan, reports and decisions may be inspected at Maidstone House, King Street, Maidstone, ME15 6JQ or accessed from the [Council's website](#).

Members of the public are welcome to attend meetings of the Cabinet which are normally held at the Town Hall, High St, Maidstone, ME14 1SY. The dates and times of the meetings are published on the [Council's Website](#), or you may contact the Democratic Services Team on telephone number **01622 602899** for further details.

David Burton
Leader of the Council

Details of the Decision to be taken	Decision to be taken by	Relevant Cabinet Member	Expected Date of Decision	Key	Exempt	Proposed Consultees / Method of Consultation	Documents to be considered by Decision taker	Representations may be made to the following officer by the date stated
<p>Housing Revenue Account</p> <p>The report sets out the options for management and financial accounting of the 1,000 new affordable homes.</p>	Cabinet	Cabinet Member for Housing and Health	20 Sep 2023	Yes	No Open	Housing, Health and Environment Policy Advisory Committee 7 Sep 2023	Housing Revenue Account	<p>John Littlemore</p> <p>Head of Housing & Regulatory Services</p> <p>johnlittlemore@maidstone.gov.uk</p>
<p>1st Quarter Financial Update & Performance Monitoring Report</p>	Cabinet	Cabinet Member for Housing and Health	20 Sep 2023	No	No Open	<p>Communities, Leisure and Arts Policy Advisory Committee 5 Sep 2023</p> <p>Planning, Infrastructure and Economic Development Policy Advisory Committee 6 Sep 2023</p> <p>Housing, Health and Environment Policy Advisory Committee 7 Sep 2023</p>	1st Quarter Financial Update & Performance Monitoring Report	<p>Paul Holland</p> <p>paulholland@maidstone.gov.uk</p>

Agenda Item 10

HOUSING, HEALTH AND ENVIRONMENT POLICY ADVISORY COMMITTEE

11 JULY 2023

Revisions to the Covert Surveillance and Access to Communications Data Policy and Guidance Notes

Timetable	
Meeting	Date
Housing, Health and Environment Policy Advisory Committee	11 July 2023
Cabinet Member for Housing and Health	TBA

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Cabinet Member for Housing and Health
Lead Head of Service	Claudette Valmond – Head of Legal Services
Lead Officer and Report Author	Gary Rowland – Senior Legal Advisor and RIPA Co-ordinating Officer
Classification	Public
Wards affected	All

Executive Summary

The Council's Regulation of Investigatory Powers Act 2000 ('RIPA') Co-ordinating Officer is required to review and revise the Council's Covert Surveillance Policy ('the Policy'), where necessary, every year. Apart from grammatical and formatting revisions, there are only a few minor suggested amendments to the existing policy which are set out in the report and highlighted at Appendix 1.

This report seeks approval of the revisions to the Policy, set out at Appendix 1.

Purpose of Report

Recommendation to approve.

This report makes the following recommendation to the Committee:

1. That the Committee recommend approval of the revisions to the Covert Surveillance and Access to Communications Data Policy by the Cabinet Member for Housing and Health.
-

Revisions to the Covert Surveillance and Access to Communications Data Policy and Guidance Notes

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendation will by themselves materially affect achievement of corporate priorities. However, they support the Council's overall achievement of its aims by updating the Council's approach to RIPA as required by legislation and the Investigatory Powers Commissioner's Office.	Senior Legal Advisor
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 supports the overall achievement of all the cross-cutting objectives by ensuring that the Council is complying with statutory requirements when undertaking investigations and surveillance.</p>	Senior Legal Advisor
Risk Management	The risk implications are set out in section 4 of the report.	Senior Legal Advisor
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Head of Finance
Staffing	No additional staffing.	Senior Legal Advisor
Legal	Accepting the recommendation will fulfil the Council's duties under Regulation of Investigatory Powers Act 2000 and meets the requirements of Investigatory Powers Commissioner's Office.	Team Leader – Corporate Governance and Contentious MKLS

Information Governance	The recommendation does not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.	Senior Information Governance Officer
Equalities	The recommendation does not propose a change in service therefore will not require an equalities impact assessment.	Equalities & Communities Officer
Public Health	No implications.	Senior Legal Advisor
Crime and Disorder	Accepting the recommendation ensures that the Council complies with its obligations under RIPA, which are important in the Council's role in controlling crime and disorder.	Senior Legal Advisor
Procurement	No implications.	Senior Legal Advisor
Biodiversity and Climate Change	No implications.	Senior Legal Advisor

2. INTRODUCTION AND BACKGROUND

- 2.1 The RIPA Co-ordinating Officer is required to review and revise the Policy, where necessary, every year. Apart from grammatical and formatting revisions, there are only a few minor suggested amendments to the existing policy which are set out at section 2.2.
- 2.2 The Home Office Covert Surveillance and Property Interference Revised Code of Practice 2018 makes it a requirement that the authority's elected members should review the authority's Policy at least once a year.

The Policy, which has been highlighted for ease of reference at Appendix 1, has been revised as follows:

- Page 1 - The Scope has been expanded to include further detail on the specific types of surveillance covered within the Policy and highlight that the Policy is supplementary to other legislation and guidance;
- Page 2 – The Contents page has been revised to include sub-headings;
- Page 3 – Whilst the Policy references the Regulation of Investigatory Powers Act 2000 and the Investigatory Powers Act 2016 throughout, links to these Acts have been added;

- Page 6 – Section 1.15(d) has been revised to highlight potential risks to officers;
 - Page 7 – Section 1.27 has been revised in relation to asking members of the public to record information on the Council’s behalf;
 - Page 9 – Section 1.33 has been revised to include more up to date social networking sites;
 - Page 9 – Section 1.35 has been revised to highlight potential risks to officers; and
 - Page 10 – Section 2.4 has been revised to show that Angela Woodhouse has been appointed as an Authorising Officer and Deputy Senior Responsible Officer and Georgia Hawkes has been appointed as an Authorising Officer. Both will attend relevant training sessions as and when required.
-

3. AVAILABLE OPTIONS

- 3.1 Recommend approval of the revisions to the Policy.
 - 3.2 Do not approve the suggested revisions to the Policy.
 - 3.3 The preferred option is to recommend approval of the revisions to the Policy as the Council is required by the Regulation of Investigatory Powers Act 2000 and associated Codes of Practice to have a Policy in place. The content of the Policy is steered by the recommendations made by the Investigatory Powers Commissioner’s Office.
-

4. RISK

- 4.1 Currently the risk implications are low as the Council has not authorised any activity under RIPA for some time. However, there is risk of litigation and challenge if authorisations are incorrectly given in the future without proper understanding of the current requirements. The actions recommended within this report will mitigate any such risks.
-

5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 Once the suggested revisions have been approved, the revised Policy will be uploaded to the Council’s website and officers will be notified and reminded to familiarise themselves with the Policy.
-

6. REPORT APPENDICES

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

- Appendix 1: Draft Covert Surveillance and Access to Communications Data Policy and Guidance Notes.
-

7. BACKGROUND PAPERS

N/A



COVERT SURVEILLANCE AND ACCESS TO COMMUNICATIONS DATA POLICY AND GUIDANCE NOTES

Scope

This policy document explains how the Council will comply with the Regulation of Investigatory Powers Act 2000 (RIPA) and the Investigatory Powers Act 2016 in relation to directed surveillance, use of covert human intelligence sources and the acquisition of communications data.

This policy is supplementary to the legislation, the statutory code of practice and the Home Office guidance to local authorities in England and Wales on the judicial approval process for RIPA and the crime threshold for directed surveillances.

RIPA Senior Responsible Officer: Alison Broom (Chief Executive)

RIPA Co-ordinating Officer: Gary Rowland (Senior Legal Advisor, Corporate Governance)

Revised: June 2023
Review: June 2024

CONTENTS

	Policy Statement	3	
1.	Background	4	
	Scope and Control	4	
	Senior Responsible Officer	4	
	Co-ordinating Officer	5	
	Definitions	5	
	Accessing Communications Data	8	
	Social Networking Sites	9	
2.	General Rules on Authorisations	9	
	Directed Surveillance and CHIS	10	
	Accessing Communications Data	10	
	RIPA Authorising Officers	10	
	Necessity and Proportionality	10	
	Collateral Intrusion	11	
	Central Record of Authorisations	11	
	Retention and Destruction	12	
3.	Special Rules on Authorisations	13	
4.	Authorisation Procedures for Covert Surveillance	13	
	Application Forms	13	
	Good Practice Tips	14	
	Authorisation	15	
	Judicial Approval	16	
	Reviews	17	
	Renewals	17	
	Cancellations	18	
5.	Authorisation Procedures for Communications Data	19	
6.	Authorisation Control Matrix/ Aide-memoire:	19	
7.	Complaints Relating to the use of RIPA	19	
8.	Non-RIPA Surveillance	20	

Appendices:

- A. Relevant legislation
- B. Authorisation Procedure Flowchart
- C. Authorisation control matrix

POLICY STATEMENT

The Regulation of Investigatory Powers Act 2000 (RIPA) provides the legislative framework within which covert surveillance must be conducted whilst the Investigatory Powers Act 2016 provides the legislative framework within which access to communications data operations must be conducted. This ensures that investigatory powers are used with minimal interference with an individual's human rights. This Policy Statement is intended as a practical reference guide for Council Officers who may be involved in such operations.

This Policy is supplementary to the:

- Home Office guidance on the use of covert surveillance or covert human intelligence sources (CHIS) - <https://www.gov.uk/government/publications/covert-surveillance-and-covert-human-intelligence-sources-codes-of-practice>
- Regulation of Investigatory Powers Act (RIPA) 2000 - <http://www.legislation.gov.uk/ukpga/2000/23/contents>
- Investigatory Powers Act 2016 - <https://www.legislation.gov.uk/ukpga/2016/25/contents/enacted>

The Council is committed to implementing the provisions of RIPA to ensure that any covert surveillance and/or access of communications data that is carried out during the course of investigations is undertaken properly and that the activity is necessary and proportionate to the alleged offence(s). Following the implementation of the Protection of Freedoms Act 2012 investigatory powers can only be used in relation to activities that would receive a minimum sentence of six months imprisonment or are in relation to the underage selling of alcohol or tobacco. If such action is contemplated initial consultation with the Council's Co-ordinating Officer should be undertaken at the earliest opportunity.

The Council seeks to ensure that this Policy Statement remains consistent with the Council's objectives.

This Policy ensures:

- that proper procedures are in place in order to carry out covert surveillance or to obtain communications data;
- that an individual's right to privacy is not breached without justification;
- that proper authorisation is obtained for covert surveillance or access to communications data;
- that proper procedures are followed; and
- that covert surveillance is considered as a last resort, having exhausted all other options.

1. **BACKGROUND**

Scope and Control

- 1.1 RIPA is the law which governs the use of a number of covert techniques for investigating crime and terrorism. Using covert techniques allows public authorities, which range from the police and security agencies to local authorities and organisations, such as the Office of Fair Trading, to investigate suspected offences without alerting an individual that they are part of that investigation.
- 1.2 Local authorities can use three techniques. They can obtain **Communications Data**, use **Directed Surveillance** and use **Covert Human Intelligence Sources (CHIS)**.
- 1.3 RIPA requires that an authorisation is needed for the use of these investigatory techniques and that they can only be used where it is considered proportionate and necessary to what is sought to be achieved.
- 1.4 Local authorities can only use these investigatory techniques if they are necessary to prevent or detect crime or prevent disorder.
- 1.5 These guidance notes provide a summary of the main points from the Home Office Covert Surveillance Code of Practice that are relevant to Maidstone Borough Council. They apply to authorisations for covert surveillance and access to communications data made by the Council.
- 1.6 To improve awareness, this guidance also briefly refers to activities that the Council has determined **should not** be undertaken.
- 1.7 Before undertaking any covert surveillance, these guidance notes should be read and if it is considered proportionate and necessary, further advice should be sought from the RIPA Co-ordinating officer. Members of the public who enquire about covert surveillance procedures should be referred to the Home Office Covert Surveillance Code of Practice. Officers employed by the Council and who are involved in covert surveillance should be made aware of these guidance notes and of the Code of Practice.
- 1.8 The use of the RIPA by the Council will be overseen by the Senior Responsible Officer supported by the Co-ordinating Officer. These positions are currently held by:
 - Senior Responsible Officer – Alison Broom (Chief Executive)
 - Co-ordinating Officer – Gary Rowland (Senior Legal Advisor)

Senior Responsible Officer

The Senior Responsible Officer will have overall responsibility for the integrity of the RIPA process within the Council. In addition they will:

1. be responsible for the Council's compliance with RIPA and its regulatory framework;
2. engage with the Commissioners and Inspectors when they conduct inspections;
3. oversee the implementation of any recommendations made by the Investigatory Powers Commissioner's Office (IPCO);
4. carry out periodic oversight of the authorisations; and

5. report annually to Members on the usage of RIPA within the Council.

Co-ordinating Officer

The Co-ordinating Officer will be responsible for overseeing the day to day RIPA process, in particular they will:

1. keep the Central Record and collate the documentation received;
2. exercise the day to day oversight over the RIPA process by ensuring the quality of the documents submitted;
3. to monitor the Council's use of its appointed S.P.O.C agent, the National Anti Fraud Network ('NAFN');
4. monitoring the timeliness of the officers in making returns, carrying out reviews and effecting renewals and cancellations;
5. keep a record of the RIPA training programme as part of the Central Record; and
6. raise general RIPA awareness within the Council whilst ensuring that detailed awareness and training is provided to applicants and Authorising Officers in accordance with the IPCO recommended timeframes.

NB: applicants and Authorising Officers are required to undertake regular training at least once in every three year period.

Definitions

- 1.9 **Covert surveillance** is any surveillance carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place.
- 1.10 General observation forms part of the duties of the Council's enforcement officers i.e. **overt surveillance**, and is not usually regulated by RIPA (for example observations during routine planning enforcement matters where the property owner has been 'put on notice' that inspections may be carried out). Such observation may involve the use of equipment to merely reinforce normal sensory perception, such as binoculars, or the use of cameras, where this does not involve systematic surveillance of an individual.
- 1.11 The use of noise monitoring equipment to measure noise audible in a complainant's premises does not amount to covert surveillance because the noise has been inflicted by the perpetrator who it is likely has forfeited any claim of privacy. The use will only become covert when sensitive equipment is used to discern speech or other noisy activity that is not discernible to the unaided ear.
- 1.12 Although the provisions of RIPA do not normally cover the use of overt CCTV surveillance systems, since members of the public are aware that such systems are in use, there may be occasions when the Council's overt CCTV system is used for the purpose of a specific investigation or operation. Such cases should be discussed with the Authorising Officer who will decide whether it is directed surveillance and whether authorisation is required.
- 1.13 The primary purpose of surveillance is to secure evidence to bring offenders before the courts. The proper authorisation of surveillance should ensure the admissibility of such evidence in criminal proceedings.
- 1.14 **Directed surveillance** is the type of covert surveillance that the Council's employees will be permitted to undertake on an exceptional basis and only within the Council's

responsibilities for the prevention and detection of crime, or for the prevention of disorder. Authorisation for directed surveillance **must** first be obtained.

- 1.15 Directed surveillance is defined as surveillance which is covert, but not intrusive, and undertaken:
- a) for the purpose of the prevention or detection of crime or to prevent disorder;
 - b) for the purpose of a specific investigation or specific operation;
 - c) in a manner that is likely to result in the obtaining of **private information** about a person (whether or not specifically identified for the purpose of the investigation or operation). Private information is defined at paragraph 1.19 below; and
 - d) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under Part II of the 2000 Act to be sought for the carrying out of the surveillance. For example, you may be in a Post Office obtaining information in relation to a particular customer when you observe a different person committing a benefit fraud. **You are allowed to follow that person, if necessary, to establish their identification and any other information that may help with the subsequent investigation but you should not do so if you believe there is any possibility of a risk to your own safety.**
- 1.16 A similar situation may occur whilst visiting an employer under section 110 powers, Social Security Administration Act 1992 (which requires separate authorisation). For example, if during a visit to an employer you recognise an individual benefit claimant, authorisation for watching the person working would not be required. This is because you have come across the information incidentally and in the course of your normal duties. However, if you visited an employer with the precise intention of observing an identified individual at work (whilst claiming benefit), written authorisation would be required before the visit.
- 1.17 Directed surveillance includes covert surveillance within office and business premises.
- 1.18 **Private information** includes:
- a) any information relating to a person's private or family life, or
 - b) information relating to aspects of a person's professional and business life.
- The concept of private information should be broadly interpreted to include an individual's private or personal relationship with others. Family life should be treated to extend beyond the formal relationships created by marriage.
- 1.19 **Intrusive surveillance** is defined as covert surveillance that:
- a) is carried out in relation to anything taking place within any residential premises or any private vehicle; and
 - b) involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device or involves premises where legal consultations take place.

Under no circumstances should this type of surveillance be undertaken. An alternative means of obtaining the information should be sought.

- 1.20 **Interception of post, e-mail and recording of telephone conversations.** The interception of communications sent by post or by means of public telecommunications systems or private telecommunications systems attached to the public network are outside of the remit of Council officers.
- 1.21 **Covert Human Intelligence Source (CHIS)** is the term used for a person who is tasked by the Council to establish or maintain a relationship with a person for the purpose of covertly obtaining or disclosing information i.e. it is someone working “under cover” who has been asked to obtain information, to provide access to information or to otherwise act, incidentally for the benefit of the Council.
- 1.22 A relationship is established or maintained for a covert purpose if and only if it is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the purpose.
- 1.23 A person is considered to be a CHIS if:
- (a) they establish or maintain a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraphs (b) or (c) below;
 - (b) they covertly use such a relationship to obtain information or provide access to any information to another person; or
 - (c) they covertly disclose information obtained by the use of such a relationship, or as a consequence of the existence of such a relationship.
- 1.24 **The Council has taken a policy decision that it will be the general practice not to undertake this type of surveillance activity.** An alternative means of obtaining the information should be followed. However, it is necessary that the Council be equipped to deal with CHIS should the situation arise.
- 1.25 If it is necessary to request an authorisation under CHIS, advice should first be sought from the RIPA Senior Responsible Officer.
- 1.26 As with directed surveillance the Council may only make an authorisation permitting the use of CHIS on the ground that it is necessary for the purpose of the prevention or detection of crime or the prevention of disorder.
- 1.27 It should be noted that where members of the public volunteer information to council officers, either as a complaint or as part of their civic duties i.e. use contact numbers set up for the reporting of suspected benefit fraud or for whistle-blowing etc. they would not generally be regarded as a CHIS. In addition, if someone is keeping a diary record of nuisance, this will not amount by itself to use of a CHIS. **With the exception of a diary record of nuisance, a Council officer must never ask a member of the public to routinely record information relating to specified individuals on the Council’s behalf.**
- 1.28 In order for the Council to carry out surveillance using CHIS (should the need arise) it is necessary to have appropriately trained officers designated as Controllers and Handlers. These posts will carry out the following functions:
- Controller – will at all times have general oversight of the use made of the source.

- Handler – will have day to day responsibility for dealing with the source on behalf of the authority, and for the source’s security and welfare.

In all cases the Controller will be the RIPA Senior Responsible Officer.

Handlers will include investigators and enforcement officers that have received the relevant CHIS training and have been authorised by the RIPA Senior Officer to undertake this role. A register of those authorised as handlers will be kept by the RIPA Co-ordinating Officer.

In addition to the above the RIPA Co-ordinating Officer will have responsibility for maintaining a record of the use made of the source.

1.29 Accessing Communications Data

Local Authorities can obtain communications data for investigating crime under the Investigatory Powers Act 2016. Communications data includes land line and mobile telephone subscriber and billing data for telephone, web and postal customers.

1.30 Communications data can be obtained where it is necessary and proportionate to do so. Applications are primarily used to identify or locate suspects. Examples include applications to ascertain subscriber identity and address details of illegal fly tipping suspects from mobile phone number evidence.

1.31 The Council has appointed NAFN to provide a RIPA Single Point of Contact (SPoC) service to obtain communications data. NAFN is authorised to carry out requests to telecommunications service providers for category B and C data (see 1.32) for criminal investigations. This includes subscriber and billing information on telephone, web and postal services.

1.32 It should be noted that in order for Local Authorities to seek authority to acquire category B data, it must meet the new serious crime threshold. A serious crime is one which carries a prison sentence for a minimum of 12 months and meets the definition set out in section 81(3)(b) of the Act, i.e. conduct that involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose. Category C data can still be acquired for any crime where necessary and proportionate to do so.

Category Table

A Data – Not accessible to Local Authorities	B Data – Available if serious crime threshold met	C Data – Available
Cell site IEMI Incoming caller data	Itemised Billing Call Diversion Data Downloading Outgoing call data	Subscriber detail including: Name and Address Method of Payments Customer info.

NB: Local Authorities are not able to obtain Category A data.

Social Networking Sites

- 1.33 **Social Networking Sites (SNS)** which include but are not limited to Facebook, Instagram, Twitter and TikTok can provide information that will aid an investigation. When using these sites to carry out surveillance it is essential to know how they work and officers should not assume that one service provider works in the same way as another.
- 1.34 In all cases it would be unwise to assume that the content came from an open source or was publically available, even where security settings are low, as the author would have some reasonable expectation of privacy where access controls are applied.
- 1.35 When conducting any surveillance of social media sites use of an officers personal account is prohibited and advice should be sought from the Communciations Team with regards to setting up a Council account. Advice should also be sought from the Information Governance team regarding the processing of personal data from social media sites before any evidence is collected. **It may pose a risk to an officers' personal safety when viewing social media profiles from a personal account, due to the potential for a 'digital footprint' to be left and therefore potentially identifying the officer to the account holder.**
- 1.36 Where a site is being covertly accessed for monitoring purposes it may be necessary for an authorisation for directed surveillance to be obtained. As part of an investigation it is possible to take an initial look at an individuals social media activity, however, should there be a need to return to the site this may constitute surveillance. In such circumstances advice should be obtained from the RIPA Co-ordinating Officer before further surveillance is carried out.
- 1.37 When accessing an individuals' social media site, an officer of the Council must never establish or maintain a relationship with that individual without consulting with the SRO, as an authorisation for a CHIS may need to be obtained. See 1.23 above for full details of what constitutes a CHIS.
- 1.38 The Central Record will contain a register of any Council profiles utilised and a record of their use, where the Council decides to utilise Social Media for the purpose of investigation. The RIPA Co-ordinating officer must be involved prior to any social media being utilised for surveillance, to ensure appropriate records are being kept and stored.
- 1.39 A brief summary of the relevant legislation governing covert surveillance has been included at Appendix A.

2. GENERAL RULES ON AUTHORISATIONS

- 2.1 Where an authorisation or renewal is sought for the use of Directed Surveillance, acquisition of Communications Data or the use of CHIS it will be necessary to obtain Judicial Approval, i.e approval from the Magistrates Court. It will still be necessary to go through the internal authorisation stage, detailed below, prior to an application for Judicial Approval. The procedure for obtaining Judicial Approval is detailed at paragraphs 4.12 to 4.14 below.

NB: A flowchart produced by the Home Office showing the authorisation procedure is shown at Appendix B.

2.2 Directed Surveillance and CHIS

2.2.1 You must seek an authorisation where the surveillance is likely to interfere with a person's rights to privacy (*Article 8 of the European Convention on Human Rights*) by obtaining private information about that person, whether or not that person is the subject of the investigation or operation. Obtaining an authorisation will ensure that the action is carried out in accordance with law.

2.2.2 In the event that the Council is required to conduct joint directed surveillance working with another agency, the tasking agency should obtain the authorisation. For example, in the event that the police require covert surveillance by the Councils' CCTV system the police would normally seek the authorisation. A copy of the Authorisation, Renewal and Cancellation forms should be sought from the tasking agency to provide a record and justification for the Councils involvement. This should be presented to the RIPA Co-ordinating officer for recording.

2.3 Accessing Communications Data

2.3.1 Only authorised officers are able to use the NAFN Single Point of Contact service to access communications data. NAFN provides Council officers with access to a secure online system for processing RIPA telecommunications requests. Authorised applicants and designated persons can submit, approve and track applications through one central secure website. NAFN review all applications for legal compliance prior to approval from Maidstone's designated person. NAFN is subject to inspection by the officers of the Interception Commission to ensure compliance with RIPA.

2.4 RIPA Authorising Officers

The Authorising Officers for the Council are:

- Alison Broom – Chief Executive / RIPA Senior Responsible Officer (SRO)
- Angela Woodhouse – Director of Strategy, Insight and Governance/ RIPA Deputy Senior Responsible Officer (DSRO)
- Mark Green – Director of Finance and Business Improvement
- William Cornell – Director of Regeneration and Place
- John Littlemore – Head of Housing and Community Services
- Georgia Hawkes – Mid-Kent Service Director

No person designated as an Authorising Officer may act as an Authorising Officer unless they have undertaken appropriate training.

In addition to the above the following officers will be responsible for the authorisation of NAFN RIPA telecommunications requests:

- Alison Broom – Chief Executive / RIPA Senior Responsible Officer (SRO)
- Mark Green – Director of Finance and Business Improvement

2.5 Necessity and Proportionality

- 2.5.1 Obtaining an authorisation for surveillance will only ensure that there is a justifiable interference with an individual's Article 8 rights if it is **necessary and proportionate** for these activities to take place. RIPA first requires that the person granting an authorisation to believe that the authorisation is necessary for the purpose of preventing and detecting crime or of preventing disorder; therefore there is a requirement that applicants and Authorising Officers consider why the use of covert surveillance is necessary in the specific investigation and what it will achieve.
- 2.5.2 If the activities are necessary, the person granting the authorisation must believe that they are proportionate to what is sought to be achieved by carrying them out. This involves balancing the intrusiveness of the activity on the target and others who might be affected by it against the need for the activity in the operational terms. Both the officer making the application and the Authorising Officer should consider the following test when deciding that the proposed covert surveillance is proportionate:
- a) Is the proposed covert surveillance proportionate to the mischief under investigation;
 - b) Is the proposed covert surveillance proportionate to the degree of anticipated intrusion on the target and others; and
 - c) Is the proposed covert surveillance the only option and have other overt means been considered and discounted.
- 2.5.3 The activity will not be proportionate if it is excessive in the circumstances of the case or if the information which is sought could reasonably be obtained by other less intrusive means. For example it may be acceptable in a benefit "living together" case for surveillance over seven days but not extended over three months. All such activity should be carefully managed to meet the objective in question and must not be arbitrary or unfair.

2.6 Collateral Intrusion

- 2.6.1 Before authorising surveillance the Authorising Officer should take into account the risk of intrusion into the privacy of persons other than those who are directly the subjects of the investigation or operation (collateral intrusion). Measures should be taken, wherever practicable, to avoid or minimise unnecessary intrusion into the lives of those not directly connected with the investigation or operation.
- 2.6.2 An application for an authorisation should include an assessment of the risk of any collateral intrusion. The Authorising Officer should take this into account, when considering the proportionality of the surveillance.
- 2.6.3 Those carrying out the covert surveillance should inform the Authorising Officer if the operation or investigation unexpectedly interferes with the privacy of individuals who are not covered by the authorisation. When the original authorisation may not be sufficient, consideration should be given to whether the authorisation needs to be amended and re-authorised or a new authorisation is required.
- 2.6.4 Any person granting or applying for an authorisation will also need to be aware of particular sensitivities in the local community where the surveillance is taking place and of similar activities being undertaken by other public authorities which could impact on the deployment of surveillance.

2.7 Central Record of Authorisations

- 2.7.1 A central retrievable record of all authorisations is required to be kept by the Council and regularly updated. Whenever an authorisation is granted, renewed or cancelled the original signed document must be passed to the Co-ordinating Officer who maintains the Central Record of Authorisations. On receipt of the documentation the required information will be recorded in the central register.
- 2.7.2 The record is required to be made available to the relevant Commissioner or an Inspector from the Investigatory Powers Commissioner's Office, upon request.
- 2.7.3 These records should be retained for a period of five years from the ending of the authorisation and should contain the following information:
- the unique reference number (URN) – this will be provided by the Co-ordinating Officer when requested by the officer applying for the authorisation;
 - the type of authorisation; (SBC officers can only conduct directed surveillance)
 - the date the authorisation was given;
 - the name of the Authorising Officer;
 - the title of the investigation or operation, including a brief description and names of subjects, if known;
 - the date for review;
 - the date review was undertaken;
 - if the authorisation is renewed, when it was renewed and who authorised the renewal, including the name of the Authorising Officer;
 - whether the investigation is likely to result in obtaining confidential information; and
 - the date the authorisation was cancelled.
- 2.7.4 In all cases, the officer responsible for the investigation (Investigation Manager) must maintain the following documentation which need not form part of the central retrievable record:
- copy of the application and a copy of the authorisation together with any supplementary documentation and notification of the approval given by the Authorising Officer;
 - copy of any renewal of any authorisation together with supporting documents
 - any authorisation which was granted or renewed orally (an urgent case) and the reason why the case was considered urgent
 - record of the period over which the surveillance has taken place;
 - any risk assessment raised in relation to a CHIS;
 - the circumstances in which tasks were given to the CHIS;
 - the value of the CHIS to the investigation;
 - the frequency of reviews prescribed by the Authorising Officer, recommended monthly;
 - record of the result of each review of the authorisation;
 - copy of any renewal of an authorisation, together with the supporting documentation submitted when the renewal was requested; and
 - date and time when any instruction were given by the Authorising Officer since using CHIS.

2.8 Retention and Destruction

- 2.8.1 Where the product of surveillance could be relevant to pending or future criminal or civil proceedings, it should be retained in accordance with established disclosure requirements for a suitable further period, commensurate to any subsequent review.

- 2.8.2 There is nothing which prevents material obtained from properly authorised surveillance from being used in other investigations. Authorising Officers must ensure compliance with the appropriate data protection requirements and that arrangements for the handling, storage and destruction of material obtained through the use of covert surveillance are followed.
- 2.8.3 Investigating officers are expected to keep accurate and full records of investigations. All notebooks (including QB50 for relevant Officers), surveillance logs and other ancillary documentation that relate to surveillance must be maintained for five years and available for management or regulatory inspection on demand.

3. SPECIAL RULES ON AUTHORISATIONS

(Directed Surveillance and CHIS)

- 3.1 Care should be taken in cases where the subject of the investigation or operation might reasonably expect a high degree of privacy eg, where confidential information is involved. Confidential information consists of matters subject to legal privilege, confidential personal information or confidential journalistic material. For example, extra care should be given where, through the use of surveillance, it would be possible to acquire knowledge of discussions between a minister of religion and an individual relating to the latter's spiritual welfare, or where matters of medical or journalistic confidentiality or legal privilege may be involved.
- 3.2 In cases where through the use of surveillance it is likely that knowledge of confidential information will be acquired, the use of surveillance is subject to a higher level of authorisation, and must be authorised by the Chief Executive (who is designated the RIPA Senior Responsible Officer) or in their absence the deputy SRO.
- 3.3 Where a juvenile or vulnerable person is to be used as a CHIS the Investigating Officer must, when seeking an authorisation:
- (a) make a risk assessment to demonstrate that the physical and psychological risks have been identified, evaluated and explained to the CHIS, and
 - (b) that an appropriate adult will be present at meetings of any CHIS under the age of 18.
- 3.4 Where the authorisation is for the employment of a juvenile or vulnerable CHIS the authorisation **must** be obtained by the Chief Executive (who is designated the RIPA Senior Responsible Officer) or in their absence, the deputy SRO.

4. AUTHORISATION PROCEDURE FOR COVERT SURVEILLANCE

(Directed Surveillance and CHIS)

The appropriate RIPA forms are available from the Intranet, under Service Units; Legal; Shared Documents; Guidance, RIPA; Covert Surveillance Forms and Code of Practice.

Application Forms:

- Application for the use of Directed Surveillance form
- Application for the use of CHIS form

- Judicial Application / Order form

4.1 Before covert surveillance can be conducted, an application for the use of directed surveillance form and/or an application for the use of CHIS form must be completed and authorised in writing by the Authorising Officer.

4.2 Local Authorities cannot rely on the provision for urgent authorisation being given orally by the Authorising Officer as there is the requirement of obtaining judicial approval. There are however guidelines for obtaining urgent judicial approval and these are detailed below at paragraph 4.15. It should be remembered that no RIPA authority is required in situations where surveillance is an immediate response to events i.e. where criminal activity is observed during routine duties and officers conceal themselves to observe what is happening.

4.3 The application should include:

- the reason why the authorisation is necessary i.e. for the purpose of preventing and detecting crime or of preventing disorder (*this is the only permitted ground open to Local Authorities*)
- an adequate explanation of the reason why the surveillance is considered proportionate to what it seeks to achieve;
- the nature of the surveillance including what surveillance equipment is to be used (the operation must be spelt out in sufficient detail on the application form for the Authorising Officer to have a clear idea of exactly what they are being asked to authorise);
- a map showing where the surveillance will take place;
- details of other methods considered and why they were deemed not to be appropriate;
- the identities, where known, of those to be the subject of the surveillance;
- an explanation of the information desired from the surveillance;
- the details of any potential collateral intrusion and why the intrusion is justified;
- the details of any confidential information that is likely to be obtained as a consequence of the surveillance;
- the level of authority required (or recommended where that is different) for the surveillance; and
- a subsequent record of whether authority was given or refused, by whom and the time and date.

Good Practice Tips:

- ensure all questions are answered properly and appropriate boxes ticked;
- prior to submitting the application review the case file and discuss the case with the Authorising Officer to tease out additional information required and to fill any gaps, provide adequate information on the application form for it to stand alone;
- Information must be clear and unambiguous;

i. set out in full and explain any acronyms; and

ii. explain operational processes which may otherwise require service specific knowledge.

4.4 To enable application forms for directed surveillance to be completed with sufficient detail drive bys are permitted to identify whether a location is suitable for surveillance. However, the practice should not be abused and repeated and/or systematic use of drive bys may require application for surveillance forms to be completed and authorisation granted by an Authorising Officer. If surveillance is to commence immediately authorisation **must** be sought first.

Authorisation:

4.5 Responsibility for authorising the carrying out of covert surveillance rests with the Authorising Officer and requires the personal authority of the Authorising Officer. **In no circumstances should an officer authorise until they have met the training standard stipulated by the Senior Responsible Officer.**

4.6 Authorising Officers must insist on the operation being described in sufficient detail *on the application form* for them to have a clear idea of exactly what they are being asked to authorise and so that they have a sufficient *aide-memoir* to be able to withstand cross-examination in Court, maybe after a lapse of some years. The application form must stand alone in supporting the authorisation. Only what is written on the form would be used in Court to justify authorisation of surveillance being granted, therefore Authorising Officers must clearly describe exactly what activities they are authorising.

4.7 An authorisation can only be granted by the authorising officer where they believe that the use of covert surveillance is **necessary** in the investigation for the purposes of preventing and detecting crime or of preventing disorder and that the surveillance is **proportionate** to what it seeks to achieve, i.e it satisfies the test set out at 2.5 above.

4.8 In completing their authorisation the Authorising Officer should include a statement detailing their reasons for considering that application is necessary and proportionate incorporating the 5 "W's"; these being: "who", "what", "where", "when", "why" and "how".

4.9 In addition, when an authorisation is sought for the use of CHIS, the Authorising Officer must be satisfied that:

- (a) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have day-to-day responsibility for dealing with the source on behalf of that authority, and for the source's security and welfare;
- (b) that there will at all times be another person holding an office, rank or position with the relevant investigating authority who will have general oversight of the use made of the source;
- (c) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have responsibility for maintaining a record of the use made of the source;
- (d) that the records relating to the source that are maintained by the relevant investigating authority will always contain particulars of all such matters (if

any) as may be specified for the purposes of this paragraph in regulations made by the Secretary of State;

- (e) that records maintained by the relevant investigating authority that disclose the identity of the source will not be available to persons except to the extent that there is a need for access to them to be made available to those persons; and
- (f) that a risk assessment has been carried out to determine the risk to the source of any tasking and the likely consequences should the role of the source become known. The ongoing security and welfare of the source, after the cancellation of the authorisation, should have also been considered at this stage.

For further information please refer to paragraphs 1.22 to 1.29 above.

- 4.10 Authorising Officers should, where possible, complete their authorisation by hand to avoid being challenged at a later date as to the authenticity of their authorisation.
- 4.11 Where a previously unidentified subject is identified or an additional subject is subsequently identified during the course of surveillance, the surveillance may continue in order to maintain contact. Thereafter, a revised authorisation will be required to cover the additional subject etc. New individuals **must not** be added to the original authorisation retrospectively.

Judicial Approval:

- 4.12 As soon as an authorisation has been granted through the internal procedure the following steps must be taken to obtain judicial approval:
 1. HMCTS administration at the magistrates' court should be contacted by calling 01622 671041 for a hearing to be arranged – such hearings will be held in private.
 2. A copy of the original RIPA authorisation and supporting documentation should be provided to the Magistrate and **should contain all information that is relied upon**. The authorisation can be considered by a single lay Magistrate (sometimes referred to as a Justice of the Peace) supported by a Legal Advisor to the Court or a District Judge.
 3. Two copies of the partially completed judicial approval/order form should be provided to the Magistrate – one for the Court to keep and one for the Council.
 4. Attend hearing.

Any officer that attends on behalf of the Council must be authorised to do so by the Head of Legal under section 223 of the Local Government Act 1972.
- 4.13 Consideration should be given as to who is the most appropriate person to attend the hearing to request judicial approval. As it is likely that the Magistrate will have questions for whoever attends it should be someone with a detailed knowledge of the case. It may be that the most appropriate person to attend is the Authorising Officer as only they can explain their reasoning on necessity, proportionality, collateral intrusion and risk. It is recognised that this is not always practicable, and in these cases it is likely that the investigating officer should attend and promptly report back any comments made by the Magistrate to the Authorising Officer.

*NB: All evidence of necessity and proportionality **must** be in the RIPA/CHIS application form as it is not sufficient to provide oral evidence at the hearing where this is not reflected or supported in the papers provided.*

- 4.14 Following consideration of the case the Magistrate will complete the order section of the judicial application / order form recording their decision to either approve or refuse the authorisation or to refuse and quash the original authorisation.
- 4.15 Whilst Home Office Guidance urges Local Authorities to make local arrangements to deal with out of hours access to a Magistrate for urgent cases our local HMCTS legal staff have advised that they do not envisage there to ever be a need for the authority to require urgent access, therefore all applications should be made in Court hours. The Senior Responsible Officer will continue to review the situation and if it is proven that there is a need for local arrangements for urgent cases to be made we will contact the Court again.

NB: It should be remembered that in most emergency situations it is likely that the police would have the power to act, and in such cases they would be able to authorise the activity without prior judicial approval.

- 4.16 Authorising Officers should not be responsible for authorising investigations or operations in which they are directly involved, although it is recognised that this may sometimes be unavoidable, especially in the case of small organisations, or where it is necessary to act urgently

Directed surveillance conducted from premises
(ref: R v Kenneth Johnson)

- 4.17 In the event that covert surveillance is required to be conducted from premises the following guidelines must be followed:
- Prior to covert surveillance being conducted from premises the line manager (or above) responsible for the investigation must visit the premises to ascertain the attitude of the occupiers to the surveillance activities and to the possible disclosure of information which might enable them to be identified.
 - Immediately before trial the Head of Services (or above) must ascertain whether the occupiers of the premises are the same as when the surveillance took place and, whether they are or not, what their feelings are as to the disclosure of information which might cause them to be identified.

Reviews:

Forms:

- Review of the use of Directed Surveillance form
- Review of the use of CHIS form

- 4.18 Written authorisations granted under RIPA for a CHIS cease to have effect twelve months after the date of granting of the authorisation. All other written authorisations under RIPA cease to have effect three months after the authorisation was granted.
- 4.19 Reviews of authorisations should be undertaken by the officer responsible for conducting the investigation (Investigation Manager), and approved by the Authorising Officer, to assess the need for the surveillance to continue. Reviews should take place at least monthly and immediately after the date the surveillance is due to end. The Authorising Officer may review the authorisation on a more frequent

basis where it is considered necessary and practicable for example where the surveillance provides access to confidential information or involves collateral intrusion. *There is no requirement for the JP to consider internal reviews.* A copy of the review form should be retained by the officer responsible for conducting the investigation (Investigation Manager) and the original should be passed to the RIPA Co-ordinating Officer.

Renewals:

Forms:

- Renewal of Directed Surveillance form
- Renewal of CHIS form

- 4.20 If at any time before an authorisation would cease to have effect, the Authorising Officer considers it necessary for the authorisation to continue for the purpose for which it was given, they may renew it in writing for a further period of **three months** for directed surveillance and **twelve months** for a CHIS.
- 4.21 A renewal takes effect at the time at which, or day on which the authorisation would have ceased to have effect but for the renewal. An application for renewal should not be made until shortly before the authorisation period is drawing to an end. Any person who would be entitled to grant a new authorisation can renew an authorisation.
- 4.22 Applications for renewal of an authorisation for covert surveillance should record:
- whether this is the first renewal or every occasion on which the authorisation has been renewed previously;
 - any significant changes to the information at paragraph 4.3;
 - the reasons why it is necessary to continue with the directed surveillance;
 - the content and value to the investigation or operation of the information so far obtained by the surveillance; and
 - the result of regular reviews of the investigation or operation.
- 4.23 Authorisations may be renewed more than once, provided they continue to meet the criteria for authorisations. A copy of the renewal forms should be retained by the officer responsible for conducting the investigation (Investigation Manager) and the original should be passed to the RIPA Co-ordinating Officer for the required information to be recorded in the Central Record of Authorisations (see paragraph 2.7).
- 4.24 **Following the internal authorisation for renewal process it will again be necessary to obtain judicial approval for the authorisation to be renewed and the same process detailed in 4.12 to 4.14 above should be followed.**

NB: Where renewals are timetabled to fall outside of court hours it is for the investigating officer on behalf of the Local Authority to ensure that the renewal is completed ahead of the deadline.

Cancellations:

Forms:

- Cancellation of Directed Surveillance form

- Cancellation of CHIS form
- 4.25 A written authorisation granted by an Authorising Officer will cease to have effect (unless renewed) at the end of a period of **three months in relation to Directed Surveillance** or **twelve months in relation to CHIS** beginning with the day on which it took effect, however the Authorising Officer who granted or last renewed the authorisation must promptly cancel the authorisation if he is satisfied that the covert surveillance no longer meets the criteria for authorisation, including, but not limited to, where during the investigation it becomes clear that the offence being investigated no longer meets the crime threshold.
- 4.26 As soon as the decision is taken that covert surveillance should be discontinued, the instruction must be given to those involved to stop all surveillance of the subject(s) and a record made of the date and time when the instruction was given. A cancellation of the use of directed surveillance form must be completed by the officer responsible for conducting the investigation (Investigation Manager) and signed by the Authorising Officer. *There is no requirement for the Magistrate to consider cancellations.*
- 4.27 Cancellation forms should be retained by the Investigating Manager and the original should be passed to the RIPA Co-ordinating Officer for the required information to be recorded in the Central Record of Authorisations (see paragraph 2.7).

To ensure prompt cancellation Investigation Managers should advise the Authorising Officer as soon as surveillance activity has ceased.

5. AUTHORISATION PROCEDURES FOR COMMUNICATIONS DATA

- 5.1 Only officers authorised by the Council's Designated Person can submit applications via the NAFN secure website facility. Authorised officers are assigned a website username and password to access the NAFN SPoC application system.
- 5.2 Applications should detail the necessity, purpose and proportionality of each request for information, in addition to consideration of collateral intrusion arising from the request for information. The level of detail should be as required for covert surveillance and CHIS applications – See 4.3.
- 5.3 Applications which do not provide adequate detail will be returned to applying officers for reworking prior to submission to the Council's Designated Person (DP) for consideration and approval. Applications will only be approved where the DP considers the application to be necessary and proportionate to the investigation.
- 5.4 As soon as an authorisation has been granted through the internal procedure it will be for the Council to obtain judicial approval following the procedure detailed above at paragraphs 4.12 to 4.14. The Magistrate will complete the order section of the judicial application / order form reflecting their decision after which the Council will then be required to upload a copy of this order to the NAFN SPoC system.

6. Authorisation Control Matrix/ Aide-memoire:

- 6.1 To assist officers responsible for conducting investigations (Investigation Managers) to maintain appropriate records and comply fully with the Regulations a suitable Authorisation Control Matrix has been included at Appendix C. Dates of Reviews and when Authorisations cease should also be diarised as a further aid-memoire so

that Reviews, Renewals and Cancellations are properly completed in a timely manner.

7. Complaints Relating to the use of RIPA

- 7.1 The Investigatory Powers Tribunal is a court which investigates and determines complaints which allege that public authorities or law enforcement agencies have unlawfully used covert techniques and infringed an individual's right to privacy, as well as claims against the security and intelligence agencies for conduct which breaches a wider range of our human rights. Where a member of the public wishes to complain about the Council's use of, or conduct of these powers they should be directed towards the Tribunal's website at <http://www.ipt-uk.com/>.

8. Non-RIPA Surveillance

Where the crime threshold for surveillance cannot be met, surveillance can still be considered as a last resort if it is deemed to be both necessary and proportionate. In such cases the same internal procedure used for the authorisation, renewal, review and cancellation of a RIPA application set out on pages 15 to 19 are to be followed, however the relevant non-RIPA form is to be used with all documentation being held centrally by the RIPA Co-ordinating Officer. For non RIPA applications there is no requirement to obtain Judicial Approval however all internal procedures must be followed to record the non-RIPA activity.

Relevant Legislation and Guidance

The Data Protection Act 2018

The Act provides six principles to be observed to ensure that the requirements are complied with. They provide that personal data (which includes personal data obtained from **covert surveillance techniques**) must:

- 1 be used fairly, lawfully and transparently;
- 2 be used for specified, explicit purposes;
- 3 be used in a way that is adequate, relevant and limited to only what is necessary;
- 4 be accurate and, where necessary, kept up to date;
- 5 be kept for no longer than is necessary; and
- 6 be handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

The Human Rights Act 1998

Article 8 of the European Convention on Human Rights is relevant in the context of **covert surveillance** in that it states:

- everyone has the right to respect for his private and family life, home and correspondence;
- there is to be no interference with the exercise of these rights by the local authority, except where such interference is in accordance with the law and is necessary in a democratic society in the interest of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others

Article 6 of the Convention is also relevant in the context of **covert surveillance** in that everyone has the right to a fair trial, including internal procedures or hearings, and fairness extends to the way in which evidence is obtained.

The Regulation of Investigatory Powers Act 2000

- The Act strikes a balance between community responsibilities, including effective law enforcement and individual rights and freedoms. The principles of RIPA are as follows:
- Surveillance is an intrusion into the privacy of the citizen. It should not be undertaken unless it is necessary, proportionate to the alleged offence and properly authorised. Where there is an alternative legal means of obtaining information that is

less intrusive on the rights of the citizen, the alternative course rather than surveillance should be taken.

- Surveillance will be conducted within the constraints of the Council. It will cease when evidence sought has been obtained or when it becomes clear that the evidence is not going to be obtained by further surveillance. At that point authorisation must be cancelled.
- In every instance where surveillance is authorised the officer who conducts surveillance will consider and make plans to reduce the level of collateral intrusion into the privacy of third parties.
- All outstanding surveillance authorisations will be reviewed at regular intervals and cancelled where there is no further need for surveillance.
- All officers involved in applying for, authorising or undertaking surveillance will understand the legal requirements set out in RIPA and the Code of Practice. They will personally take responsibility of their involvement.
- All authorisations, notebooks, surveillance logs and other ancillary documentation that relates to surveillance will be maintained to the required standard for three years. All documentation will be volunteered for any management or regulatory inspection on demand.
- Any failure of any part of the process will be brought to the attention of the manager responsible for the investigation.
- Wilful disregard of any part of the Surveillance Code of Practice or of internal procedures will be dealt with in line with Council policy.

Protection of Freedoms Act 2012

The Act amended the Regulation of Investigatory Powers Act 2000 (RIPA) to make local authority authorisation subject to judicial approval. It also limited a Local Authority's use of RIPA so that authorisations could only be obtained for directed surveillance to prevent or detect criminal offences that are either punishable, whether on summary conviction or indictment, by a minimum term of at least six months imprisonment or are related to the underage sale of alcohol and tobacco.

Investigatory Powers Act 2016

The Act will provide a new framework to govern the use and oversight of investigatory powers by law enforcement and the security and intelligence agencies. The aim of the Act is to bring together all of the powers already available to law enforcement and the security and intelligence agencies to obtain communications and data about communications and will make these powers and the safeguards that apply to them clear and understandable. In addition it creates a powerful new Investigatory Powers Commissioner to oversee how these powers are used and ensures powers are fit for the digital age.

Criminal Procedures & Investigation Act 1996 (CPIA)

The Act sets out legal obligations concerning criminal investigations. The principles of the Act are as follows:-

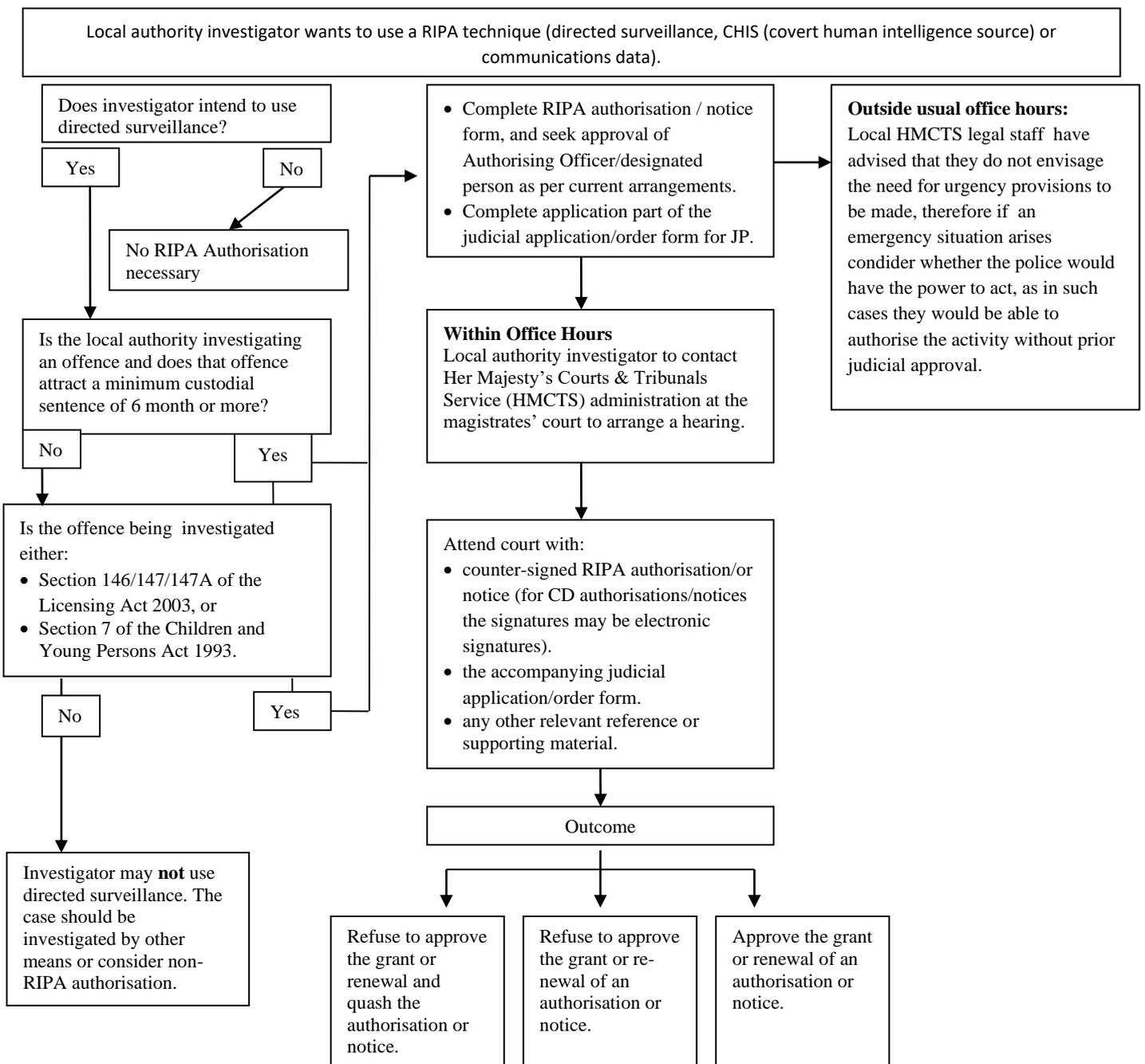
- **Record** - Information must be recorded in a durable and retrievable form. It must be full & factual. File notes must be contemporaneous, dated & preferably timed. There should be no personal comments, biased opinions, and prejudiced observations.
- **Retain** - All material obtained in the course of an investigation must be retained in the investigation file. The origin, date & if appropriate the time it was obtained must be recorded. The reasons for action must be recorded, including any request for authorised surveillance, and details of the risk assessment.
- **Reveal** - 3 clearly identifiable roles on all investigation files:-
 - Investigator
 - Officer in Charge of the Investigation
 - Disclosure Officer
 Unused material is listed on two schedules: -
 - Non-sensitive
 - Sensitive.

Guidance Notes and Codes of Practice:

- Covert Surveillance and Property Interference Code of Practice – Home Office
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/384975/Covert_Surveillance_Property_Interference_web_2_.pdf
- Covert Human Intelligent Source Code of Practice – Home Office
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/384976/Covert_Human_Intelligence_web.pdf
- Acquisition and Disclosure of Communications Data Code of Practice – Home Office
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/426248/Acquisition_and_Disclosure_of_Communications_Data_Code_of_Practice_March_2015.pdf
- Guidance to local authorities in England and Wales on the judicial approval process for RIPA and the crime threshold for directed surveillance – Home Office, October 2012
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118173/local-authority-england-wales.pdf

Information can also be obtained from the website of the Investigatory Powers Commissioner's Office at <https://www.ipco.org.uk/> who has absorbed the powers of the Office of Surveillance Commissioners and the Interception of Communications Commissioner's Office.

**LOCAL AUTHORITY PROCEDURE:
APPLICATION TO A JUSTICE OF THE PEACE SEEKING AN ORDER TO APPROVE THE
GRANT OF A RIPA AUTHORISATION OR NOTICE**



This may be appropriate if the JP considers that an application is fundamentally flawed. The local authority must be given at least 2 business days in which to make representations before the authorisation is quashed. In these circumstances a local authority cannot use the technique and will need to seek fresh authorisation internally before reapplying.

The grant or renewal of the RIPA authorisation or notice will not take effect and the local authority may **not** use the covert technique. Local authority may wish to address, for example, a technical error and reapply.

Technique may be used in this case. Investigator to resubmit to the JP any renewal or authorisation for the use of a different technique in this case.

Obtain signed order and retain original RIPA authorisation/notice. For CD authorisations or notices, local authority investigator to provide additional copy of judicial order to the SPoC. If out of hours, a copy of the signed order to be provided to the court the next working day.

Agenda Item 11

HOUSING, HEALTH AND ENVIRONMENT POLICY ADVISORY COMMITTEE

11 July 2023

Biodiversity and Climate Change Action Plan Update and Estimated Costs for Achieving Net Zero 2030

Timetable	
Meeting	Date
Corporate Leadership Team	20 June 2023
Communities, Leisure, and Arts Policy Advisory Committee	4 July 2023
Planning, Infrastructure and Economic Development Policy Advisory Committee	5 July 2023
Housing, Health, and Environment Policy Advisory Committee	11 July 2023
Corporate Services Policy Advisory Committee	12 July 2023
Cabinet	26 July 2023

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Cabinet
Lead Head of Service	Angela Woodhouse, Director of Strategy, Insight and Governance
Lead Officer and Report Author	James Wilderspin, Biodiversity and Climate Change Manager
Classification	Public
Wards affected	All

Executive Summary

This is the biannual report on the implementation of the Biodiversity and Climate Change Action Plan following the annual review of the Action Plan agreed in April 2023 and includes an overview of each action's status, comments from action owners, and key indicators used to monitor progress (**Appendix 1**).

This report also details indicative costs for electrifying the fleet, retrofitting, and decarbonising key buildings, upgrading housing stock EPCs, as well as costs for offsetting (investing in renewable energy generation and carbon sequestration), to achieve as close to Net Zero by 2030 for the Council's own operations. This is set out at **Appendix 2**.

Purpose of Report

Noting / Recommendation

This report asks Housing, Health and Environment Policy Advisory Committee to consider the following recommendations:

1. That the Cabinet be recommended to note the action plan implementation updates and indicative costs of achieving net zero by 2023 for the Council's operations, subject to the consideration of any further recommendations made by the Committee.

Biodiversity and Climate Change Action Plan Update and Estimated Costs for Achieving Net Zero 2030

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 all its priorities.</p>	Anna Collier Insight Communities and Governance Manager
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>Delivering the Biodiversity and Climate Change Action Plan supports the achievement of the Biodiversity and Environmental Sustainability is respected cross cutting objective. It also supports cross cutting objectives of Health Inequalities are Addressed and Reduced Deprivation and Social Mobility is Improved as delivery of actions have the opportunity to improve the health of residents in the longer term and reduce residents' energy costs.</p>	Anna Collier Insight Communities and Governance Manager
Risk Management	Already covered in the risk section (see paragraph 5)	Anna Collier Insight Communities and Governance Manager
Financial	The specific costed proposals will be funded from within existing budgets. Future changes to policies and strategies will need to be assessed to understand the impact to ensure	Section 151 Officer & Finance Team

	they remain affordable during the year and in future years as part of the Medium-Term Financial Strategy.	
Staffing	We will deliver the recommendations with our current staffing.	Anna Collier Insight Communities and Governance Manager
Legal	Local authorities have a duty under Section 40 of the Natural Environment and Rural Communities Act 2006 in exercising their functions to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. The Council's Biodiversity and Climate Action Plan demonstrates compliance with the statutory duty.	Legal Team
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes. Some individual actions may have implications in the future and the appropriate review and documentations will be completed as required	Information Governance Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Policy & Information Manager
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	No implications	Anna Collier Insight Communities and Governance Manager
Procurement	Some actions will have implications and the appropriate procurement exercises will be undertaken	Anna Collier Insight Communities and Governance Manager

<p>Biodiversity and Climate Change</p>	<p>The delayed/stalled actions as part of this update are slowing the progress of implementing the Action Plan.</p> <p>The costs detailed to achieve Net Zero by 2030 must be fully committed to achieve 'Making our estate carbon neutral'</p> <p>Action 7.1 Deliver Maidstone Borough Council 2030 Net Zero Commitment, by:</p> <ul style="list-style-type: none"> • Decarbonising the councils' buildings through low carbon heating, LEDs, insulation and smart controls, • decarbonising the council's fleet to fully EV, • investing in renewable energy generation, • incorporating energy saving principles into office strategies, and • supporting staff to shift to electric/ultra-low emission vehicles, public transportation and more flexible working. 	<p>Biodiversity and Climate Change Manager</p>
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2. INTRODUCTION AND BACKGROUND

2.1 The Policy and Resources Committee adopted the Biodiversity and Climate Change Action Plan on 21st October 2020. This report is the fifth biannual update report on the implementation of the Biodiversity and Climate Change Action Plan. The last update was November 15th, 2022, to Communities, Housing and Environment Policy Advisory Committee. The Action Plan has undergone a comprehensive update as part of the Annual Review, which was agreed by the Executive in April 2023 and now comprises 38 actions, which can more readily be monitored and aligned with Cabinet Member Portfolios.

2.2 This report summarises the status of each action (**Appendix 1**) and details the estimated costs to the Council to achieve Net Zero for its own estate and operations in line with its commitment by 2030 (**Appendix 2**).

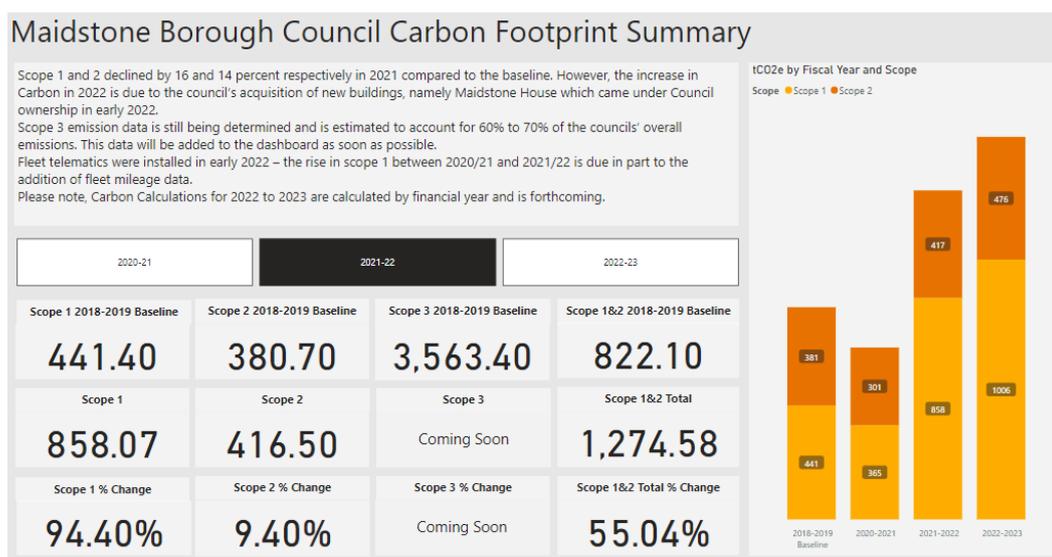
Biodiversity and Climate Change Action Plan Implementation Update

2.3 In previous updates the status of actions has been summarised in a RAG rating. Following feedback from Cabinet, a new more detailed scale of the action's status is used to give greater clarity of progress on actions. A summary of performance can be seen in the table below and full details of each action's status, including the November 2022 updates, responsible officers, outputs, and outcomes - please see **Appendix 1**.

Status	Number of Actions
Yet to commence / Delayed	9
Being Investigated	11
Planning and Development	7
Being Implemented	9
Complete and being monitored	2

Carbon Footprint

- 2.4 The overarching key performance indicator for the implementation of the Action Plan is the Council's operational Carbon Footprint (Scope 1 and Scope 2). Progress is measured by carbon emission equivalent each year towards meeting the Council's net zero 2030 commitment/target.
- 2.5 Officers have developed a [Carbon Footprint Dashboard](#), that automates the utility data (gas/electricity is kWh) from each MBC building, and fleet telematics data collecting engine type and mileage data in each vehicle, calculating the carbon emissions into tonnes of carbon dioxide equivalent (tCO₂e). The carbon footprint is updated on a 6 monthly basis.
- 2.6 In 2020/21 there was a 19% decrease in total Scope 1 and 2¹ carbon emissions compared to the baseline (totalling 665.9tCO₂e) this is due to the impact of Covid19 measures and a decreased usage of buildings and vehicles. However, in 2021/22 financial year there was an increase of +55% in carbon emissions compared to the baseline, this was predominantly in Scope 1 which rose to 858.4tCO₂e and Scope 2 also rose to 416.6tCO₂e (totalling 1274.9tCO₂e).



¹ Scope 1 covers emissions from sources that an organisation owns or controls directly – for example from burning fuel in our fleet of vehicles. Scope 2 are emissions that a company causes indirectly and come from where the energy it purchases.

2.7 This rise is likely due to staff returning to work in Council buildings, following the lifting of restrictions put in place in response to Covid19, as well as the Council's acquisition of Maidstone House in early 2022. Additionally, more accurate mileage data is now captured from the fleet telematics software and more reliable utilities data collected as part of the dashboard process. This also suggests that the baseline footprint calculated in 2020, underestimated the Council's carbon emissions. The 2022/23 carbon footprint is still being calculated but estimated to be similar to last year's total.

Estimated Costs of Decarbonising the Council Operations

2.8 It was highlighted at the last annual review that understanding the costs associated with achieving Net Zero by 2030 would help inform Members understanding and better enable them to prioritise actions.

2.4 To achieve Net Zero by 2030 MBC must decarbonise its operations and needs a large-scale financial commitment to reducing greenhouse gas emissions. The Council has set an ambitious net zero by 2030 target and is implementing a comprehensive Biodiversity and Climate Change Action Plan, with substantial financial commitment already set aside.

2.5 MBC plays a wider role in supporting residents, businesses and the borough reduce emissions to meet the national government target of the UK achieving net zero by 2050. However, this section looks only at the estimated costs of achieving Net Zero for the Councils' own operations or in its direct control, to demonstrate leadership in addressing climate change and transitioning to a sustainable future.

2.6 Calculating the costs of achieving net zero for the Council is crucial for several reasons:

- Understanding the costs associated with achieving net-zero emissions will allow MBC to develop a clear and comprehensive capital strategy, allocate resources effectively, prioritise initiatives, and set realistic targets and timelines.
- Calculating the costs of achieving net zero helps MBC allocate resources efficiently on investments in renewable energy, energy-efficient technologies, carbon offset projects, and other emission reduction initiatives. This ensures that financial resources are directed towards the most impactful and cost-effective measures, optimising the MBC's ability to achieve its sustainability goals and save costs in the long term.
- Net-zero targets require long-term planning and financial forecasting. Understanding the costs involved will enable MBC to allocate appropriate budgets, submit bids and secure financing, and plan for the necessary investments over the required time frame.
- Assessing the costs of achieving net zero will help MBC identify and manage financial risks. It allows for a comprehensive evaluation of potential cost drivers, market fluctuations, and uncertainties related to technology advancements, policy changes, or external factors.

- Transparently communicating the costs associated with achieving net zero is crucial for stakeholder engagement and buy-in.
- Calculating the costs of achieving net zero will allow MBC to assess the potential return on investment and quantify the financial benefits.

2.9 Estimated costs for achieving net zero are at **Appendix 2**, this includes:

- Energy Efficiency Measures (retrofits, efficient equipment upgrades),
- Converting the Fleet to Electric Vehicles and the infrastructure required to assure operations,
- Energy Transition Costs (transition to renewable energy sources and decarbonize energy consumption), and
- Carbon Offsetting (costs of purchasing carbon credits or supporting projects that sequester carbon).

Please note that this does not include an assessment of the 1,000 affordable homes, but that consideration of the net zero commitment must also be included as part of this scheme.

2.10 Investigations into Borough wide emission targets and associated costs for housing and transportation are underway; however, officers are currently only able to calculate estimates based on the Council’s own operational emissions and actions under its direct control.

2.11 The calculations in **Appendix 2** are based on technical advice and expertise, including;

- Detailed energy audits conducted by APSE Energy on 12 MBC buildings and recommendations of heating, insulation, glazing, smart control options to decarbonise each building and improve energy efficiency.
- Detailed market analysis and site EV infrastructure modelling of the depot conducted by SWARCO, to ensure transitioning the fleet to EV vehicles would not hinder operations and that capacity would be sufficient to achieve net zero.
- Energy market advise and analysis from LASER Energy on green tariffs and longer-term renewable energy generation investment.
- The latest carbon offsetting evidence from Natural England and potential carbon costs scenarios.

2.12 The following table summarises the estimated costs to achieve Net Zero across Council operations (against the 2021-22 carbon footprint).

MBC Net Zero Operational Areas	Total Estimated Costs	Carbon Reductions (tons and %)
1. Estimated cost to decarbonise 13 MBC key/largest properties	£12,364,224.00	888.6 tCO ₂ e (60%)
2. Estimated cost to purchase Green Tariffs to decarbonise procured energy across the estate	£55,320.00 (Per Annum)	Not Applicable

(excluding Maidstone House/The Leisure Centre/Lockmeadow Entertainment Complex)		
3. Estimated cost to improve current temporary accommodation housing stock to EPC-C minimum	£219,693.00	Unable to calculate carbon reductions of housing stock at this time
4. a. Estimated cost to electrify petrol/diesel fleet (based on today's technology, excluding heavy duty vehicles where replacements EVs are not yet on the market)	£3,469,091.35	160 tCO ₂ e (11%)
b. Costs to upgrade the capacity of the depot to meet the electric demand	£253,000.00	Not Applicable
5. Estimated cost to offset remaining 10% operational emissions through third party carbon offsetting schemes (based on projected high carbon cost scenario)	£34,443.00 (Per Annum)	140 tCO ₂ e (10% based on 2021-22 MBC carbon footprint)
6. a. Alternative estimated cost to offset remaining operational emissions through renewable energy generation schemes	Unable to calculate without further investigation	Not Applicable
b. Cost to maximise solar energy generation on Council estate (scoped projects)	£1,243,050.00	105.3 CO ₂ te (7.5%)
7. 7. Alternative estimated cost to offset remaining operational emissions through potential direct land purchases for carbon sequestration schemes.	Unable to calculate without further investigation	Not Applicable
Estimated Total to achieve net zero carbon on Council Scope 1 and 2 emissions	£17,638,821.35	1293.9 CO₂te (92%)

2.13 It has been estimated that it will cost £17,638,821.35 to reduce the Council's carbon emissions by 92% (based on 2021-22 carbon footprint). This total includes offsetting a maximum of 10% (as advised by the Climate Change Committee) of the Council's annual emissions through a high-cost carbon scenario. Please note that '6.b Cost to maximise solar energy generation on Council estate' is not removal of emissions, but is renewable energy generated on the estate to offset emissions.

2.14 A priority area is the decarbonisation of Council properties, and of those an 85% reduction in emission (of the 13 buildings in the table) can be achieved by upgrading/retrofitting just three building, namely Maidstone House and Link, Maidstone Leisure Centre, and Maidstone Museum which have the highest proportion of carbon emissions but would cost £7,710,720 (44% of the total estimated cost) to achieve Net Zero. Officers are working to apply

for Public Sector Decarbonisation Scheme funding to support up to two thirds of the costs to decarbonise the Council's highest carbon emitting buildings.

- 2.15 The proportion of tCO₂e removed per annum by converting the entire fleet to electric, plus the costs to upgrade the infrastructure at the depot, suggests that the cost/benefit ratio is poor, and that the current [Green Fleet Strategy](#), adopted on the [15th of November 2022](#) by the Communities, Housing and Environment Policy Advisory Committee, to gradually transition vehicles to EV based on the market and operational need is the better medium-term approach. Particularly as the heavy-duty vehicles proportionately account for more emissions and equivalent EV versions are not yet on the market. Waiting for other emerging technologies for the heavy vehicles and upgrading lighter vehicles will likely save the council costs in the medium term.
- 2.16 Investment in maximising the solar energy generation on Council property is a good medium-term investment in terms of both savings to the council and carbon reductions. Further investigation into larger renewable energy generation schemes is needed, as is longer term procurement of renewable energy (Green Tariffs) for the Council.
- 2.17 Options for indirectly or directly offsetting 10% of Council emissions also needs further investigation. However, it is likely that larger costs would be incurred for directly offsetting emissions through local renewable projects or tree planting, but these costs must be evaluated in regard to other local, social, biodiversity benefits and ecosystem services.
- 2.18 The work completed to date is indicative and have been included in this report to inform the debate on the next steps. To get complete and accurate figures further engagement will be needed from departments across the council and engagement of external expertise. Investigations into Borough wide emission targets and associated costs for housing and transportation are likely to require external advice and substantial work.
- 2.19 The next annual review will need to be completed by early 2024, as CLT have indicated that the costs should inform this discussion agreement on timing and the forum for this is sought from CLT.

3. AVAILABLE OPTIONS

- 3.1 That the Cabinet be recommended to note the action plan implementation updates and indicative costs of achieving net zero by 2023 for the Council's operations, subject to the consideration of any further recommendations made by the Committee.
- 3.2 Members could choose not to receive regular updates on the action plan or alternatively could ask for more frequent updates.
- 3.3 Additional information has been provided on costs in this report. Members could ask for additional information on these costs.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That the Cabinet be recommended to note the action plan implementation updates and indicative costs of achieving net zero by 2023 for the Council's operations, subject to the consideration of any further recommendations made by the Committee.

5. RISK

- 5.1 Responding to the climate emergency is a key corporate risk. Ongoing monitoring of the delivery of the Action plan is a key mitigation as the annual review of the action plan ensures continued accountability.
- 5.2 Understanding the costs associated with achieving net-zero emissions will allow the Council to develop a clear and comprehensive strategy, allocate resources effectively, prioritise initiatives, and set realistic targets and timelines.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The Policy and Resources Committee adopted the Biodiversity and Climate Change Action Plan on 21st October 2020. Progress has been regularly reported to Policy Advisory Committees and the Cabinet. Monthly briefing meetings on Biodiversity and Climate Change are held with the Leader of the Council.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Continue to update the implementation of the Action Plan, monitor progress, and updates to members.
- 7.2 To organise a members strategy workshop to prioritise and act on the indicative costs outlined in this report.

8. REPORT APPENDICES

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

- Appendix 1: Biodiversity and Climate Change Action Plan Implementation Status
- Appendix 2: MBC Operational Net Zero Estimated Costs

Appendix 1: Biodiversity and Climate Change Action Plan Implementation Status

The following table breaks down the status of each action in the Biodiversity and Climate Change Action Plan and details the Relevant PAC and Executive Portfolio Holder, the responsible officers, the previous status of the action in November 2022 (if applicable following the changes to the action plan's annual review), and the updated status for each action as of June 2023. There are a total of 38 Actions across the Biodiversity and Climate Change action plan.

Status	Number of Actions
Yet to commence / Delayed	9
Being Investigated	11
Planning and Development	7
Being Implemented	9
Complete and being monitored	2

51

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
Active travel and green transportation							
Action 1.1 Update the Integrated Transport Strategy, and work towards a Local Cycling and Walking Infrastructure Plan to prioritise walking, cycling, public transport, and electric vehicles.	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee	Alison Broom William Cornall Rob Jarman Phil Coyne Claire Weeks	2023-24	The Local Plan Review (LPR) is currently undergoing examination in public. Annual Monitoring Report indicators are reported in the autumn. Work has started on Design and Sustainability Development Plan Document which will build on LPR	KCC is working on a Local Transport Plan with public consultation due Summer 2023. The national forecasting that Central Government draw from has recently changed to increase the forecast number of charge point sockets needed to meet demand. The previous target of 862 for Maidstone has	NA	Yet to commence

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
52		Mark Egerton Helen Garnett		policies in relation to sustainable movement.	increased to 1,447 (at a medium uptake scenario). Officers are looking for potential locations to develop an electric car club pilot project. - Parking services have stated that the Medway Street carpark isn't commercially viable, as a core Town Centre location it already sees high levels of turnover and by removing bays it would cost the Council a significant sum of money per annum. - Previous Park and Ride site, London Road still needs investigating for viability.		
Action 1.2 Deliver policies that enable infrastructure for: <ul style="list-style-type: none"> • Low carbon transportation, • Active travel, and that • Facilitates high quality public transport connectivity in new developments and existing communities. 	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee	Alison Broom William Cornall Rob Jarman Phil Coyne Claire Weeks	2023-24	Annual Monitoring Report (AMR) indicators are reported in the autumn.	The Design and Sustainability Development Plan Document (DPD) meets the National Standard and embeds the Council's commitment to sustainability as a key component of all of our policy and strategy. The consultation stages are helping to influence and shape the DPD content which factors in the actions of	Percentage change of low carbon transportation, active travel, and	Being Investigated

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
53		Mark Egerton Helen Garnett			<p>the Biodiversity and Climate Change Action Plan. The Local Plan Review and the Design and Sustainability DPD, once adopted will be monitored and reported annually through the Authority Monitoring Report. That monitoring information will also inform the Biodiversity and Climate Change Action Plan.</p> <p>From Authority Monitoring report 2021-22:</p> <p>Indicator M48: Sustainable transport measures to support the growth identified in the Local Plan and as set out in the Integrated Transport Strategy and the Walking and Cycling Strategy. The projects remain on track to be delivered within the broad time periods identified within the Infrastructure Delivery Plan. Of the sustainable transport actions set out in the ITS, over half (55%) have been rated 'green' in terms of</p>	public transport	

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
54					<p>their delivery. 16% of the actions have been rated as 'red' in terms of delivery due to no progress being made or the projects have been delayed, similar to the previous reporting year. This is primarily a temporary anomaly caused by the knock-on effects of the Covid-19 global pandemic. As part of the Local Plan Review, the Integrated Transport Strategy will be reviewed</p> <p>Indicator M50: Achievement of modal shift through:</p> <ul style="list-style-type: none"> • No significant worsening of congestion as a result of development • Reduced long stay town centre car park usage • Improved ratio between car parking costs and bus fares 		
<p>Action 1.3 Identify low carbon transportation, active travel, and public transport indicators that align with strategic planning and monitor implementation of sustainable transport policies.</p>	<p>Councillor Paul Cooper</p> <p>Planning, Infrastructure, And Economic</p>	<p>Alison Broom</p> <p>William Cornall</p> <p>Rob Jarman</p>	<p>2023-24</p>		<p>No Update</p>	<p>Percentage change of low carbon transportation,</p>	<p>Yet to Commence</p>

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
	Development Policy Advisory Committee	Phil Coyne Claire Weeks Mark Egerton Helen Garnett				active travel, and public transport	
Action 1.4 Deliver Policy that ensures sustainable travel, such as bike racks, pool cars, electric vehicle charging, active travel, is integrated into all Maidstone Borough Council construction of new buildings (offices, housing, leisure facilities) and building acquisitions.	Councillor John Perry Corporate Services Policy Advisory Committee	Mark Green Katie Exon	When any new building is completed or purchased	A comprehensive Decarbonisation Study is ongoing by APSE Energy which includes detailed energy trajectory and retrofitting options for 12 priority MBC buildings to ensure MBC's NetZero 2030 commitment is completed. The study included options and viability of renewable energy generation, EV charging infrastructure at each MBC asset, including: <ol style="list-style-type: none"> 1. Maidstone House and the Link 2. The Archbishops Palace, gate house and carriage museum 3. Town Hall 4. The Museum 5. The Crematorium 6. Lockmeadow Shopping Centre 7. Cob Tree golf club 8. The Leisure Centre EV charge points will be installed at any viable location owned by	No Update	NA	Yet to commence

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
				MBC in line with retrofits / upgrades to said buildings in keeping with national government commitment. Bike Racks have been installed at the Depot.			
<p>Action 1.5 Deliver an Electric Vehicle (EV) Strategy for the borough that provides sufficient EV charging infrastructure to support the transition to EVs and reduces range anxiety, with consideration of changing and new emerging technologies.</p> <p>56</p>	<p>Councillor Paul Cooper</p> <p>Planning, Infrastructure, And Economic Development Policy Advisory Committee</p>	<p>Jen Stevens</p> <p>Claire Weeks</p>	2023-24	<p>Parking Services team are developing a parking EV strategy for MBC car park assets. Which is data driven and currently shows the number of EV chargers provided by the council are meeting demand of EVs in Maidstone tow Centre.</p> <p>A Kent County wide EV strategy is being investigated, with potential links to KCC 'Connected Kirb / Kent 600 Plan'. A wider borough scale EV strategy is also needed for MBC to adhere to central Government recommendation for 300,000 public chargers needed as a minimum by 2030. Maidstone Borough's share is approximately 862 EV charging points needed by 2030 (we currently have 65 publicly accessible ones).</p>	<p>Work is now underway with KCC's Network Innovations Team to identify the opportunities in Maidstone to deliver on-street charging infrastructure in areas of the Town where residents are unlikely to have access to their own. A Kent Launch for KCC's Connected Kerb Kent 600 Plan is due to take place at the end of June 2023.</p> <p>An offer to join the Kent 600 project is still available from KCC, to increase Council car park charger provision without capital outlay, but this may conflict with the current Pod Point arrangement.</p>	Number of Electric Vehicle Charging Points Installed	Being Investigated

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status																																										
57 Action 1.6 Facilitate a move to electric taxis by providing nine rapid charge points in total by 2025, and twelve rapid charge points by 2030.	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee And Councillor Claudine Russell Communities, Leisure and Arts Policy Advisory Committee	John Littlemore Lorraine Neale	2023-25	In line with 2021 to 2024 projected taxi usage. Two 50kW electric chargers for taxi trade use only have been installed and are in operation in Maidstone Town Centre, Pudding Lane, ME14 1LN (x,y 575919, 155768). The chargers are restricted to E-Taxi only to increase confidence in EV charging and reduce disruption to business for the taxi trade. Over initial 3-month period (excluding April when chargers needed maintenance) 1434,79kWh equivalent to 334.507 kg of CO2e in car emissions has been reduced. <table border="1"> <thead> <tr> <th colspan="6">Pudding Lane - SEC50216 - commissioned 02/03/2022</th> </tr> <tr> <th></th> <th>Sessions</th> <th>Energy (kWh)</th> <th>Avg sessions (min)</th> <th>Total Revenue</th> <th>District Share</th> </tr> </thead> <tbody> <tr> <td>Mar-22</td> <td>30</td> <td>625.32</td> <td>00:45</td> <td>£195.12</td> <td>£39.02</td> </tr> <tr> <td>Apr-22</td> <td>0</td> <td>0</td> <td>0</td> <td>£0.00</td> <td>£0.00</td> </tr> <tr> <td>May-22</td> <td>10</td> <td>179.41</td> <td>00:55</td> <td>£90.38</td> <td>£18.08</td> </tr> <tr> <td>Jun-22</td> <td>31</td> <td>630.06</td> <td>00:47</td> <td>£316.06</td> <td>£63.21</td> </tr> <tr> <td></td> <td>71</td> <td>1434.79</td> <td>00:36</td> <td>£601.56</td> <td>£120.31</td> </tr> </tbody> </table> For 2024 and beyond projections additional sites are under investigations for additional rapid chargers for the taxi trade.	Pudding Lane - SEC50216 - commissioned 02/03/2022							Sessions	Energy (kWh)	Avg sessions (min)	Total Revenue	District Share	Mar-22	30	625.32	00:45	£195.12	£39.02	Apr-22	0	0	0	£0.00	£0.00	May-22	10	179.41	00:55	£90.38	£18.08	Jun-22	31	630.06	00:47	£316.06	£63.21		71	1434.79	00:36	£601.56	£120.31	KCC have offered to investigate delivering an additional taxi charger in the Borough as part of the KCC project, which delivered the charging point in Pudding Lane. Officers will investigate further taxi charger options (under the same contractual arrangements as Pudding Lane).	Number of Electric Vehicle Charging Points Installed	Being Investigated
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Action 1.7 Work with the taxi trade to find solutions to licencing that will encourage gradual business led shift to EVs' and promote greener accreditation and campaigns to support taxi trade to move to EVs.	Councillor Paul Cooper Planning, Infrastructure, And Economic	John Littlemore Lorraine Neale	2023-25	KCC have organised a Climate Change Network subgroup for Taxi Licensing Policy to support councils across Kent. Discussion on shared policy statement ongoing.	Kent district councils are engaged with KCC as part of the climate change network KCC, who recently engaged the Energy Savings Trust (EST) to	Number of EV taxi	Being Investigated																																										

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
	Development Policy Advisory Committee And Councillor Claudine Russell Communities, Leisure and Arts Policy Advisory Committee			Redrafting of licensing policy to reduce number of taxis using fossil fuel by more than 90% by 2030 ongoing. Officers seeking consultation with taxi trade on free test and drive in EV and raising discussion around the draft policy.	undertake a consultation with the taxi trade county wide. The aim is to encourage a Kent wide approach to explore the feasibility of moving to a more carbon neutral vehicle policy. The results of the survey are being considered and a further discussion is planned for the next technical officer meeting on 27th July.		
Action 1.8 Actively participate in Quality Bus Partnership and ensure that the borough's infrastructure is bus friendly.	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee	Rob Jarman Phil Coyne Claire Weeks Mark Egerton Helen Garnett Duncan Haynes	2023-25	Baseline bus data is now available but shows that that rather than improving the bus fleet it is becoming older and therefore more polluting. It is possible that newer buses are being concentrated in areas where Clean Air Zones have been imposed. The DEFRA air quality grant scheme has not favoured projects that support bus retrofitting for several years and other schemes that could help with costs for purchasing new buses require significant investment from the bus company which they do not have.	The emerging air quality action plan scheduled for the September committee cycle has an action to work with bus companies to improve the fleet in the AQMA. The Quality Bus Partnership does not exist anymore. The Local Focus Groups started as part of the National Bus Strategy, KCC have been in contact with the District / Borough Councils and in most instances have held virtual meetings to discuss the Focus Groups in more detail. Maidstone are yet to have set	Improve in Borough Air Quality	Yet to commence

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
59				<p>Bus companies are suffering very significant financial difficulties as a result of the pandemic, and it is highly unlikely that they will be in a position to make investments in new buses in the short to medium term. Older buses have therefore had their operational life extended.</p> <p>KCC have recently announced cuts to bus service subsidy and MBC have cut the Park and Ride service completely. EH have yet to be invited to attend the quality bus partnership and officers looking into identify actions to support bus companies to switch to clean technology and EVs ongoing.</p>	<p>these 'District Focus Groups' up.</p> <p>From Authority Monitoring Report 2021-22, there has been an improved ratio between car parking costs and bus fares: Since last year there has been an increase in the cost of an Arriva day ticket and parking in the Fremlin Walk carpark. In three car parks, parking for more than 5 hours is more expensive than travelling by bus. Shorter stays are cheaper than or equal to the cost of travelling by bus. The £2 bus ticket has been extended again</p>		
Decarbonising And Insulating Homes and Buildings							
Action 2.1 Explore grants schemes for residents, landlords and housing associations, for retrofitting insulation, and low carbon heating systems.	<p>Councillor Lottie Parfitt-Reid</p> <p>Housing, Health and Environment Policy Advisory Committee</p> <p>And</p> <p>Councillor Claudine Russell</p>	<p>John Littlemore</p> <p>Philip Jennings</p>	2023-2024		<p>Support is being provided to local housing associations to encourage take up of the available government grants.</p> <p>More detailed conversations are taking place with our largest housing provider to understand how we can provide mutual assistance to maximising the impact locally.</p>	<p>Number of residents with EPC rating improve ments of A-C from D-G</p>	Planning and Development

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
	Communities, Leisure and Arts Policy Advisory Committee						
60 Action 2.2 Enforce Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.	Councillor Lottie Parfitt-Reid Housing, Health and Environment Policy Advisory Committee	John Littlemore Philip Jennings	2023-2024	<p>There are around 75,000 homes in the borough and the government data shows that there have been around 65,000 EPC's produced, but the likelihood that these EPC's will include repeat EPC's for a relatively small portion of the overall stock that is repeatedly sold and relet, as well as all the new homes (circa 10,000) that have been built since 2008.</p> <p>The data shows that of the 65,000 EPC's produced 48% are A-C and 52% are D-G. However, as stated previously, these percentages are not necessarily reflective of the boroughs whole stock, just those properties that have had an EPC. Also, the government data does not provide enough detail to show how many existing homes have been upgraded to C or above.</p> <p>The Council itself does not offer grants to homeowners to help them improve the thermal performance of their homes but</p>	<p>The Council has adopted a new Housing Renewal Policy 2023 to support the ambitions around making homes more efficient. The Housing Service is remodelling to enable a more effective response to housing conditions.</p> <p>The Council continues to support the regional initiatives to deliver the government backed schemes such as Home Upgrade Grant Phase 2 (HUG2).</p> <p>This is designed to deliver energy efficiency retrofit upgrades to off-gas homes where the household is eligible. Eligibility is usually, but not exclusively, through low income and fuel-poverty criteria.</p> <p>The bid was successful and represents 48 Local Authorities with a target of 3,845 off-gas properties to be upgraded by March 2025.</p>	As above	Being Implemented

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
61				<p>from time to time, the government has delivered incentive schemes which we do signpost householders to, for example with our recent go green information centre.</p> <p>The most positive opportunity for improving the thermal efficiency of housing in the borough, for those in most need, is the Social Housing Decarbonisation Fund, and Golding Homes, the borough's largest social landlord, is making a bid for this in the coming months, that the council are supporting and endorsing. Furthermore, in respect of solutions for older properties, which are generally more challenging, the Council is part of the South-East Consortium that is looking to deliver the Green Homes Grant (GHG) Local Authority Delivery (LAD2) scheme. Finally, the Council is now part of the Net Zero Hub, which will access the Sustainable Warmth Fund and provide further signposting to residents to the funding available.</p>			
Generating Renewable Energy							

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
<p>Action 3.1 Ensure Design and Sustainability DPD as part of larger Development Plan requires on-site renewables on all types of new developments and identify indicators that align with strategic planning and monitor implementation.</p>	<p>Councillor Paul Cooper</p> <p>Planning, Infrastructure, And Economic Development Policy Advisory Committee</p>	<p>Rob Jarman</p> <p>Karen Britton</p> <p>Phil Coyne</p> <p>Claire Weeks</p> <p>Mark Egerton</p> <p>Helen Garnett</p>	<p>2023 onwards</p>	<p>The LPR is currently undergoing examination in public.</p> <p>LPR indicators are reported in the autumn.</p> <p>Work has started on Design and Sustainability Development Plan Document which will build on LPR policies in relation to sustainable movement</p>	<p>The Design and Sustainability Development Plan Document (DPD) meets the National Standard and embeds the Council's commitment to sustainability as a key component of all of our policy and strategy. The consultation stages are helping to influence and shape the DPD content which factors in the actions of the Biodiversity and Climate Change Action Plan. The Local Plan Review and the Design and Sustainability DPD, once adopted will be monitored and reported annually through the Authority Monitoring Report. That monitoring information will also inform the Biodiversity and Climate Change Action Plan.</p> <p>Note: Department for Business, Energy and Industrial Strategy states that between the end of 2014 and end of 2021 there has been an increase in the number of renewable energy installations in Maidstone</p>	<p>Percentage of onsite renewable energy generation in new developments 10% adopted standard</p>	<p>Being Investigated</p>

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
					Borough from 1,484 installations to 3,128. The largest contributor being photovoltaics. The installed capacity has increased from 56.3 MW to 68.4 MW at the end of 2021.		
Reducing Waste and Increasing Energy Efficiency							
Action 4.1 Investigate recycling strategies in the Town centre. 63	Councillor Patrik Garten Housing, Health and Environment Policy Advisory Committee	John Edwards	2023-24	New Action, No previous update	The Kent Resource Partnership is preparing a trial in Kent for new on-street recycling bins supported through external funding to investigate the most effective model for collecting recyclable litter. The Street Cleansing Team are also currently assessing options for the separation of recycling using the barrows. It is proposed to start trialling this in September 2023.	NA	Being Investigated
Action 4.2 Ensure MBC offices and buildings have recycling facilities.	Councillor Patrik Garten Housing, Health and Environment Policy Advisory Committee	Katie Exon	2023-24	New Action, No previous update	No Update	NA	Yet to Commence
Adapting To Climate Change							
Action 5.1 Deliver policy as part of Design and Sustainability DPD and future Development Plan evolution for long	Councillor Paul Cooper	Rob Jarman Karen Britton	2023	The LPR is currently undergoing examination in public.	The Design and Sustainability Development Plan Document (DPD) meets the National	NA	Being Investigated

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
<p>term climate change adaptation in new developments to flooding, heatwaves, and drought and ensure longer term climate impacts are being considered as part of planning and policy decisions. Identify indicators that align with strategic planning and monitor implementation.</p> <p>64</p>	<p>Planning, Infrastructure, And Economic Development Policy Advisory Committee</p>	<p>Mark Egerton Helen Garnett</p>		<p>LPR indicators are reported in the autumn.</p> <p>Work has started on Design and Sustainability Development Plan Document which will build on LPR policies in relation to sustainable movement.</p>	<p>Standard and embeds the Council's commitment to sustainability as a key component of all of our policy and strategy. The consultation stages are helping to influence and shape the DPD content which factors in the actions of the Biodiversity and Climate Change Action Plan. The Local Plan Review and the Design and Sustainability DPD, once adopted will be monitored and reported annually through the Authority Monitoring Report. That monitoring information will also inform the Biodiversity and Climate Change Action Plan.</p> <p>From the Authority monitoring report 2021-22:</p> <p>Indicator M36: Number of qualifying developments failing to provide BREEAM very good standards for water and energy credits:</p> <ul style="list-style-type: none"> - During 2021/22 118 applications permitted qualified to provide BREEAM very goods 		

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
65					<p>standards. In total three applications failed to do so at application stage but included conditions. Two applications included conditions to submit a final certificate to the local planning authority certifying that a BREEAM rating of at least Very Good has been achieved. The third application requires the building to be built to minimum standard of BREEAM 'very good'. By adding a condition to a commercial application to meet the BREEAM standard, the applications meet the policy objective.</p> <p>Indicator SA4: New development in the floodplain There were 146 applications permitted within flood zone 2 and flood zone 3 during the monitoring year of 2021/22:</p> <ul style="list-style-type: none"> - Of the 146 permitted applications, 26 applications were for residential development, 3 		

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
99					<p>for retail development and 4 for employment development. The remainder permitted applications are classed as 'other' development.</p> <p>Indicator SA5: Development permitted contrary to advice by the Environment Agency on flood risk:</p> <ul style="list-style-type: none"> - During the monitoring year, no development has been permitted contrary to advice by the Environment Agency on flood risk. <p>Indicator SA27: Number of new residential developments where the energy/emissions standards in the Building Regulations Part L have been exceeded.</p> <ul style="list-style-type: none"> - The Council assesses new residential developments to see if they meet Building Regulations Part L. What is not currently monitored, is to what extent developments exceed energy and emission standards. 		

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
					Indicator SA28: Number of developments where 'adaptation statements' have been produced - Data for the indicator is unavailable as it is not currently held by the council.		
Action 5.2 Identify actions to mitigate climate change in existing developments. 67	Councillor Lottie Parfitt-Reid Housing, Health and Environment Policy Advisory Committee	James Wilderspin Gemma Bailey	2023-24	AMR monitoring reported in Autumn	One solar farm site has been identified and is under investigation. Several shared heat network solutions are being investigated.	NA	Being Investigated
Action 5.3 Conduct Borough Climate Impact Assessment and (i) identify natural flood management (nature-based solutions and sustainable urban drainage), (ii) build local communities' resilience, (iii) support business continuity management, and (iv) priorities and strengthen power and water supply and other critical infrastructure ensuring more resilient communities.	Councillor John Perry Corporate Services Policy Advisory Committee And Councillor Claudine Russell Communities, Leisure and Arts Policy Advisory Committee	James Wilderspin Gemma Bailey	2023-25	Officers have been in touch with local parishes to share the importance of creating community flood and emergency plans. Support has been offered to the parishes with templates and material shared to help kick start the process. Some parishes have effective plans which have been rehearsed multiple times because of incidents like flooding. We have now contacted the KALC chair and plan to work with the other parishes without community emergency plans to develop one for their communities, promote	The scope of the impacts assessment has not yet been developed. However, officers have been working with Parish councils, and local businesses, such as Turkey Mill, to encourage the developed of Climate Action Plans to build local communities' resilience, support business continuity management. A more detailed hotspot mapping exercise is needed to identify climate impacts in the borough and vulnerable	NA	Being Investigated

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
				the plans and recruit volunteer flood wardens to support the response to incidents.	community areas. Officers are investigating consultants to conduct the assessment.		
Enhancing And Increasing Biodiversity							
89 Action 6.1 Monitor Biodiversity Net Gain (BNG) to adopted 20% standard.	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee	Mark Egerton Helen Garnett	2023-27		The Design and Sustainability Development Plan Document (DPD) meets the National Standard and embeds the Council's commitment to sustainability as a key component of all of our policy and strategy. The consultation stages are helping to influence and shape the DPD content which factors in the actions of the Biodiversity and Climate Change Action Plan. The Local Plan Review and the Design and Sustainability DPD, once adopted will be monitored and reported annually through the Authority Monitoring Report. That monitoring information will also inform the Biodiversity and Climate Change Action Plan. From the Authority Monitoring report 2021-22 Indicator SA29: Net loss/gain of designated wildlife habitats	Percentage of planning applications meeting Biodiversity Net Gain 20% adopted standard	Being Investigated

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
					<ul style="list-style-type: none"> Over the monitoring year there has been no net change in designated wildlife habitats. <p>Indicator SA30: Condition of wildlife sites:</p> <ul style="list-style-type: none"> Data for the indicator is unavailable as it is not currently held by the council. 		
Action 6.2 Ensure sustainable urban drainage schemes (SuDS) maximise biodiversity potential.	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee	Mark Egerton Helen Garnett	2023-27		No Update	Percentage of planning applications meeting Biodiversity Net Gain 20% adopted standard	Yet to commence
Action 6.3 Develop Supplementary Planning Documents for Garden community and other strategic development sites that ensure are exemplar for biodiversity and deliver semi natural open space.	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee	Mark Egerton Helen Garnett	2023-27		No Update	NA	Yet to commence

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
<p>Action 6.4 Enhance and expand wetland coverage across the Borough to support nutrient neutrality, flood prevention, and enhance biodiversity.</p>	<p>Councillor David Burton</p> <p>And</p> <p>Councillor Paul Cooper</p> <p>Planning, Infrastructure, And Economic Development Policy Advisory Committee</p> <p>And</p> <p>Councillor Patrik Garten</p> <p>Housing, Health and Environment Policy Advisory Committee</p>	<p>Mark Green</p> <p>Rob Jarman</p> <p>James Wilderspin</p>	2023-25	<p>Started – Project opportunities are in the process of being scoped to expand wetlands in the borough.</p> <p>MBC supported development of a 2.2-hectare wetland on unproductive farmland that lies South of Carpenters Lane in Staplehurst. Total projected costs are £59,785 in partnership with The Environment Agency.</p>	<p>Officer are investigating four non operational sites for potential wetland projects.</p> <p>Parks and Open spaces have identified, expansion and desilting of several Councilowned areas to support flood prevention in the town centre:</p> <ul style="list-style-type: none"> • Mallards Way (current capacity 5,500m3) – increase depth by 400mm thus allowing the pond to hold an extra 2,200m3 = a total capacity of 7,700m3 (increase volume of 40%) • Mote Park (current capacity 1,500m3) – increase depth by 1,000mm thus allowing the pond to hold an extra 1,500m3 = a total capacity of 3,000m3 (increase volume of 50%) • Mill Pond (current capacity 5,000m3) – increase depth by 1,000mm thus allowing the pond to hold an extra 2,500m3 = a total capacity of 12,500m3 (increase volume of 50%) 	Water quality	Being Investigated

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
71					<ul style="list-style-type: none"> Whatman Park (current capacity 250m3) – increase depth by 1,000mm thus allowing the pond to hold an extra 1,000m3 = a total capacity of 1,250m3 (increase volume of 80%) <p>Each site is currently under investigation.</p> <p>From the Authority Monitoring Report 2021-22</p> <p>Indicator SA37: Ecological/chemical status of water bodies</p> <ul style="list-style-type: none"> Information gathered by the Environment Agency in shows the ecological and chemical status of water bodies in and around Maidstone. In total, 73% of water bodies have been classified as moderate in terms of ecological status or potential (this figure excludes groundwater bodies). 85% of water bodies have a chemical status of good. 		

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
Action 6.5 Implement a Nature Recovery Strategy, linking habitat restoration and creation to improve flood protection and water quality.	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee	Rob Jarman James Wilderspin	2023-27		KCC are responsible for developing a Nature Recovery Strategy and a draft is awaited	NA	Yet to commence
Action 6.6 Work with local farms and landowners to deliver landscape scale biodiversity initiatives Nature Recovery Strategy – including reconnection of habitats, floodplain restoration, reduced chemical inputs and reintroduction of lost native species.	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee And Councillor Claudine Russell Communities, Leisure and Arts Policy Advisory Committee	Rob Jarman James Wilderspin Gemma Bailey	2023-30	Meetings have been held with Rochester Bridges Trust and Leeds Castle on Biodiversity and Climate actions and plans. Further collaboration is being sought with Leeds Castle. Other than resource sharing no landscape scale initiatives or partnerships have been formed yet for this action. Officers seeking collaboration through KWTs cluster system to create closer ties with famers and large-scale landowners.	No Update	NA	Yet to commence
Action 6.7 Increase borough canopy cover expanding ancient forests and reconnecting of existing woodland including urban woods, and greening town centres.	Councillor David Burton Communities, Leisure and Arts	James Wilderspin Rob Jarman	2023-2030	Following a call for tree planting sites on the MBC website campaigns page and comms outreach a total of 15 medium to large scale landowners submitted	Queens Green Canopy Project completed 500 saplings planted and 7 larger oak trees.	Number of Trees planted / area of	Being Implemented

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
	Policy Advisory Committee	Andrew Williams		<p>proposals to MBC of which only 6 tree planting projects we deemed viable and shortlisted. With a combined 12 hectares for planting owned by private landowners. However, Due to legal agreement requiring MBC ownership of trees, maintenance required, access needed and stipulation that the trees must adhere to DEFRA guidelines and be left to grow for a minimum of 30 years several private landowners dropped out of the MBC scheme. The number of interested private landowners has now reduced to just two (totalling 3 hectares). Cost effectiveness of the MBC planting scheme will be considered on small scale projects and MBC is awaiting confirmation from the landowners on whether the terms are accepted to go ahead with planting in autumn 2022.</p> <p>One tree planting project funded by MBC is set to go ahead in October 2022 collaboration with Medway country Valley partnership and working with Maidstone Victory Angling Society (MVAS) to create a new</p>	<p>Additionally, 90 parkland trees planted across public parks and open spaces</p> <p>Gatland Recreation Ground – Cllrs and residents to planted 300 saplings – with a further 500 planned.</p> <p>KCC Trees outside Woodlands project extend to 2025 for the maintenance /care of woodland creation plots in MBC sites of Parkwood, Allington Open Space and Hudson Quarry. This additional care improves the establishment and survival of 700m2 of new woodland.</p> <p>At the end of 2022, the Council funded the creation of a brand new woodland in Sutton Valence. Maidstone Borough Council partnered with Sutton Valence Parish Council and Medway Valley Countryside Partnership (MVCP) to plant a total of 1,600 trees in Platinum Meadow. Volunteers from the local community battled freezing temperatures and snowy conditions to help MVCP</p>	land rewilded	

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
				<p>community woodland on MVAS land adjacent to the River Medway between Yalding and Nettlestead. The proposed creation of this small community woodland on land at Grid Ref: TQ6864350752 is currently a mixture of neutral and improved grassland covering approx. 1.5 hectares. It has some wildflowers but is currently heavily affected by the presence of non-native invasive Himalayan balsam and largely inaccessibly. The site has no protected habitat designations. In the short term 1200 whips will be planted. We propose a site specific broadleaved mixed woodland with tree species such as oak, lime and alder (on the wetter parts of the site) plus ash and elm if ash die back and Dutch elm disease strains have been identified ahead of planting. Whilst the planting and activities we propose will be slightly further than 8m from the waterbody, the land in question is in Flood Zone 3. As such, MVCP have prepared a Flood Risk Assessment and Method Statement and will submit a Be-Spoke Permit Application to the</p>	<p>complete this fantastic project which will benefit both nature and the local community. The sapling protection and bamboo cages used for this planting were all biodegradable.</p> <p>The site in Yalding mentioned in the last update, is now in planning and development stages for a total of 2000 trees to be planting in autumn 2023.</p> <p>A total of 5800 trees planted to date since 2020.</p> <p>Officers are investigating larger scale sites and non-operational land for further tree planting and rewilding projects.</p>		

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
75				<p>Environment Agency and gain confirmation that the planting is supported by the E.A ahead of project start. No trees will be planted closer than 4m from the adjacent path. Trees will not be planted adjacent to the access gate which allows access to the site from across the railway line. A route for potential future machinery through the gate and across the site will be left to ensure the facilitation of future access. To ensure the success of the planting, MVCP will carry out Himalayan balsam removal activities with volunteers in the first year after planting. Whilst doing so we will provide training to MVAS members and volunteers to ensure this activity continues.</p> <p>Additionally, Biodiversity and Climate officers are developing a business case for the purchase of land specifically for green projects including nutrient neutrality, SuDS and wetland creation, Biodiversity banks, offsetting schemes and tree planting.</p>			
Action 6.8 Review Maidstone Borough Council non-operational land to assess	Councillor John Perry	James Wilderspin	2023	Meeting held with Kent Wildlife Trust to discuss services to	A total of 5 sites have been identified. One of which has	NA	Planning and

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
76 potential for enhancing biodiversity including allowing community groups to take responsibility for management.	Corporate Services Policy Advisory Committee			measure existing biodiversity and carbon sequestration, make recommendations on how to improve, and then measure new levels of biodiversity and carbon sequestration. Now seeking consultants that provide this service so that Procurement rules can be met. There was a suggestion that this becomes part of the wider piece of work around mapping biodiversity across the borough, with an eye to informing biodiversity net gain (for planning), nutrient neutrality (for planning) and actions around siting of wetlands, tree planting, etc.	pending planning approval. Once agree these sites will be assessed for biodiversity and rewilding project potential. If viable the sites will be added to the DEFRA register as Biodiversity Net Gain sites.		Development
Making Our Estate Carbon Neutral							
Action 7.1 Deliver Maidstone Borough Council 2030 Net Zero Commitment, by: (i) Decarbonising the councils' buildings through low carbon heating, LEDs, insulation and smart controls, (ii) decarbonising the council's fleet to fully EV, (iii) investing in renewable energy generation,	Councillor John Perry Corporate Services Policy Advisory Committee And Councillor Claudine Russell	Mark Green Katie Exon Darren Guess James Wilderspin	2023-28	The Decarbonisation study led by APSE Energy is ongoing. A separate report will be developed for each key MBC building that recommends: <ul style="list-style-type: none"> Tangible recommendations for upgrading Heating, ventilation, and air conditioning (HVAC) to zero carbon/electric equivalents such as ground and air source heat pumps, and solar thermal energy; 	Works at depot have completed to upgrade the electricity capacity by 277kVA and the installation of x 10 Fast Point EV chargers to ensure the Depot has sufficient capacity to charge approximately 20 EVs on site. This work has ensured the Depot has capacity for the medium term to upgrade vehicles to EV equivalents.	Percentage Change of Carbon Emissions from MBC Buildings, Fleet, Contracts (ie	Being Implemented

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
(iv) incorporating energy saving principles into office strategies, and (v) supporting staff to shift to electric/ultra-low emission vehicles, public transportation and more flexible working.	Communities, Leisure and Arts Policy Advisory Committee			<ul style="list-style-type: none"> Tangible recommendations for upgrading building fabric and electrical equipment, such as wall and roof insulation, glazing, LEDs, smart controls for greater energy efficiency; Seeking opportunities and tangible recommendations for onsite EV transportation and renewable energy generation, from photovoltaic panels or others where feasible. Give appropriate level of detail required to aligned recommended upgrades and retrofits with funding opportunities/rounds (eg. KWH savings, cost savings ect); and Support MBC through prioritisation, detailed design stage and procurement of works. <p>The Study results will be used to apply for funding from the second phase of Public Sector Decarbonisation Scheme in September 2022.</p> <p>MBC has developed a Green Fleet Strategy. The primary objective of</p>	<p>The Depot received delivery of 3 new Ford EVs in early 2023, bringing the total number of EVs to 9 in operation at the depot (13% of fleet is electric).</p> <p>Secondary glazing has been installed in the Museum in two separate sections to improve energy efficiency/insulation.</p> <p>In April 2023, officers submitted a bid for Phase 4 Public Sector Low Carbon Skills Fund. A total of £178,384.54 funding support was applied for to support design development, architectural design and implementation of low-carbon technologies, to substantially cut Maidstone House and the Link Buildings carbon and utility costs. Officers will hear if the grant is accepted in July 2023.</p>	Scope 1, 2)	

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
78				<p>this Strategy is to enable the purchasing of vehicles that deliver the business needs and consider their whole life costs whilst minimizing their environmental impact. It is important that when purchasing new vehicles, attention is given to whether the vehicle is necessary and if so, whether there is a commercially viable electric or hybrid alternative. This Strategy sets out the decision-making process for selecting new or replacement fleet vehicles and how the Council will seek to deliver its commitment to reducing emissions, miles, and fuel usage.</p> <p>Fleet Telematics software has been in use across all the Depot, and parks vehicles in 2022. Highly accurate driving data, and mileage data will be utilised to improve driving habits of MBC staff, stop idling, find the most direct routes in case of an incident and for regular scheduling, as well as accurately record vehicle emissions and fuel usage.</p>			

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
79 Action 7.2 Measure the Council's carbon footprint each year and report findings to relevant committees and the public.	Councillor David Burton And Councillor John Perry Corporate Services Policy Advisory Committee	James Wilderspin Katie Exon	Annually	Clean data is now available from MBC's fleet telematics software and automated utility data provided by LASER. Both data sources are provided on a monthly basis and a Carbon Dashboard system is under development, that will accurately show and update monthly, MBC's Scope 1 and Scope 2 emissions. Once established, additional footprint data will be added, including staff millage, pool car usage, and taxi and bus carbon for the borough. The dashboard interface will be made user friendly and can be made publicly accessible via the MBC website. Instantiation of Automatic utility meters in all MBC buildings is ongoing.	Officers have developed and launched the council's carbon footprint dashboard. The dashboard combines all the Council's building utility data and fleet milage and calculates its carbon footprint for scope 1 and 2 emissions. Reporting on scope 3 emissions is still under investigation.	Carbon Footprint Dashboard Percentage Change of Carbon Emissions from MBC Buildings, Fleet, Contracts (ie Scope 1, 2 and 3)	Complete and being monitored
Action 7.3 Purchase 100% renewable energy for our buildings and operations where we control the supply (market dependant with maximum 10% offset) and investigate Public Energy Partnership Power Purchase Agreement (PEPPPA).	Councillor John Perry Corporate Services Policy Advisory Committee	Mark green James Wilderspin Katie Exon	2023-24	This Action has been delayed significantly due to price changes and demand on renewable energy generation due in part to the invasion of Ukraine and Europe wide energy concerns. Both Npower and Total have been contacted to upgrade MBC buildings meters to automated meters, however instillation of	The easiest green tariff procurement occurs via REGO backed Green Tarif Options. The process requires signing of an Access Agreement Variation, which would list all the dedicated meters and volumes the Council would like to assign the Green Tariff to.	NA	Planning and Development

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
08				<p>new meters has been severely delayed due to high demand for meter change overs across the UK. Officers currently seeking options with Laser on energy tariffs over short term, and longer-term Green Basket and PEPPA options.</p>	<p>However it is advised that REGO prices have been rising since UK began to export them to the EU market in 2018 with some reductions post-Brexit and after the demand destruction caused by Covid related lockdowns in 2020. Since April'21 the increasing demand for net zero, non-domestic energy users taking more steps to improve their green credentials and GHG reporting grew the REGO demand much further (many users expecting 100% renewable energy tariffs as standard).</p> <p>REGO prices were increased by 50% in comparison to 2020, and delivered rate of about £1.45/MWh for the 21-22 pricing period, then delivered rates to £6.16/MWh for 22-23 pricing period when procuring in June/July and recently up to ~£11/MWh for the April'23 onto Mar'24 period.</p> <p>If this trend continues the Council could see REGO rates for the Oct'23-Sep'24 delivery</p>		

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
					period rise to as much as £13/14 per MWh (one REGO assigned per one MWh of renewable energy). Costing between £22,000 and £55,000 per annum to have a green tariff across all Council properties.		
Action 7.4 Identify temporary accommodation assets eligible for insulation and low carbon heating upgrades under funding schemes and arrange installation. Provide top up funding for any measures not fully funded to ensure all homes let by MBC as temporary accommodation are energy efficient and EPC rating improved to requirement.	Councillor Lottie Parfitt-Reid Housing, Health and Environment Policy Advisory Committee	William Cornall John Littlemore	2023-24	No Update	Early enquiries have revealed that the current programmes are not open to temporary accommodation. This appears to be an oversight and officers are lobbying government officials to bring about an amendment to the grant conditions.	NA	Planning and Development
Action 7.5 Improve data management on all property including leased buildings and prioritise decarbonisation actions and improve EPC ratings.	Councillor John Perry Corporate Services Policy Advisory Committee And Councillor Claudine Russell	Katie Exon James Wilderspin	2023-24	MBC has a continual program in place to replace lighting with LED low energy alternatives, and support tenants to achieve their own carbon reduction goals by ensuring buildings can support solar panels and more efficient heating systems. The Decarbonisation Study led by APSE Energy has been extended to now include Maidstone Leisure	Data Management for Council key buildings has been improved as part of the data clean up required to capture an accurate carbon footprint of the councils' buildings. However, officers are still working to improve leased data management, particularly for the temporary housing stock.	Percentage change/reduction in Utility costs/KWh for Gas, Electricity, Water usage at	Being Implemented

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
	Communities, Leisure and Arts Policy Advisory Committee			Centre, Cob Tree Golf Club, and Lockmeadow Shopping Centre. Findings and recommendations from the study will support renewable energy generation and energy efficiency measures that can be implemented by lease holders to reduce their energy consumption and bills.		leased assets.	
82 Action 7.6 Deliver 100% LED lighting in MBC carparks.	Councillor Paul Cooper Planning, Infrastructure, And Economic Development Policy Advisory Committee	Jeff Kitson	2023-24	Of the 331 lights installed in off-street car parks, 301 have been converted to LED equating to 90.9% of all units. The remaining lamps will continue to be replaced as part of the existing maintenance operation to ensure that all car park lighting has been converted to LED in the next 5 years'.	Parking Services continue to be on target to achieve 100% LED lighting in Council car parks by the end of 2025.	NA	Being Implemented
Communications And Engagement Strategy							
Action 8.1 Support residents (including adults, women, youths and children, faith groups, minority groups, and marginalised groups), partners, and wider stakeholders (Parish councils, farmers, and landowners) to understand the changes they can make to reduce and prepare for climate change. Including: <ul style="list-style-type: none"> Supporting residents to reduce their individual carbon footprints, upskilling and green job creation, buying local, 	Councillor Claudine Russell Communities, Leisure and Arts Policy Advisory Committee	Gemma Bailey Julie Maddocks	2023-25	MBC have established the Go Green Information Centre to enable residents, vulnerable groups, businesses, and partner organisations to make informed decisions on climate change and biodiversity and access funding to build resilience to the impacts of climate change. MBC setup a pop-up, walk-in community information centre for residents to access information and see real	Officers have developed a new council biodiversity and climate website to focused entirely on the work we are doing around climate change and biodiversity. The website includes information to help people understand climate change, ideas on how to reduce their impact on the environment, how to get involved in a local community	NA	Being Implemented

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
<p>conserve water, and with sustainable lifestyles and Eatwell guidance.</p> <ul style="list-style-type: none"> Promote schemes which help residents, landlords and housing associations reduce energy bills and decarbonise their buildings e.g. retrofitting grants and the government domestic and non-domestic renewable heat incentive programme. Support and encourage residents, businesses and the third sector to install renewable energy generation or develop community energy projects, by providing information and promoting grants, shared investment, and savings schemes. Encourage residents to separate food and recyclables, use appropriate bins, compost at home, avoid contamination and reduce waste production through promoting the circular economy strategy. Support residents, schools and community groups with biodiversity improvement and protection, promoting relevant schemes, such as tree planting 				<p>world solutions to help them become more sustainable in The Mall shopping centre for 6 weeks. People who are confused, sceptical or don't know where to start can drop by for advice, resources, and to see sustainable solutions, products and services already out there that can help them become more sustainable. Manned by volunteers, the information centre answers questions, point people in the right direction, hand out leaflets and information on suitable practices to reduce energy bills, encourage active travel, and using greener products. Local sustainable businesses were invited to showcase and demonstrate their goods and services for free to reach local people and create clarity and confidence in making greener choices. The centre also hosted numerous events, talks and coincide with other climate and biodiversity campaigns subject to funding and staff/expert availability.</p>	<p>group to help tackle the biodiversity emergency and climate crisis, as well as our progress and next steps to meet our Net Zero target. Another feature of the new website is a carbon calculating dashboard, enabling us to collect accurate emission data, improve data management, increase transparency and automate data from multiple sources.</p> <p>In spring 2023, over 82,000 residential properties in Maidstone received a special environmental edition of the Maidstone Borough Council 'Borough Insight' magazine. Included in this issue: Litter Heroes, local environmental stories, a focus on The Queen's Green Canopy, energy saving tips and help, Council sustainability projects and an eight page pull-out section dedicated to waste and recycling.</p> <p>Funding initiative, 'Love Where You Live', aimed at supporting small-scale environmental</p>		

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
<p>and after care, and encouraging them to enhance biodiversity in their gardens and grounds.</p> <p style="text-align: center;">84</p>					<p>projects that encouraged a sense of civic pride across communities; meeting a desire not only to live in clean and attractive places, but also to actively contribute to transforming, enhancing and maintaining those spaces for both the community and local biodiversity. Organisations could apply for grants of between £500 and £5000. In total, £35,000 of funding was awarded to 23 groups in Maidstone.</p> <p>In January 2023, the Council took part in The Queen's Green Canopy planting initiative, planting 500 trees in seven locations across our parks and open spaces. We worked with five local community groups and schools to help plant the new trees.</p> <p>Solar Together scheme phase 2 ran over 2022-23 financial year and has delivered 1,576 installations across Kent (109 in Maidstone) which equates to</p>		

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
					<p>an estimated 39,000 tonnes of carbon reduction over 25 years.</p> <p>Between 2011 and 2020, CO2 emissions per capita in Maidstone has Declined from 6.3CO2te to 3.8 CO2te, a trend which is reflected in the Kent average.</p>		
<p>Action 8.2 Provide staff awareness information of biodiversity and climate change at induction and provide job specific sustainability training to each service area.</p>	<p>Councillor David Burton</p> <p>Communities, Leisure and Arts Policy Advisory Committee</p>	Gemma Bailey	2023	<p>A staff training module on Climate Change and Biodiversity has been made mandatory on the ELMS system for all staff and new joiners at MBC. The Climate and Ecological Emergency module includes what climate change is, the evidence there is for it, how you can help to combat it and MBCs Biodiversity and Climate Change Strategy.</p> <p>MBC's newly appointed Biodiversity and Climate Engagement Officer has also received training from the Carbon Literacy Project enabling her to accredit members of the staff and council members as carbon literate following basic training. the Biodiversity and Climate Engagement Officer is currently developing a training manual</p>	<p>The staff training module on Climate Change and Biodiversity has been completed by all staff.</p> <p>Officers have developed and are implementing a Carbon Literacy Training course for staff C. 45 staff have been trained and accredited to date.</p>	Number of Staff carbon literate accredited	Being Implemented

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
				tailored to different department needs across the council to be rolled out commencing November 2022.			
<p>Action 8.3 Enable local businesses to reduce their carbon footprint by providing information on funding opportunities, carbon calculators, localised supply chains and travel plans that promote active travel and public transport, and support businesses to use the Kent Prepare website to raise awareness of how to prepare for flooding.</p> <p>98</p>	<p>Councillor David Burton</p> <p>And</p> <p>Councillor Claudine Russell</p> <p>Communities, Leisure and Arts Policy Advisory Committee</p>	<p>Julie Maddocks</p> <p>Chris Inwood</p> <p>Gemma Bailey</p>	2023-25	<p>MBC is continuing to promote green grant funding in our business e-newsletter and via Maidstone Business Boost. MBC also hosted a LOCASE workshop at MIC in mid July 2022.</p>	<p>LOCASE is now closed, the team continue to promote green grant funding and feature a 'green tip' in every business newsletter. Including South-East New Energy which can provide FREE energy audits and surveys and Solar Together Kent a solar panel and battery storage group-purchase scheme.</p> <p>The team hosted an Electric Bike Day in partnership with Maidstone-based business Electric Bike UK in June at Maidstone Innovation Centre.</p> <p>Promotion of green grant funding and a 'green tip' features in every business newsletter.</p>	NA	Being Implemented
Sustainable Decision-Making Processes and Governance							
<p>Action 9.1 Provide briefings and training for councillors and our managers on carbon, climate change, and biodiversity to create a culture change and ensure</p>	<p>Councillor David Burton</p> <p>Communities, Leisure and Arts</p>	<p>Gemma Bailey</p>	2023	<p>MBC's newly appointed Biodiversity and Climate Engagement Officer has also received training from the Carbon Literacy Project enabling her to</p>	<p>Officers are planning a Cllr Carbon Literacy workshop for summer 2023. An APSE trainer who specialises in Carbon Literacy for elected members</p>	<p>Number of Councillors carbon literate</p>	<p>Planning and Development</p>

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
climate change and biodiversity are integrated into decision making.	Policy Advisory Committee			accredit council members as carbon literate following basic training. the Biodiversity and Climate Engagement Officer is currently developing a training manual tailored to executive members and committees to be rolled out commencing November 2022.	will conduct a one day event in person.	accredited	
Action 9.2 Ensure service plans consider biodiversity and climate change and monitor with performance indicators, so that managers plan their services to ensure opportunities for enhancing biodiversity and mitigating and adapting to climate change are taken.	Councillor John Perry Corporate Services Policy Advisory Committee	Carly Benville Anna Collier James Wilderspin	2023	Overarching indicators for the Biodiversity and Climate Change Action Plan are being automated to be regularly updated via a Carbon Dashboard system. The Dashboard system is under development and will be utilises by the end of 2022.	Beta testing of the comprehensive Dashboard is now live and published on our website. As data for 22/23 rolls in, the dashboard is being manually updated and refreshed frequently. KPIs have also been established and issued to different service areas for annual reporting. This are being monitored on an annual basis and feed into the Biodiversity and Climate Action Plan Updates and correspond to PACs oversight.	NA	Completed and Being Monitored
Action 9.3 Deliver Policy that ensures sustainability criteria is used for all Maidstone Borough Council construction of new buildings (offices, housing, leisure facilities) and sustainability criteria is part of decision-making process for all Maidstone Borough Council building	Councillor John Perry Corporate Services Policy Advisory Committee	Mark Green Paul Holland	2023-24		As part of the review of TBL (Triple Bottomline accounting) review we plan to ensure that the principles of VfM, Social Value and Environment are considered during key decision	NA	Planning and Development

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
acquisitions, to ensure buildings owned by the council are sustainable, future proofed, and align with our net zero commitment.					<p>making in the business planning process.</p> <p>These principles will also be used to develop business case guidance to ensure it considered as part of the specific decision.</p> <p>The TBL plan is in draft and will be finalised in the next month with an implementation plan.</p>		
<p>Action 9.4 Establish criteria for investment in climate change and biodiversity and invest to save schemes (eg. renewables, heat networks). These will consider relative impact in terms of carbon reduction and ease of delivery, such that expenditure is focused on deliverable, affordable initiatives that maximise impact on the carbon reduction targets.</p>	<p>Councillor David Burton</p> <p>And</p> <p>Councillor John Perry</p> <p>Corporate Services Policy Advisory Committee</p>	<p>James Wilderspin</p>	2023-24	<p>As part of Biodiversity Net Gain (BNG) requirements coming into law in 2023, officers investigating a business case to invest in land to be used for green projects including, carbon offsets, reptile sanctuaries, tree nurseries, SuDS schemes, open space creation, and BNG units sold to developers</p>	As per 9.3.	NA	Planning and Development
<p>Action 9.5 Deliver corporate policy and sustainable procurement approach to reduce (Scope 3) MBC carbon footprint from contracts and services and ensure a 'carbon cost' is part of procurement and decision making.</p>	<p>Councillor John Perry</p> <p>Corporate Services Policy Advisory Committee</p>	<p>Dan Hutchins</p> <p>Adrian Lovegrove</p> <p>James Wilderspin</p>	2023-24	<p>In collaboration with Tunbridge Wells and Maidstone Borough Councils through our shared procurement team a Sustainable Procurement Policy has been defined that will</p> <ul style="list-style-type: none"> guide the Council in considering whole life sustainability impacts in all contracts, ensuring that we 	<p>The Sustainable Procurement Policy has been agreed and adopted by members and Procurement are already requesting sustainability information as part of all new tenders.</p> <p>Also, part of the TBL plan being developed. The aim is to</p>	Carbon footprint dashboard	Being Implemented

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
68				<p>take a proportional approach and to support suppliers in assisting us to reduce our joint carbon footprint.</p> <ul style="list-style-type: none"> • This policy will support the Council in encouraging suppliers to assist us in reducing our consumption on utilities. • This policy aims benefit our communities in encouraging small and medium size enterprises (SME's) to work with the Council and to engage with sustainability issues. The policy will also aim to provide information on guidance on how they can calculate and reduce their carbon footprint. • Assess where the emission hotspots are in their supply chain • Identify resource and energy risks in their supply chain • Identify which suppliers are leaders and which are laggards in terms of their sustainability performance • Identify energy efficiency and cost reduction opportunities in their supply chain 	<p>ensure procurement embed and ensure procurement process consider both environmental and social value in their appraisal process.</p>		

Action	Portfolio Holder and PAC	Responsible Officer	Timescale	November 2022 Update	June 2023 Update	Key Performance Indicator	Status
06				<ul style="list-style-type: none"> • Engage suppliers and assist them to implement sustainability initiatives • Improve the energy efficiency of their products • Positively engage with employees to reduce emissions from business travel and employee commuting. <p>Due to the varying industries the Council procure works and services from, this policy proposes a flexible timeline to ensure compliance, fair competition and measurable results. This flexibility will also allow us to remain committed to supporting local SME's as we progress this journey.</p> <p>Additionally, procurement software is being investigated that will support accurate scope 3 emission foot printing for MBC.</p>			

Appendix 2: MBC Operational Net Zero Estimated Costs

This document outlines and estimated costs (in today's prices) to decarbonise:

- (i) MBC key properties (those with the highest emissions);
- (ii) To decarbonise all the energy MBC is purchasing (excluding Maidstone House/The Leisure Centre/Lockmeadow Entertainment Complex which are currently under different energy provider contracts);
- (iii) To decarbonise MBC's current temporary accommodation housing stock;
- (iv) To electrify MBCs petrol/diesel fleet (based on today's technology);
- (v) To offset MBC's remaining operational emissions through third party carbon offsetting schemes (based on projected carbon cost scenarios); and
- (vi) To alternatively offset MBC's remaining operational emissions through potential direct land purchases for carbon sequestration schemes and renewable energy generation schemes.

Please note, this document does not include factors outside of MBC operation control and does not include offsetting for MBC's Scope 3 emissions. Please also note, the calculation used are based on MBC current assets, and current available prices – estimates should be used as an indication only as costs will vary depending on many aspects of the market and need further investigation.

Cost to Decarbonise MBC Key Properties

The following costs to decarbonising key MBC assets have been identified by APSE Energy, who were consulted to take a whole building approach to increase the energy efficiency of each key MBC building and recommend the best low carbon or electrical heating alternative technology to effectively unplug the buildings from the gas mains and decarbonise in line with the councils Net Zero 2030 commitment. The total capital costs are the combined costs of all APSE Energy's recommendations to upgrade heating, insulation, glazing, LEDs and other efficiency controls which vary in each building. Details of recommended interventions can be found in standalone APSE reports for each building.

The annual savings have been calculated based on the kWp reduction that a new heating technology would have. For some buildings however, the cost of converting to an electrical heating option increases the cost to the Council in the short term to achieve decarbonisation (these are highlighted in red). The associated costs of 'electrifying' the heating systems of each building will reduce in the medium to long term, as the national grid supply is increased with renewable energy sources.

Building/Asset	Capital Costs of Upgrades/Retrofits	Annual savings to council	Carbon reduction	Priority (in terms of heating system replacement and funding eligibility)	Issues
1. Maidstone House and Link	£3,481,600	£51,875	361.8	High Priority	
2. Maidstone Leisure Centre	£3,070,470	£79,083	354.1	Medium Priority	Linked to overall investment plans for

					leisure centre
3. Maidstone Museum	£1,158,650	+\$2,607	42.8	High Priority	
4. Maidstone Archbishops Palace	£1,712,670	+\$12,525	30	Medium Priority	Linked to future decisions about use of Archbishops Palace
5. Maidstone Town Hall	£433,030	+\$12,058	19	Medium Priority	
6. Lockmeadow Leisure Complex	£97,350	£37,974	1.7	Low Priority	
7. Lockmeadow Market	£772,710	+\$14,117	13	Low Priority	
8. Cobtree Manor 9. Park Golf Course Clubhouse	£154,630	£9,305	9.1	Low Priority	Linked to procurement of new operator
10. Cobtree Visitor Centre	£141,840	£428	12.4	Low Priority	
11. Vinters Park Crematorium Chapel	£175,360	£5,568	22.2	Low Priority	
12. Vinters Park Crematorium Offices	£182,610	£9,137	8.6	Low Priority	
13. Parkwood Depot	£394,532	£696	13.9	Low Priority	
Total	£11,775,452	£152,759	888.6 tCO2e		
Added costs for design/study fees 5%	+ £588,772		39% of total		

*tCO2e are averages per building and may differ from the totals that can be found on the MBC Carbon Footprint Dashboard.

The total costs to decarbonise the 13 key MBC assets is **£12,364,224.00**. This includes additional approximate costs associated with detailed design, architectural, and structural engineering fees. If all of these interventions were taken MBC's total **carbon footprint would be reduced by approximately 40%** and the council would make annual **cost savings across all of these buildings by approximately £152,000 per year**. The remaining emissions are the hard to reduce emissions that will need to be offset in order to be Net Zero – please see 'cost estimated to offset remaining carbon' section of this report.

The costs of some decarbonisation interventions are propositionally very high, compared to the reduction in carbon emissions. For instance, the Lockmeadow Leisure Complex is already a relatively efficient building, and decarbonising it would have little reduction in the Council's annual carbon

emissions, however £37,974 would be saved per annum if a Heat Recovery system is installed and electric ovens replace the existing gas ovens. In other cases, for example with Maidstone House and the Museum, improving energy efficiency, insulation and decarbonising the heating and cooling of the buildings would have a large carbon reduction and cost savings for the council, however capital expenditure is high. It is advised that these costs be used to priorities the largest cost savings and carbon reductions to the council, as these buildings will be eligible for external funding such as from the Public Sector Decarbonisation Scheme.

Cost to Purchase 100% Renewable Energy for MBC Buildings

MBC are currently procuring conventional electricity and gas. Action 7.3 of the council’s Biodiversity and Climate Change Action plan is to ‘Purchase 100% renewable energy for our buildings and operations where we control the supply’. There are various options to ensure MBC’s procured energy is renewable, the most common being a Renewable Energy Guarantees of Origin (REGO) scheme. Please note, that both REGO purchases and carbon offsetting can contribute to reducing environmental impact, they differ in their focus. REGOs specifically promote the use of renewable energy, while carbon offsetting aims to offset emissions by investing in various projects. REGO prices have been rising since the UK began to export to the EU market in 2018 with some reductions post-Brexit and after the demand reduced caused by Covid related lockdowns in 2020. Since April 2021 the increasing demand for net zero, non-domestic energy users taking more steps to improve their green credentials, and GHG reporting grew and consequently the REGO demand grew much further with many users requiring 100% renewable energy tariffs as standard. REGO prices have increased by 50% in comparison to 2020, with a rate of about £1.45/MWh for the 2021-22 pricing period and increased to £6.16/MWh for 2022-23 pricing period, with estimate of £11/MWh for the April’23 onto Mar’24 period.

For MBC full asset portfolio that sits with Laser Energy (excluding Maidstone House/The Leisure Centre/Lockmeadow Entertainment Complex which are currently under different energy provider contracts), MBC would be looking at **approximately £55,320 for REGOs** for the Oct’23-Sep’24 to decarbonise the total energy used by MBC and procured via Laser Energy. Please note that Maidstone House, The Leisure Centre, and Lockmeadow Entertainment Complex are high energy users, and this figure would be significantly higher should REGOs also be purchased for these buildings.

94

Meter Types	Meters	EAC (kWhs)	Energy Type	Potential REGO/RGGO based on Apr'23-Mar'24 prices (£14/MWh for gas and £11.11/MWh for elec)	www.gov.uk/government/publications/greenhouse-gas-reporting-conversion-factors-2022	Estimated Budget Projections Apr'23-Mar'24	REGO/RGGO % of Total Period Cost (Green Tariffs)	Estimated Cost and Size of Solar PV £1.2 - £1.3/ kWh (2022 average)
Gas	22	2,346,816	Conventional	£32,855	478	£272,931	12%	£2,527,498
HH Metered	13	1,408,832	Conventional	£15,652	268	£445,450		
NHH Metered	52	459,980	Conventional	£5,110	88	£134,740		
UMS	13	153,187	Conventional	£1,702	31	£48,965		
Gas totals	22	2,346,816		£32,855	865 tonnes of CO2e	£272,931		
Electricity totals	78	2,021,998		£22,464		£629,154	4%	
Potential cost of REGO/RGGO (Green Tariffs)				£55,320	Totals	£902,085	6%	1.95 MWp

Cost to Bring MBC's housing stock to Minimum Target EPC-C rating

Energy performance certificates (EPCs) are a rating scheme to summarise the energy efficiency of buildings. The building is given a rating between A (Very efficient) -G (Inefficient), the EPC will also include recommendations the most cost-effective ways to improve your homes energy rating. On average, existing houses in England and in Wales that had an EPC undertaken in financial year ending 2019 were rated within band D. The UK Governments current [target](#) is to have as many homes as possible in EPC band C by 2035.

MBC has 58 houses, 28 of which are EPC rated E or D. Recommendations on upgrading insulation, heating, and efficiency will depend on the multiple aspects including the materials, current insulation, fuel type, size, and age of the property. It is estimated that £3,653 is needed to upgrade a one-bedroom flat from EPC D to C, while a small mid-terrace house is likely to cost up to £6,400, and larger detached homes are expected to cost around £12,540 in energy-saving improvements.

Using these estimates, it is estimated to cost approximately **£219,693** to bring the Council's temporary accommodation housing stock EPC rated E and D up to a C rating. Please note that this would not necessarily mean decarbonising the housing stock, as high efficiency condensing boilers or other technologies may be more suitable depending on the dwelling and therefore it is not possible to calculate an accurate carbon reduction for conducting these upgrades.

Address	EPC Rating
1 BED	
7 The Cottages, ME15 0HE	D
2 BEDS	
16 Plumpton walk, ME15 8UQ	D
525 Loose Road, Maidstone, ME15 9UQ	D
485 Loose Road, Maidstone, ME15 9UQ	D
6 Beasconsfield Road, ME15 6RU	D
42 Peel Street, ME14 2SB	D
48 Forrest Hill, ME15 6TH	D
50 Forrest Hill, ME15 6TH	D
7 Randal Street, maidstone, ME14 2TB	D
26 Foxglove Rise, ME14 2AF	D
143 Merton Road , ME15 8LT	D
68 Peel Street , ME14 2SB	E
3 BEDS	
63 Graveney Road, Maidstone, ME15 8QL	D
66 Felderland Close,, ME15 9YD	D
55 Dickens Road, Maidstone, ME14 2QR	E
12 Bell Road, Parkwood, ME15 9EH	D
45 Beaumont Road, Maidstone, ME16 8NG	D
23 Mangravet Avenue, ME15 9BG	E
9 Church Road, Tovil, Maidstone	D
43 Lushington Road	D
55 Lushington Road	D
61 Hampshire Drive, Maidstone , ME15 7EX	D

67 Beamont Road, Maidstone, ME16 8NG	D
4 Beds	
20 Egerton Road, ME14 2QY	E
144 Westmoralnd Road , ME15 8JQ	D
Shared houses	
Marsham Street	D
2 Square Hill	D
58 Melville Road,	D

Cost to Decarbonise MBC's Fleet

Maidstone Borough Council currently operates 68 vehicles of which 9 are already fully electric. These range from heavy goods vehicles including 26 tonne refuse compaction vehicles and specialist sweepers to 3.5 tonne vans, pick-up trucks and cars. Most of these vehicles are operated by the Council's depot services. The entire fleet produce 264 tCO₂e in 2020/21 and travel over 430,000 miles per year, with the 10 heavy commercial vehicles responsible for the highest proportion of emissions.

Calculations to fully replace the remaining MBC fleet with Electric Vehicle (EV) alternatives that are able to ensure the same operational standard, based on today's technology and costs are calculated in this section. These calculations do not include emerging or alternative technologies (such as hydrogen), and figures should be used as an indication only as the EV market varies considerably in supply. Please note that there are not electric vehicle alternatives for every type of vehicle in MBCs current fleet. Some information, for example, for the Scarab (Sweepers) have been provided by manufactures however these electric vehicles are not yet on the market, as testing is ongoing, and prices may vary. Similarly, the DAF 7.5T Tippers and Dennis Dustcarts also have no EV alternate to MBC's current fleet.

MBC Current Vehicle	Electric Version of Vehicle	Price
Street Scrubber		
Ford Courier Trend	Nothing available until 2024	
Ford Courier Trend	Nothing available until 2024	
Ford Courier Trend	Nothing available until 2024	
Toyota Hilux Icon D/C	Maxus e-T90EV Electric Pick Up 88.5kW, White	£53,983.53
Toyota Hilux IconD/C	Maxus e-T90EV Electric Pick Up 88.5kW, White	£53,983.53
DAF LF180 Caged Tipper 7.5Tonne	nothing available as of yet - Iveco 7.2T	
DAF LF180 Caged Tipper 7.5Tonne	nothing available as of yet - Iveco 7.2T	
DAF LF230 Maven 65 sweeper 16Tonne		£400,000.00
DAF LF180 Merlin XP sweeper 12Tonne		£400,000.00
Fiat Doblo Workup Tipper	Maxus e-Deliver 3 Electric Dropside	£41,056.37
Fiat Doblo Workup Tipper	Maxus e-Deliver 3 Electric Dropside	£41,056.37
Peugeot Expert	Peugeot e-Expert Professional Premium + Panel Standard 75kWh, Ply, Navigation, Bluetooth, Mats and Seat Covers	£43,065.13
Fiat Doblo Workup Tipper	Maxus e-Deliver 3 Electric Dropside	£41,056.37
Transit 350MWB S/C Tipper	Maxus e-Deliver 9 LH Electric Chassis 88.5kW Battery Fiat e-Ducato 35 MH1 Chassis 79kW	£83,599.84
Transit 350MWB S/C Tipper	Maxus e-Deliver 9 LH Electric Chassis 88.5kW Battery Fiat e-Ducato 35 MH1 Chassis 79kW	£83,599.84

Transit 350MWB Dropside Tipper	Maxus e-Deliver 9 LH Electric Dropside	£71,029.21
Fiat Ducato 35 Multijet II Tipper 3500kg	Fiat e-Ducato 35 MH1 Chassis 79kW	£83,599.84
Fiat Ducato 35 Multijet II Tipper 3500kg	Fiat e-Ducato 35 MH1 Chassis 79kW	£83,599.84
Fiat Ducato 35 Multijet II Dropside 3500kg	Maxus e-Deliver 3 Electric Dropside	£41,056.37
Fiat Ducato 35 Multijet II Dropside 3500kg	Maxus e-Deliver 3 Electric Dropside	£41,056.37
Ford Connect 210LWB	Vauxhall Combo Prime Panel Van L2 2300 100kW 136PS Auto 50kWh Battery, Manual Air Con, Sat Nav, Full Plyling	£36,628.03
Fiat Doblo Workup	Maxus e-Deliver 3 Electric Dropside	£41,056.37
Fiat Doblo Workup	Maxus e-Deliver 3 Electric Dropside	£41,056.37
Fiat Doblo Workup	Maxus e-Deliver 3 Electric Dropside	£41,056.37
Mitsubish Outlander	Peugeot e-2008 Allure Premium + Pearl White	£31,053.54
Esagono Gastone	nothing available as of yet	
Dennis Eagle Elite 6 Dustcart	No EV alternate - only 26T or 18T available	
Toyota Hilux Active S/C	Maxus e-T90EV Electric Pick Up 88.5kW, White	£53,983.53
Toyota Hilux D/C	Maxus e-T90EV Electric Pick Up 88.5kW, White	£53,983.53
Fiat Doblo	Fiat e-Doblo Van L1 electric 50kW Auto	£36,044.73
Scarab M25H Sweeper	Scarab MC210 - release estimated 3rd quarter 2024	£250,000.00
Scarab M25H Sweeper	Scarab MC210 - release estimated 3rd quarter 2024	£250,000.00
Scarab M25H Sweeper	Scarab MC210 - release estimated 3rd quarter 2024	£250,000.00
Ford Transit 350 LWB	Ford e-Transit H2L3 350 198kW 269PS Trend, Frozen White, Mats, Manual Air con, Ply	£46,337.00
Fiat Doblo 16 Multijet	Fiat e-Doblo Van L1 electric 50kW Auto	£36,044.73
Fiat Doblo 16 Multijet	Fiat e-Doblo Van L1 electric 50kW Auto	£36,044.73
Fiat Full Back Pickup	Maxus e-T90EV Electric Pick Up 88.5kW, White	£53,983.53
Ford Transit 350 MWB Tipper	Maxus e-Deliver 9 LH Electric Chassis 88.5kW Battery Fiat e-Ducato 35 MH1 Chassis 79kW	£83,599.84
Ford Transit 350 MWB TIPPER	Maxus e-Deliver 9 LH Electric Chassis 88.5kW Battery Fiat e-Ducato 35 MH1 Chassis 79kW	£83,599.84
Ford Transit Custom 290L	Vauxhall e Vivaro 100kW 136PS Kaolin White, Plylining, Sat Nav, Mats	£48,017.51
Ford Transit 350	Ford e-Transit H2L2 350 198kW 269PS Trend, Frozen White, Mats, Manual Air Con, Ply	£46,337.00
Fiat Doblo Multijet 2	Fiat e-Doblo Van L1 electric 50kW Auto	£36,044.73
Ford Transit 350 Tail lift	Ford e-Transit H2L2 350 198kW 269PS Trend, Frozen White, Mats, Manual Air Con, Ply, Tail lift conversion	£46,337.00
Ford transit 350 tail lift	Ford e-Transit H2L2 350 198kW 269PS Trend, Frozen White, Mats, Manual Air Con, Ply, Tail lift conversion	£46,337.00
Iveco EUROCARGO 75E 16K TIPPER	Nothing available as of yet	
Iveco EUROCARGO 150 / 220 Sweeper		
Ford Transit Courier Base TDCI	Nothing available until 2024	
Fiat Doblo 16v M/Jet		
Vauxhall Mavano F3500 I3H1 CDTI Beavertail		
Mitsubishi PICK UP L200 Life		
Fiat Doblo 16v M/Jet	Fiat e-Doblo Van L1 electric 50kW Auto	£36,044.73
Fiat Doblo 16v M/Jet	Fiat e-Doblo Van L1 electric 50kW Auto	£36,044.73
Fiat Doblo 1.3 16v M/Jet Pickup	Maxus e-Delive 3 Electric Dropside	£41,056.37
Vauxhall Mavano F3500 L3H1 CDTI Beavertail		
Ford Ranger XK 4x4 TDCI Pickup		

Mathieu Sweeper/scrubber MC210		
Iveco EuroCargo		
Johnston C201 Sweeoeer		
Ford Courier TDCI	Nothing available until 2024	
Ford Ranger Pickup	Maxus e-T90EV Electric Pick Up 88.5kW, White	£53,983.53
Ford Transit 350	Ford e-Transit H2L2 350 198kW 269PS Trend, Frozen White, Mats, Manual Air Con, Ply	£46,337.00
Ford Transit Tipper		
Ford Transit Connect 210 Ecotec		
Ford Transit 125 T350 RWD	Ford e-Transit H2L3 350 198kW 269PS Trend, Frozen White, Mats, Manual Air con, Ply	£46,337.00
DAF Merlin XP sweeper		
Dennis Elite 6 Dustcart	No EV alternate - only 26T or 18T available	
	Total	£3,469,091.35

Converting the remaining petrol/diesel vehicles in MBC fleet to fully electric would cost approximately **£3,469,091.35** and reduce MBC emissions by approximately 160 tCO₂e per year, based on 2020-21 mileage and emissions data. However, these calculations exclude the replacement of the heavy-duty vehicles that do not yet have EV equivalents on the market, which proportionally emit higher emissions and are likely to cost substantially more.

Please note that further investigation is needed to compare maintenance costs and replacement cycle of conventional vehicles to EV equivalent, as maintenance is likely to be reduced in the medium term with a fully electric fleet. However, ensuring all vehicles are charged and able to operate at peak times will need more management at the depot which may incur additional staff or training needs at the depot.

Costs to Upgrade the Capacity of The Depot to Meet the Electric Demand

Costs to upgrade the capacity of the depot to meet the electric demand of a full EV fleet have also been included in this section. Including recommendations from Clarke EV and SWARCO who conducted a fleet electrification feasibility study in 2022 on behalf of the Council and recommended measures to ensure the operations of the depot would not be jeopardised by switching to EVs. The results of the feasibility study showed that if all the vehicles used today were replaced with electric vehicles and were used in a similar way, a supply capacity of 600KVA would be required, or a timed connection of 200 KVA between 6 am and 11 pm and 1200KVA between 11pm and 6am. The supply capacities can be reduced if fast chargers are used for the light commercial vehicles, which would increase the cost of the required infrastructure, but may reduce the associated District Network Operator costs.

Indicative costs for installation and connection for a secondary substation (by 2027) to ensure the electric capacity of the depot meets all the EVs charging needs, provision of sufficient 22kW or 43kW chargers, including two rapid 50kW to 100kW chargers are likely to be required for the large commercial vehicles, Battery storage to utilise solar power charging of vehicles overnight, and contingency should the national grid have supply issues and the depot operations need to continue.

EV Infrastructure Required	Number required	Cost
Indicative price for a 800KVA sub-station	1	£140,000
22kW AC Post Charge Point	10	£23,000
50kW DC Charge Point (Rapid charger)	2	£50,000
Battery Energy Storage Systems (BESS) 250kWh sized system (excluding installation/housing fees)	1	£45,000

Total	£253,000
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It is estimated to cost **£253,000** to ensure the Depot has sufficient capacity to charge a fully electric fleet. MBC has a [Green Fleet Strategy](#), adopted on the [15th of November 2022](#) by the Communities, Housing and Environment Policy Advisory Committee, that sets out the decision-making process for selecting new or replacement fleet vehicles and how the Council will seek to deliver its commitment to reducing emissions, miles, and fuel usage. So gradually over the next 7 years when purchasing new vehicles up to Net Zero 2030, attention is given to whether the vehicle is necessary and if so, whether there is a commercially viable electric or hybrid alternatives, including the whole life costs of the vehicle and its operational requirements. This strategy also means that heavy duty vehicles or those that do not have EV versions on the market yet will not be prioritised for replacement until viable alternatives are available.

Please note, that if energy storage is installed at the Depot, there may be a business case to increase the capacity of solar PV (solar panels) installed on the roof of the depot. In this case, all the energy generated by the solar panels could be stored in the battery and used by the vehicles, and therefore the value of the energy generated by a solar panel array would be tied to the cost of electricity for Maidstone Depot.

Cost Estimates to Offset Carbon

To achieve Net Zero carbon, the ethos is to reduce emissions as much as possible and generate energy onsite from renewables. The remaining emissions are the hard to reduce emissions that will need to be offset. The Climate Change Committee recommend on offsetting a maximum of 10% of an organisation's emissions and to prioritise removal of emissions before offsetting. The effectiveness and impact of carbon offsetting can vary depending on the quality and credibility of the offset projects chosen.

Currently offsetting costs between £8 and £25 per tonne of CO₂e, which some argue make offsetting too affordable and incentivise organisation to offset rather than reduce their emissions. However, this has been forecast to change as greater demand and higher regulation are projected to lead to a significant carbon price increase. The Woodland Trust states that it costs £25 (based on rates of 2022) to offset 1 tonne of CO₂ in British woodlands. Experts at UCL predict prices will rise to around £45 per tonne in the next two years and Bloomberg has developed three possible price scenarios based on regulatory differences, ranging from £45 with light regulation of markets to £200 with tighter regulation. The following cost scenarios are based on MBC's 2021-22 carbon footprint and show the costs under each scenario based on offsetting 100% of MBC emissions and 10%.

Carbon Cost Scenarios

Carbon Cost Scenario per tonne	Cost Per Annum to MBC based on total 2021/22 scope 1 and 2 carbon footprint (1,722.15tCO ₂ e)	Cost Per Annum to MBC based on 10% 2021/22 carbon footprint (172.21tCO ₂ e)
Present Scenario low £8	£13,777.20	£1,377.72
Present Scenario High £24	£41,331.60	£4,133.16
Predicted Scenario Low £45	£77,496.75	£7,749.68
Predicted Scenario High £200	£344,430.00	£34,443.00

Under the tighter regulation scenario, prices could rise very rapidly, causing problems for the Council seeking offsets around 2030. If MBC decarbonise all buildings and fleet, there would potentially still be a **£34,443 cost per year** to offset the remaining emissions under a high-cost scenario. If MBC are

unable to meet the net zero 2030 commitment and need to offset proportionality more, this could be at a high cost by 2030.

MBC could gain advantages from signing long-term agreements sooner rather than later. Longer-term arrangements rather than add-hoc purchases of carbon offsets could also help improve the stability of carbon markets and reduce risks to long-term activities including forestation and habitat restoration. Where offsetting is relevant, projects must be real, verified, permanent and additional in nature. Recently there has been some bad press about international carbon offsetting schemes, and so selecting or investing must be carefully considered.

Alternatively, there are ways to offset MBC’s emissions directly, by investing in renewable energy generation to a level beyond MBC’s total carbon footprint or developing direct carbon sequestering projects, through for example tree planting and rewilding.

Cost to Directly Offset MBC’s Remaining Carbon

Offsetting through renewable energy generation:

Offsetting with renewable energy generation such as investing in solar or wind farms, as well as maximising solar energy generation on MBC’s estate for ‘point of use’ for council operated buildings could greatly reduce MBC direct emissions, reduce utility costs to the council, and if larger longer-term investments are made, can offset MBC emissions to reach net zero.

Public Energy Partnership Power Purchase Agreement (PEPPPA) or electricity power agreement, are a long-term contract between an electricity generator and a customer, usually a utility, Government or company. PEPPPAs can last between 5 and 20 years, during which time the power purchaser buys energy at a pre-negotiated price. Such agreements play a key role in the financing of independently owned renewable energy generators like solar farms or wind farms. Such an investment would potentially save MBC costs in the long term and reduce MBC’s exposure to a fluctuating energy market.

Additionally, maximising the renewable energy generation on MBC estate is also shown to be cost effective in the medium term. Solar panels require low maintenance and are a one-time investment with long-term returns that are a quiet, simple, and safe way to generate energy in operation. However, solar has a seasonal output and is sun dependant often requiring extensive space to be most cost effective. To offset MBC total emissions (based on 2021-22 carbon footprint) an estimate **1,677 panels would be required, occupying a space of 2.3 hectares**. A lot of the costs associated with large scale solar installations are the trenching and cabling require to take the electricity produced to grid or place of use. Therefore, there are advantages to seeking rooftop space where solar can be installed that minimises connections needed, so that electricity can be used where it is generated and avoid additional costs.

The following solar projects have been scoped on MBC property to maximise the renewable energy generated on these buildings for direct use by the council. **These projects are pending property decisions outlined in the Cost of Decarbonise MBC Key Properties section of this report.**

New Solar Projects Identified

Building / Location	Size/capacity of Solar Array	Capital Costs of Solar Project	Annual savings to council	Pay back in Years	Carbon reduction (CO2te)
	16 kWp (solar PV	£20,850	£3,360	6.2	3.2

1. Maidstone House and Link	used on site) Link Building BioSolar Roof				
	185.57 kWp (solar PV carpark used on site 50% split for Mall and MBC)	£112,450	£8,909 <i>(TBD with +50% going to the Mall)</i>		43 <i>(TBD with +50% going to the Mall)</i>
2. Maidstone Leisure Centre	122kWp Mote Park Car Park Solar Canopy used at Leisure centre (grade listed status)	£213,600	£20,724	9.9	20
3. Lockmeadow Leisure Complex	995kWp (on 4 roof locations)	£845,750	£70,852	8	28.5
4. Cobtree Manor 5. Park Golf Course Clubhouse	32 kWp (solar PV used on site)	£26,300	£6,927	3.7	6.7
6. Cobtree Visitor Centre	9 kWp (solar PV used on site)	£10,400	£1,709	6.1	1.7
7. Vinters Park Crematorium Chapel	13 kWp (solar PV used on site) apportioned	£13,700	£2,273	5.8	2.2
Total	1372.57 kWp	£1,243,050	£114,754 saved	6.6 years	105.3CO₂te reduced

Investment in these small-scale solar projects would **save the council £114,754 per year** and pay back in approximately 7 years, while reducing MBC emissions by approximately 8% (based on MBC's 2021-22 carbon footprint).

Offsetting through land purchase for carbon sequestration:

Carbon sequestration (or carbon storage) is the process of storing carbon, meaning it removes a greenhouse gas from the atmosphere. The largest carbon sequestration rates amongst seminatural habitats are in woodlands. Native broadleaved woodlands are reliable carbon sinks that continue to take up carbon over centuries with benefits for biodiversity and other ecosystem services, although the rate varies greatly with tree species and age and is strongly influenced by soils and climate. Sequestration rates decline over time, but old woodlands are substantial and important carbon stores.¹

¹ Natural England (2021), [Carbon storage and sequestration by habitat: a review of the evidence \(second edition\)](#)

Natural England analysis found that a representative carbon sequestration rate for mixed broadleaved woodland (trees and soil) over 30 years the rate of uptake of approximately 14.5tCO₂e per hectare per year because of the high sequestration rates seen in the early decades of tree growth. **To offset 10% of MBC carbon emissions per year based on the 2021-22 carbon footprint, it would mean planting approximately 9.6 hectares (or 10,666 trees) mixed broadleaved native woodland on mineral soil (to 1m depth with spacings of 3m suggested by Woodland Trust).**

Different environments sequester carbon more or less carbon, and these environments would need to be managed, but could be combined with nature-based solutions for dual local benefits. This would mean considering the purchase of land on the open market, buying direct from the Woodland Trust, or offsetting on third party land with agreements in place to not double count carbon sequestered. Land prices and grading, tree species suitable for that land, and costs of planting and maintenance cannot be calculated without further investigation.

Total Estimated Costs for MBC to Achieve Operational Net Zero

The following table totals all the estimated cost presented in this report. The calculation used are based on MBC current assets, current available prices, and data available – estimates should be used as an indication only as costs will vary depending on many aspects of the market and need further investigation.

MBC Net Zero Operational Areas	Total Estimated Costs	Carbon Reductions (tons and %)
1. Estimated cost to decarbonise 13 MBC key/largest properties	£12,364,224.00	888.6 tCO₂e (60%)
2. Estimated cost to purchase Green Tariffs to decarbonise procured energy across MBC estate (excluding Maidstone House/The Leisure Centre/Lockmeadow Entertainment Complex)	£55,320.00 (Per Annum)	Not Applicable
3. Estimated cost to improve MBC's current temporary accommodation housing stock to EPC-C minimum	£219,693.00	Unable to calculate carbon reductions of housing stock at this time
4. a. Estimated cost to electrify MBCs petrol/diesel fleet (based on today's technology, excluding heavy duty vehicles where replacements EVs are not yet on the market)	£3,469,091.35	160 tCO₂e (11%)
b. Costs to upgrade the capacity of the depot to meet the electric demand	£253,000.00	Not Applicable
5. Estimated cost to offset MBC's remaining 10% operational emissions through third party carbon offsetting schemes (based on projected high carbon cost scenario)	£34,443.00 (Per Annum)	140 tCO₂e (10% based on 2021-22 MBC carbon footprint)

6. a. Alternative estimated cost to offset MBC's remaining operational emissions through renewable energy generation schemes	Unable to calculate without further investigation and expert advise	Not Applicable
b. Cost to maximise solar energy generation on MBC estate (scoped projects)	£1,243,050.00	105.3 CO2te (7.5%)
7. 7. Alternative estimated cost to offset MBC's remaining operational emissions through potential direct land purchases for carbon sequestration schemes.	Unable to calculate without further investigation and expert advise	Not Applicable
Estimated Total to achieve net zero carbon on MBC Scope 1 and 2 emissions	£17,638,821.35	1293.9 CO2te (92% reception based on 2021-22 carbon footprint)

The table shows that a priority area is the decarbonisation of MBC properties, and of those an 85% reduction (of the 13 buildings in the table) in emission can be achieved by upgrading/retrofitting just three building, namely Maidstone House and Link, Maidstone Leisure Centre, and Maidstone Museum which have the highest proportion of carbon emissions, but account for 44% of the total estimated cost to achieve Net Zero.

The proportion of tCO2e removed per annum by converting the entire fleet to electric, plus the costs to upgrade the infrastructure at the depot, suggests that the cost benefit ratio is poor, and that the current green fleet strategy to gradually transition vehicles to EV based on the market and operation is the better medium-term pathway. Particularly as the heavy-duty vehicles proportionately account for more emissions and equivalent EV versions are not yet on the market. Waiting for other emerging technologies for the heavy vehicles and upgrading lighter vehicles will likely save the council costs in the medium term.

Investment in maximising the solar energy generation on Council property is a good medium-term investment in terms of both savings to the council and carbon reductions. Further investigation into larger renewable energy generation schemes is needed, as is longer term procurement of renewable energy (Green Tariffs) for the Council.

Options for indirectly or directly offsetting 10% of MBC emissions also need further investigation. However, it is likely that larger costs would be incurred for directly offsetting emissions through local renewable projects or tree planting, but these costs must be evaluated in regard to other local social, biodiversity benefits and ecosystem services.

HOUSING, HEALTH AND ENVIRONMENT POLICY ADVISORY COMMITTEE

11th July 2023

Public Spaces Protection Order – Town Centre Renewal

Will this be a Key Decision?	Yes
Urgency	Not Applicable
Final Decision-Maker	Cabinet Member for Housing and Health
Lead Head of Service	Head of Housing and Regulatory Services
Lead Officer and Report Author	Martyn Jeynes, Community Protection Team Manager
Classification	Public
Wards affected	High Street, Bridge Ward, East Ward, Fant Ward

Executive Summary

The following report is in relation to the proposed renewal of the Town Centre Public Space Protection Order (PSPO), which is used as one of a number of legislative tools and practices to challenge and discourage anti-social behaviour in the Town Centre. The PSPO contains specific requirements in relation to Begging and Street Drinking Controls. The renewal has been coordinated in collaboration with stakeholders, including Kent Police, One Maidstone, local Ward Members and the Cabinet Member for Housing and Health. We ask the committee to consider the proposal before being passed to the Cabinet Member for Housing and Health for decision.

Purpose of Report

Recommendation to Cabinet Member/Decision

This report asks the Committee to consider the following recommendation to the Cabinet Member for Housing and Health

1. That, the Cabinet Member for Housing and Health give delegated authority to the Head of Housing and Regulatory Services to renew the existing Town Centre Public Space Protection Order for a further 3 years.

Public Spaces Protection Order – Town Centre Renewal

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 Safe, Clean and Green. We set out the reasons other choices will be less effective in section 2.</p>	Community and Strategic Partnerships Manager
Cross Cutting Objectives	The report recommendations support the achievement of the Health Inequalities cross cutting objectives by ensuring there is a strong focus on preventative work that is intelligence driven so as to maximise the opportunities to reduce health inequalities in partnership with the police and other community safety related partners.	Community and Strategic Partnerships Manager
Risk Management	There is a Statutory Requirement to review PSPOs every three years. The management of PSPOs will be subject to the current performance management arrangements within the service, with performance benchmarking as part of the process.	Head of Housing and Regulatory Services
Financial	It is anticipated that the continued delivery of the PSPO will be resourced from within existing budgets.	Head of Housing and Regulatory Services
Staffing	Delivery of the PSPO will continue to be overseen by the Community Protection Team in partnership with Kent Police and One Maidstone. Authorised Officers will complete appropriate training in order to be able to issue fixed penalties and deal with prosecutions.	Head of Housing and Regulatory Services

Legal	As contained within the body of the report, any enforcement by way of prosecution, or non-payment of FPN and any other legal process will have resource implications for MKLS. These are not anticipated to be any different than the current PSPO.	Robin Harris Legal Team
Information Governance	Private information obtained within the process of delivering the PSPO will be managed in accordance with Environmental Health, Waste Crime & Community Protection Enforcement Policy and the Council's Data Protection Policy.	Head of Housing and Regulatory Services
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Head of Housing and Regulatory Services
Public Health	The Community Protection Team is under the reporting line of the Head of Housing and Regulatory Services. The focus is strongly on preventative work that is intelligence driven so as to maximise the opportunities to reduce health inequalities in partnership with the Police and other Community Safety related partners.	Housing & Inclusion Team Leader
Crime and Disorder	The continued delivery of the PSPO will contribute to make Maidstone town centre a safer place by promoting the message and enforcement of appropriate standard of conduct and behaviour.	Head of Housing and Regulatory Services
Procurement	Appropriate procurement methods will used to procure consultation, publicity and signage.	Head of Housing and Regulatory Services
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and; <ul style="list-style-type: none"> • There are no implications on biodiversity and climate change. 	Head of Housing and Regulatory Services

2. INTRODUCTION AND BACKGROUND

- 2.1 The current Public Space Protection Order (PSPO) for the Town Centre is due to expire in September 2023. This is part of the 3-year review process that affords local authorities to check that the PSPO remains relevant and appropriate for renewal. The current PSPO has been in place since 2017, having been reviewed and renewed in 2020.
- 2.2 In 2020, as part of the renewal, a report was provided that explained that enforcement of the PSPO is undertaken by both Kent Police and Maidstone Borough Council in partnership, providing a useful tool to sit alongside a range of other powers, to reduce ASB in the town. 3 years later this still remains the case.
- 2.3 The current PSPO provisions are summarised as follows:
- **Begging** – whilst already an offence in law, the provision extends the provision to include loitering, presenting signs, cups/hats or other materials in order to encourage people to give them money.
 - **Street Drinking**- PSPOs replace alcohol control zones and allows Kent Police to challenge anti-social drinking by either:
 - Removing the alcohol
 - Excluding a person from the area
 - And/or issuing a fixed penalty notice/prosecute

Enforcement of the PSPO

- 2.4 The use of the PSPO varies depending on each of the provisions although both remain effective as a largely preventative tool.
- 2.5 In relation to **Begging**, the very effective Housing Outreach Service provide a proactive service who engage with rough sleepers and beggars to support them into appropriate services and, where eligible, into supported accommodation. The PSPO, in most cases, provides the Outreach team with a degree of leverage to dissuade individuals from begging and to undertake the support being offered. Where necessary the Community Protection Team will engage with the person and provide further discouragement, before acting if the behaviour persists. In some case, the begging is found to be being undertaken at professional level. In these cases, further action is considered through either an FPN, Prosecution or through other Community Protection Powers. The effectiveness of the Outreach Team and the Community Protection Team is such that enforcement of the begging provision has remained largely informal, in keeping with our Enforcement Policy and regulatory codes of practice. Our work has shown that the Criminal Justice System, including the use of Fixed Penalty Notices on vulnerable people, who often have complex health and financial needs, is less effective and ultimately more expensive than the approach undertaken in Maidstone.
- 2.6 Owing to its nature, the Alcohol provision is largely enforced by Kent Police, supported by the One Maidstone Ambassadors. As described in 2.3, the PSPO sets out a number of actions available to officers. "Removing the alcohol" and "excluding a person from the area" are by far the most common use of

this provision. Unfortunately, due to their informal nature, the use of these techniques is largely unrecorded. Whilst the provision exists to issue an FPN, officers rarely need to use this provision and when they do it is often at a point where other police powers come into effect, such as causing affray, which is an arrestable offence.

- 2.7 However, as an insight to how effective the PSPO is, in 2021 a specialist team of Police Community Support Officers, the ASB Task Force, were deployed in Maidstone to help tackle increasing issues of ASB and Crime in the area around Brenchley Gardens. In a 3-month period, the team reported to have used the PSPO more than 250 times to undertake alcohol seizures and move beggars on.
- 2.8 Whilst enforcement remains largely informal, not renewing the PSPO would remove an effective tool for dealing with some of the lower-level issues in the Town Centre by both the Community Protection Team and the Police.
- 2.9 There are other offences that could have been included in the PSPO, but the Community Protection Team and partners have a range of other powers in place to challenge unwanted behaviour. As an example, Community Protection Powers are already used in Maidstone more extensively than all comparable local authorities. As an example, One Maidstone Ambassadors are empowered to issue formal warnings, known commonly as CPWs, which are extremely effective, for a range of street level offences. These include, but are not limited to:
 - banning persistent shoplifters from specific stores
 - being in a large group and acting in an anti-social way
 - or wearing articles of clothing, so as to conceal one's identity.

Consultation on the renewal

- 2.10 Prior to public consultation, a review of the existing PSPO was undertaken with key stake holders, including One Maidstone and Kent Police, who all felt that the exiting measures were effective and needed to be renewed to support existing processes.
- 2.11 A public consultation was then undertaken between 10 March and 8 May 2023 and received 788 responses. A copy of the report on the consultation can be found in Appendix 1. The Consultation shows overwhelming (91.3%) support for renewing the existing measures.
- 2.12 An objection was raised by the Liberty Human Rights (Appendix 2) in relation to the Begging aspect of the PSPO. The response from Liberty appears to conflate begging with homelessness but that is not an accurate interpretation of what actually takes place in Maidstone Town Centre. Street homelessness has largely been eradicated, with consistent low or zero street counts being maintained for a number of years. This has been achieved by interventions to support and assist people from becoming entrenched street homeless as outlined in 2.5. The PSPO has always been used as a tool of last resort, when the continued offers of support are rejected and the behaviour of the individual is negatively impacting on local residents and businesses. This is borne out by the low instances of the PSPO being needed to be served. It has

evolved into a preventative measure that is particularly useful when tackling 'professional beggars' who are not homeless but travel into the Town Centre and harass members of the community going about their daily lives.

2.13 It is therefore misleading to characterise the use of PSPO to tackle begging as being an infringement on the most destitute in our community. We continue to provide a rapid response service to those who might find themselves street homeless. There is no reason why persons should need to beg in order to sustain their basic needs due to the services that are available within and operate out of Trinity, which is ideally located within the Town Centre.

2.14 In relation to other concerns in the Town Centre, a number of other issues were raised, such as drunken behaviour and large groups of young people. As detailed in 2.9, there are a range of powers available to deal with such matters and the introduction of a Town Centre Task Force in June 2022 has shown how effective partnership can lead to significant improvements across a range of offence types. The following figures are a comparison of fiscal years, with the Task Force launching in June 2023.

Reported crime- (21/22 to 22/23) Fiscal year.

Violence against women and girls	8% decrease
Night-time economy Crimes	17% decrease
Anti-social behaviour	28% decrease
Neighbourhood Crime	16% increase

2.15 As you see, all but one category has seen significant reductions. Increases in neighbourhood crime, those crime specific to the type of neighbourhood, is largely due to increases in thefts and shoplifting. Some of this is due to increase confidence in reporting, with police and One Maidstone Ambassadors working with businesses to rebuild confidences and securing evidence. Anecdotally we are seeing a lot more thefts of "essential" as opposed to "luxury" items such as food and nappies, which is a national trend linked to the cost-of-living crisis.

2.16 It is unrealistic to remove all crime and ASB from a busy Town Centre, but the volume of reported issues with ASB are reducing. There are still those in our community who are responsible for the majority of all the ASB and the work of the Town Centre Task Force is focussed around those individuals who cause the most harm. Improving public perception remains an area of priority for the Town Centre and work is ongoing with MBCs Communications Team and the team at One Maidstone to challenge the narrative created by social media and local news reporting.

2.17 A summary of the consultation result and the proposed renewal have been shared with the Kent Police District Commander, the local Ward Members, the Portfolio Holder, and no concerns have been raised. Throughout the last year we have regularly engaged with Ward Members for the area, through Ward Cluster meetings, which has enabled us to demonstrate the effectiveness of our approach and to respond to local concern, as necessary.

3. AVAILABLE OPTIONS

- 3.1 **Do Nothing** – Not renewing the PSPO would remove a useful tool that is readily used to tackle issues associated with anti-social drinking and begging. This would likely lead to an increase in issues and the risk of reputational damage. This would not be aligned with our Strategic Plan and may be considered a failure of our duty under the Crime and Disorder Act 1998 to take steps to reduce crime and anti-social behaviour within our Borough.
- 3.2 **Implement some of the proposed measures or additional measures**– Committee may wish to choose to only implement certain aspects of the PSPO or additional measures. This is not recommended as the thorough and detailed process undertaken to date has brought forward the recommendations set out in section 4 as the most appropriate and proportionate measures at this time. Choosing to implement only one of the recommendations may suggest that the Committee are not willing to listen to the public opinion gathered and the advice provided by officers and stakeholders for the Town Centre. In addition, any new measures may need to be consulted on prior to implementation, which would delay implementation of the proposed measures, but as outline in section 2, other tools are available to deal with most forms of ASB, where evidence or resources allow.
- 3.3 **Increase the resourcing levels for the delivery of the PSPO**- as detailed in the report, the enforcement of the PSPO is a largely through partnership work between various MBC Departments, One Maidstone and Kent Police. Members could ask that this is reviewed and for additional resources to be provided for this purpose. However, as part of the current Community Safety Partnership Plan, a Town Centre Task Force was introduced in June 2023, to enable various agencies and partners to work effectively together to reduce ASB and Crime. The results shown in 2.14 supports this approach and the effectiveness of existing tools, including the current PSPO
- 3.4 **Authority given to Head of Housing and Regulatory Services to renew the existing PSPO** - This is the preferred option as detailed in section 4.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred and recommended option is 3.4, for the Cabinet Member for Housing and Health to give delegated authority to the Head of Housing and Community Services to renew the existing Public Space Protection Order (Appendix 3) for a further 3 years.
- 4.2 As previously reported, the MBC's Outreach Team have significantly reduced the number of street homeless around the Borough. The PSPO allows them to challenge members of the street population, particularly those known for ASB and/or with complex needs. The Police actively use the PSPO to require those behaving inappropriately to surrender their alcohol and leave the area without the need to formalise the issue. Like any busy town, particularly one with a thriving night-time economy, there will still be occasional issues

with both ASB from street drinking and begging. The PSPO remains a vital tool and, through the Town Centre Task Force, we will continue to ensure a collaborative and proactive approach to problem solving and tackling ASB.

- 4.3 The consultation response detailed in section 2 demonstrates public support for the proposed measures. It also demonstrates that continued work is needed to reassure the public that steps have been taken to reduce issues around street begging and anti-social drinking. Concerns raised by Liberty Human Rights have also been considered and addressed through effective local practices.
- 4.4 The Anti-Social Behaviour, Crime and Policing Act 2014 sets out under Section 60 a legal test in that the local authority that made the order may extend the period for which an order has effect if satisfied on reasonable grounds that doing so is necessary to prevent—
- (a) occurrence or recurrence after that time of the activities identified in the order, or
- (b) an increase in the frequency or seriousness of those activities after that time
- 4.5 We are satisfied given the occurrence and recurrence of the issues the order seeks to control that the need for the order remains necessary and proportionate to address behaviour associated with begging and ASB in relation to drinking alcohol.
-

5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 As detailed in section 2.
-

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Following the advisory committee a recommendation will be made to the Cabinet Member for Housing and Health to give delegated authority to the Head of Housing and Community Services to renew the existing Public Space Protection Order for a further 3 years, which will be sealed by Legal Services. The order will be published on our website and appropriate signage replaced in the areas covered by the order.
-

8. REPORT APPENDICES

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

- Appendix 1: Consultation Summary Report
 - Appendix 2: Consultation response from Liberty Human Rights
 - Appendix 3: Proposed PSPO Draft
-



TOWN CENTRE PSPO CONSULTATION

May 2023

ABSTRACT

Results of the survey into the renewal of Maidstone Town Centre PSPO.

Consultation@maidstone.gov.uk

[Course title]

Contents

Introduction	2
Methodology.....	3
Summary Findings.....	4
Visiting Maidstone Town Centre	5
People being drunk or rowdy in public places.....	5
People (e.g. beggars) loitering in a public place	6
People using or smoking legal highs in public	8
People using illegal substances (drugs) in public.....	9
People lying in or sleeping in a public place	11
Behaviours Witnessed in Maidstone Town Centre	13
Visiting Maidstone Town Centre Comments	15
Measure 1 - Street drinking in an anti-social manner	17
Measure 1 Comments.....	18
Measure 2 - Deterring unauthorised collections of money on the street or loitering for such purpose (persistent begging)	20
Measure 2 Comments.....	21
Survey Demographics	23
Advocacy Group Letter	Error! Bookmark not defined.

Introduction

Public Spaces Protection Orders (PSPOs) specify an area where activities are taking place that are or may likely be detrimental to the local community's quality of life. PSPOs impose conditions or restrictions on people using that area.

In 2017 the Council introduced a PSPO (Public Spaces Protection Order) that allowed the Council to deal with measures to reduce anti-social behaviour in the town centre around alcohol and persistent begging. We know that anti-social behaviour can detrimentally affect people's quality of life and we want to ensure that everyone is able to enjoy public spaces in our town centre, which are safe and welcoming. In 2020, the PSPO was reviewed which led to it remaining in place. It has now been three years and is due for review.

A review undertaken with community safety partners has found that the existing PSPO remains an effective tool against specific forms of anti-social behaviour. The existence of the enforcement tool acts as an effective deterrent against the anti-social behaviour associated with drinking and against persistent begging. Kent Police use the PSPO to challenge those behaving inappropriately as a result of alcohol. Alongside other legislation, the PSPO provides the police with legislation to engage, explain and encourage appropriate behaviour, using enforcement as a last resort. The PSPO similarly provides an excellent deterrent against persistent begging and enables our proactive outreach team to support those in need instead by helping them to access funds and support appropriately.

The two measures that were consulted on for renewal in the Town centre were:

1. Street drinking in an anti-social manner; and
 2. Deterring unauthorised collections of money on the street or loitering for such purpose (persistent begging).
-

Methodology

The survey was open between 10 March and 8 May 2023. It was promoted online through the Council's website and social media channels. Residents on the Council's Consultation mailing list were notified and sent an invitation to participate in the consultation.

There was a total of 788 responses to the survey. There was also a letter received from a national advocacy group (this is shown in full at the end of the report).

As an online survey is a self-selection methodology, with residents free to choose whether to participate or not, it was anticipated that returned responses would not necessarily be fully representative of the wider adult population. This report discusses the weighted results to overall responses by demographic questions to ensure that it more accurately matches the known profile of Maidstone Borough's population by these characteristics.

The margin of error for the overall results has been calculated as $\pm 3.48\%$ at the 95% confidence level. This indicates that if we repeated the same survey 100 times, 95 times out of 100 the results would be between $\pm 3.48\%$ of the calculated response, so the 'true' response could be 3.48% above or below the figures reported (i.e. a 50% agreement rate could in reality lie within the range of 53.48% to 46.52%).

Where reference has been made in the report to a 'significant difference' in response between difference groups, the proportional data has been z-tested. The z-test is a statistical test which determines if the percentage difference between subgroups is large enough, taking into account the population size, to be statistically significant (meaning that if we were to run the same survey 100 times, 95 times out of 100 the same result would be seen) or whether the difference is likely to have occurred by chance.

Please note that not every respondent answered every question, therefore the total number of respondents refers to the number of respondents for the question being discussed, not to the survey overall.

Summary Findings

- People being drunk or rowdy in public places was the behaviour that had the greatest proportion stating this is worse than it was three years ago at 46%. However, proportion of people responding negatively regarding people loitering in public places had the greatest increase compared to the 2020 survey (an increase of 12.4 percent points).
 - People loitering in public places was the behaviour that had the greatest proportion stating this has 'stayed about the same', across the behaviours this also have the greatest proportion that answered this way in the 2020 survey.
 - When asked questions about behaviour change in the last three years, economically active respondents were consistently more likely than economically inactive respondents to state that the behaviour being asked about had gotten worse in the last three years.
 - The top themes arising from the comments about behaviours seen or experienced in the town centre were: young people, large groups/gangs and alcohol & drunken behaviour.
 - Support for both measures was strong with over nine in ten respondents supportive of continuing with measure 1- street drinking in an anti-social manner and more than four in five respondents in favour of continuing with measure 2 - Deterring unauthorised collections of money on the street or loitering for such purpose (persistent begging).
-

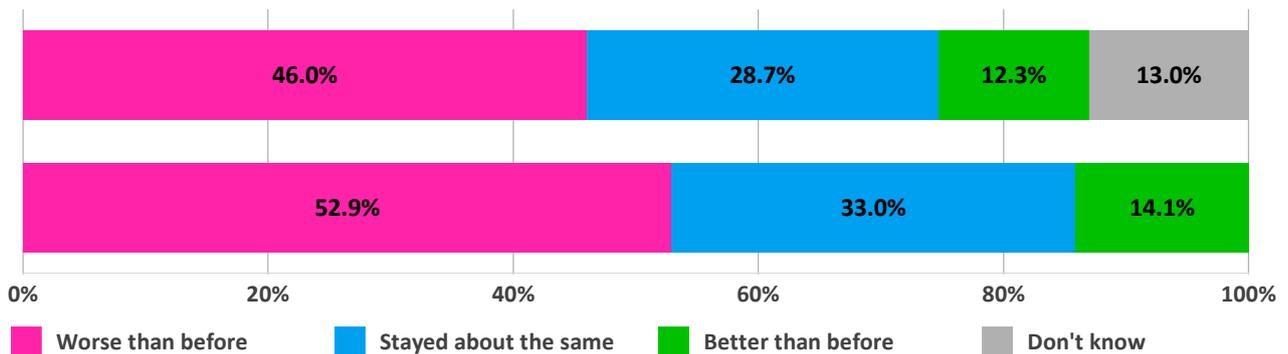
Visiting Maidstone Town Centre

Survey respondents were asked how they felt Maidstone Town Centre had changed in the last three years in relation to specific behaviours. The available response options for these questions were 'worse than before', 'stayed about the same', 'better than before' and 'don't know'.

People being drunk or rowdy in public places

Overall, there were 693 responses to this question. The most common response was 'worse than before' with 319 responding this way.

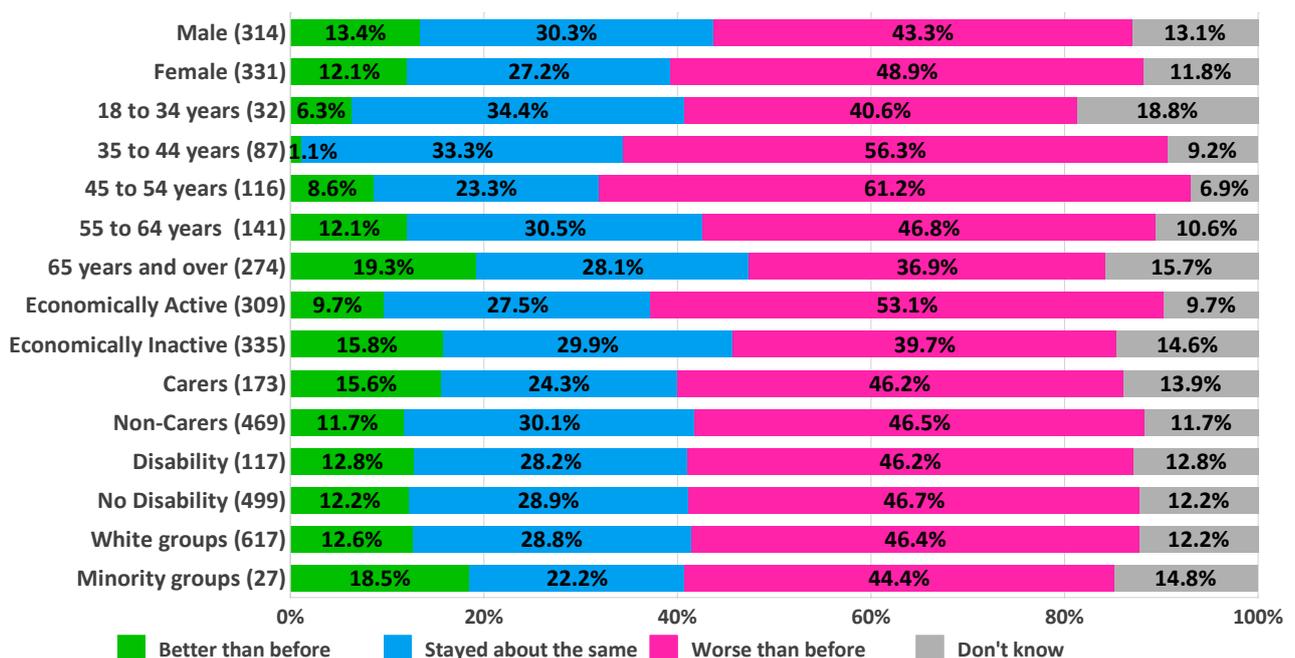
Overall, excluding respondents that answered 'don't know', more than half of all respondents said that people being drunk or rowdy in public places had gotten worse in the last three years.



When this survey was run in 2020, the most common response (including don't know responses) was 'Stayed about the same', with 35.0% answering this way. There has been an increase of 12.2% in the proportion of people responding that people being drunk or rowdy in public places has gotten worse over the last three years.

Demographic Differences

The chart below shows how the response differs across the different demographic groups. Significant differences and changes in response from the 2020 consultation are shown in the table below.

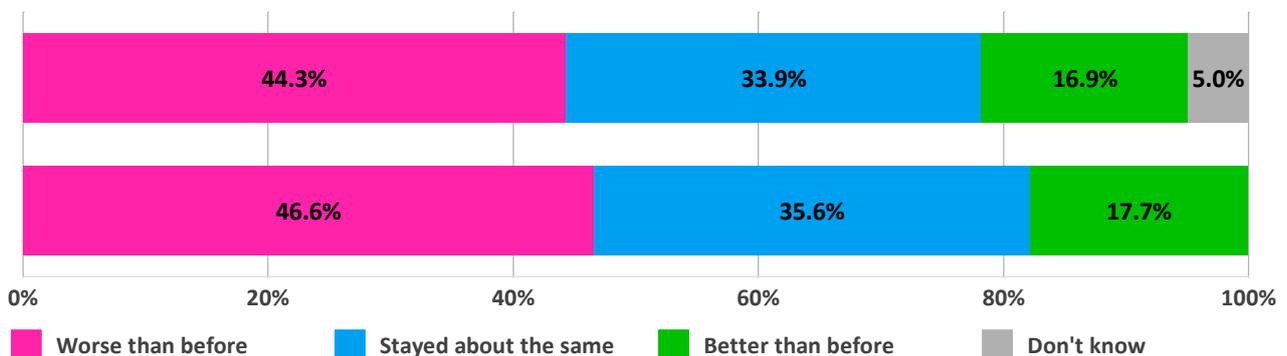


	<ul style="list-style-type: none"> • In 2020 the most common response from males was that people being drunk or rowdy in the Town Centre had 'stayed about the same' while the most common response for female respondents in 2020 was that this behaviour was 'worse than before'. • For 2023 the most common response for both genders was that people being drunk or rowdy in public places has gotten worse.
	<ul style="list-style-type: none"> • The 45 to 54 years had the greatest proportion across the age groups that said that people being drunk or rowdy in public places had gotten worse over the last three years at 61.2%. • In 2020 the 18 to 34 years group had the greatest proportion that answered this way and the 65 years and over group had the lowest proportion that answered this way. • The proportion of respondents aged 65 years and over stating that this behaviour had gotten worse increased since 2020 but remains the lowest across the age groups.
	<ul style="list-style-type: none"> • Respondents that were economically active had a significantly greater proportion responding that this behaviour has gotten worse in the Town centre in the last three years with 53.1% responding this way compared to 39.7% of economically inactive respondents. • Although the proportions answering this way have increased for both groups the profile of responses aligns with that from 2020.
	<ul style="list-style-type: none"> • In 2020 the most common response for people from white groups was that these type of behaviours had stayed about the same compared to three years prior. For 2023 the most common response for respondents from white groups and minority groups was that this behaviour has gotten worse.

People (e.g. beggars) loitering in a public place

Overall, there were 700 responses to this question. The most common response was 'worse than before' with 310 responding this way.

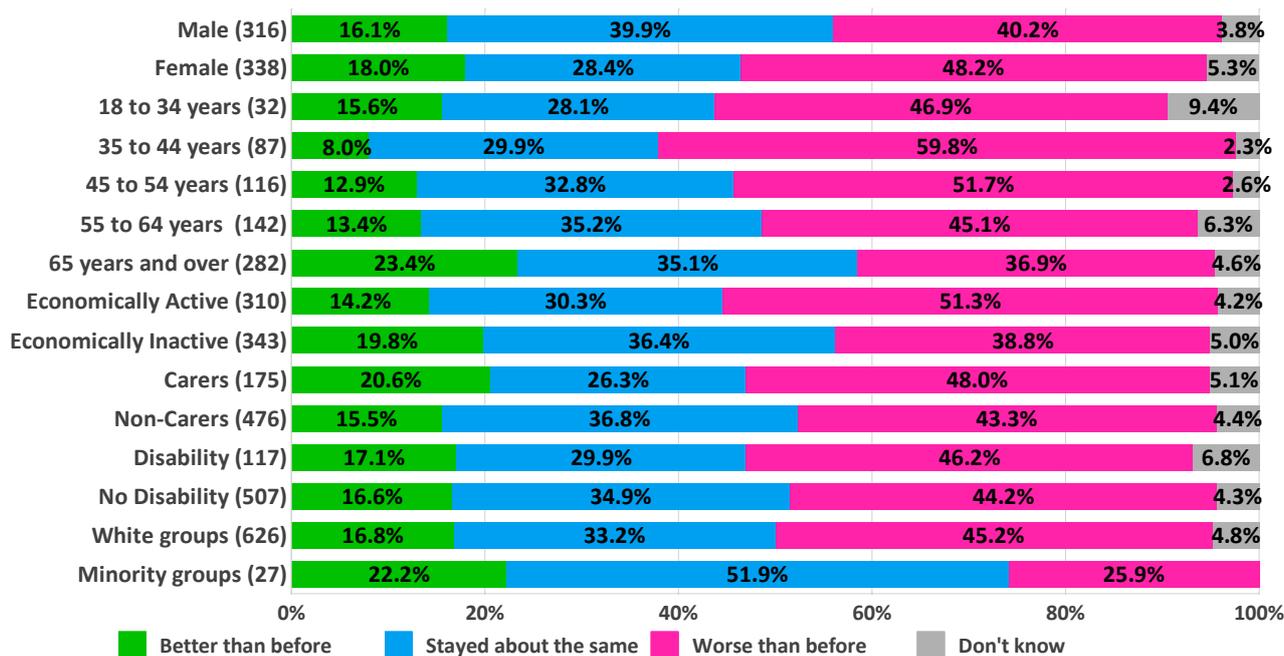
Overall, excluding respondents that answered 'don't know', just over four in nine respondents said that people loitering in public places has gotten worse in the last three years.



When this survey was run in 2020, the most common response (including 'don't know' responses) was 'stayed about the same', with 36.8% answering this way. There has been an increase of 12.4% in the proportion of people responding that people loitering in public places has gotten worse over the last three years.

Demographic Differences

The chart shows how the response differs across the different demographic groups. Significant differences and changes in response from the 2020 consultation are outlined in the table below.

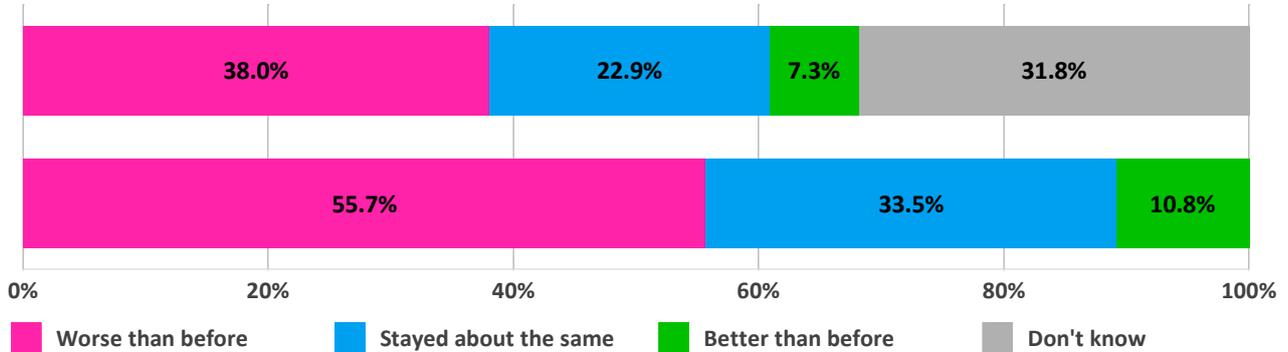


	<ul style="list-style-type: none"> Female respondents had a significantly greater proportion that responded 'worse than before' when asked about people loitering in public spaces at 48.2% compared to 40.2% of male respondents answering the same. This was the most common response for both groups. In 2020 the most common response for both groups was 'same as before'.
	<ul style="list-style-type: none"> In 2020, the 45 to 54 years group had the greatest proportion that responded, 'worse than before' and 65 years and over group had the lowest proportion that answered this way. In 2020, the top response for all the age groups except the 45 to 54 years group was 'stay about the same'. For 2023, the top response across all age groups was 'worse than before' and the 35 to 44 years group had the greatest proportion that answered this way at 59.8%.
	<ul style="list-style-type: none"> Respondents that are economically active had a significantly greater proportion responding that this behaviour has gotten worse in the Town centre in the last three years with 53.1% responding this way compared to 38.8% of economically inactive respondents. Proportions answering this way have increased for both groups compared to 2020. In 2020 the most common response for both groups was 'stayed about the same' whereas for 2023 the most common response for these groups was 'worse than before'.
	<ul style="list-style-type: none"> Non-carers had a significantly greater proportion that answered 'stayed about the same' when asked about people loitering in public places with 36.8% responding this way compared to 26.3% of carer respondents. In 2020. This was the most common response for non-carer, whereas for 2023 'worse than before' was the most common response for both groups.
	<ul style="list-style-type: none"> The most common answer for respondents from white groups was 'worse than before', while 'better than before' was the most common response for people from white groups. In 2020, the most common response for white groups was 'same as before' and the most common response for minority groups was 'worse than before'.

People using or smoking legal highs in public

Overall, there were 695 responses to this question. The most common response was ‘worse than before’ with 264 responding this way.

Overall, excluding respondents that said ‘don’t know’, more than half of respondents said that people using or smoking legal highs in public has gotten worse in the last three years.



When this survey was run in 2020, the most common response (including ‘don’t know’ responses) was ‘don’t know’, with 33.6% answering this way. Since 2020, there has been an increase of 1.5 % in the proportion of people responding that people using or smoking legal highs in public places has gotten worse over the last three years.

Demographic Differences

The chart shows how the response differs across the different demographic groups. Significant differences and changes in response from the 2020 consultation are outlined in the table below.



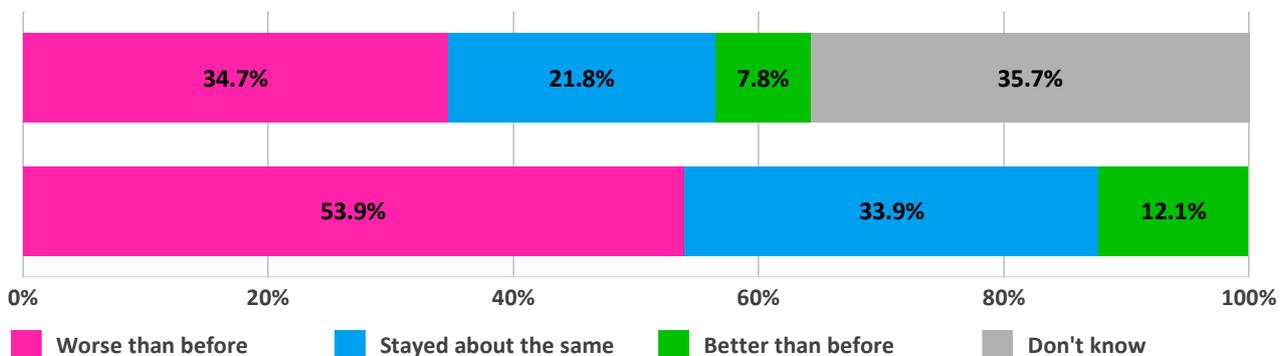
- In 2020, the 18 to 34 years group had the greatest proportion that responded, ‘worse than before’ and 65 years and over group had the lowest proportion that answered this way.
- In 2023, the 34 to 45 years group had the greatest proportion that answered ‘worse than before’ at 49.4%.

	<ul style="list-style-type: none"> • Respondents aged 65 years and over still had the lowest proportion answering this way at 30%.
	<ul style="list-style-type: none"> • Respondents that were economically active had a significantly greater proportion responding that this behaviour has gotten worse in the Town centre in the last three years with 43.7% responding this way compared to 33.1% of economically inactive respondents. • The top response for the economically inactive group remained unchanged from 2020 as 'don't know'.

People using illegal substances (drugs) in public

Overall, there were 692 responses to this question. The most common response was 'don't know' with 247 responding this way.

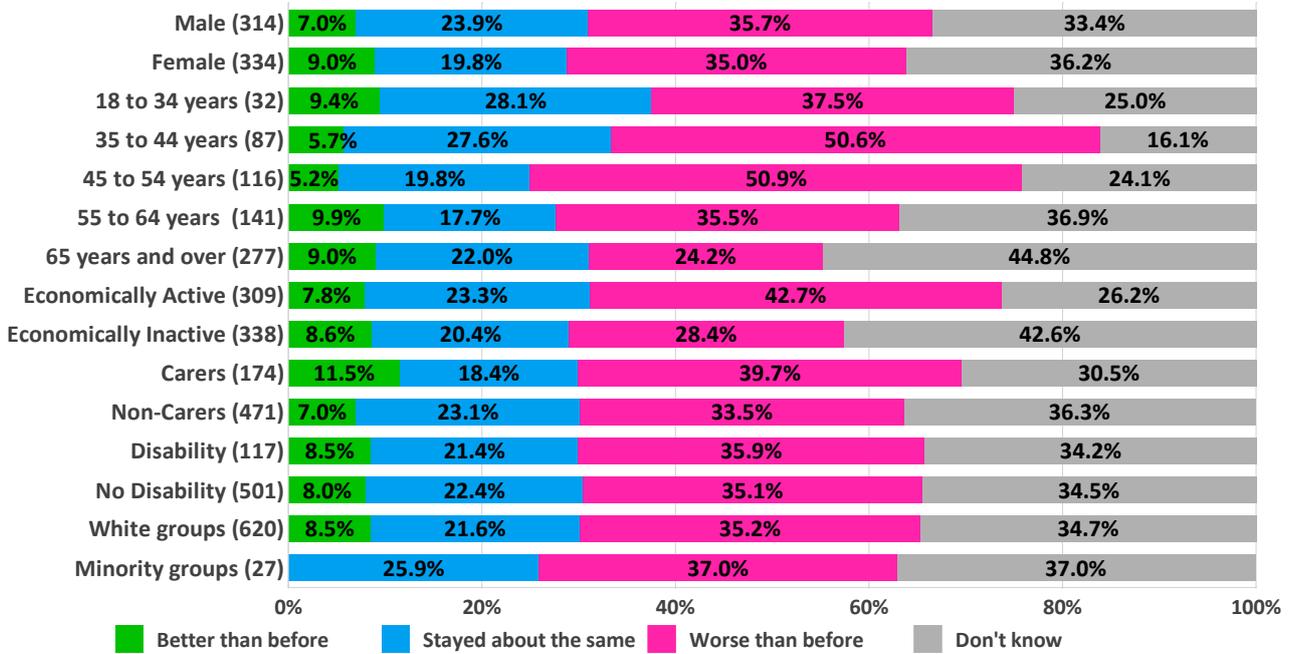
Overall, excluding respondents that said 'don't know' more than half of respondents said that people using illegal substances in public has gotten worse in the last three years.



When this survey was run in 2020, the most common response (including don't know responses) was 'don't know', with 34.1% answering this way. Since 2020, there has been an increase of 1.2% in the proportion of people responding that people using or smoking legal highs in public places was 'worse than before'.

Demographic Differences

The chart shows how the response differs across the different demographic groups. Significant differences and changes in response from the 2020 consultation are outlined in the table below.

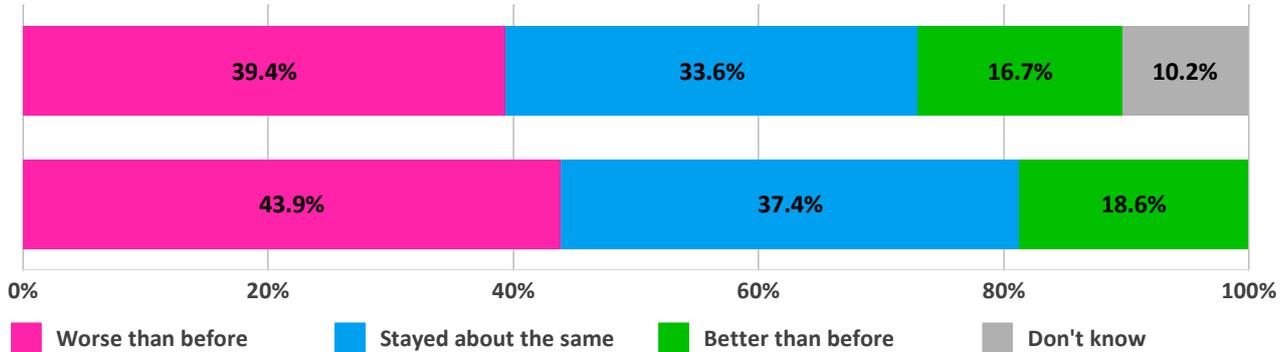


	<ul style="list-style-type: none"> In 2020, the 18 to 34 years group had the greatest proportion that responded, 'worse than before' and 65 years and over group had the lowest proportion that answered this way. In 2023, the 45 to 54 years group had the greatest proportion that answered 'worse than before' at 50.9%, an increase of 10.1% in the proportion answering this way compared to 2021. Respondents aged 65 years and over still had the lowest proportion answering this way at 24.2%, an increase of 8.8 percent point compared to 2020.
	<ul style="list-style-type: none"> Respondents that were economically active had a significantly greater proportion responding that this behaviour had gotten worse in the Town centre in the last three years with 42.7% responding this way compared to 28.4% of economically inactive respondents. The top response for the economically inactive group remained unchanged from 2020 as 'don't know' with 42.6% responding this way.
	<ul style="list-style-type: none"> Unlike in 2020, respondents without a disability were not more positive than respondents with a disability, with no significant differences between the response patterns from these groups identified for 2023.

People lying in or sleeping in a public place

Overall, there were 687 responses to this question. The most common response was ‘worse than before’ with 271 responding this way.

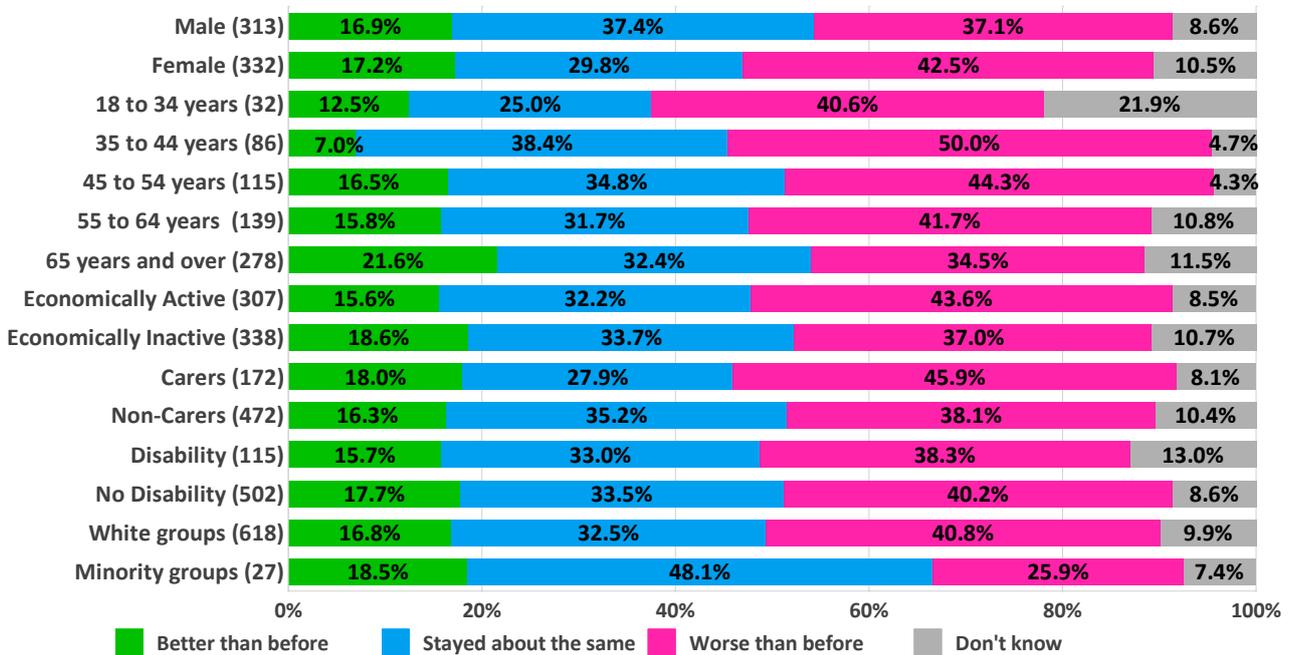
Overall, excluding respondents that said ‘don’t know’, four in nine respondents said that people lying or sleeping in public place has gotten worse in the last three years.



When this survey was run in 2020, the most common response (including don’t know responses) was ‘stayed about the same’, with 37.3% answering this way. Since 2020, there has been an increase of 10.1% in the proportion of people responding that people lying in or sleeping in public places has gotten worse over the last three years.

Demographic Differences

The chart shows how the response differs across the different demographic groups. Significant differences and changes in response from the 2020 consultation are outlined in the table below.





- For 2023 the most common response across all age groups was ‘worse than before’.
- In 2020, the most common response across all age groups was ‘stayed about the same’.
- In 2020, the 18 to 34 years group had the greatest proportion that responded, ‘worse than before’,

	<ul style="list-style-type: none"> In 2023 the 35 to 44 years age group had the greatest proportion that answered, 'worse than before'.
	<ul style="list-style-type: none"> There has been a decline in the proportion of disabled respondents answering, 'better than before', compared to the previous survey. In 2020, 29.9% respondents with a disability answered this way compared to 15.7% in 2023.
	<ul style="list-style-type: none"> Since 2020 the proportion of respondents from minority groups answering 'worse than before' has dropped from 33.8% to 25.9%. The proportion of respondents from white groups answering this way has increased from 29.6% to 40.8%.

Behaviours Witnessed in Maidstone Town Centre

Survey respondents were provided with a free text box and asked what behaviours they had witnessed in Maidstone Town centre that concerned them.

There was a total of 469 comments submitted by respondents in relation to behaviours they have witnessed in Maidstone Town Centre, with many mentioning more than one type of behaviour that they have witnessed or that concerns them.

The top ten themes are shown in the table, alongside a sample of comments relating to that theme.

Theme	No.	Comments
Young people	118	<ul style="list-style-type: none"> • Groups of youths hanging around. • Antisocial behaviour from the youngsters. • Teenagers in the town centre assaulting people or behaving inappropriately
Gangs/Large groups	114	<ul style="list-style-type: none"> • Gangs of males. • Groups of homeless, drunk or on drugs, feels threatening when walking past them. • Vandalism, public disturbance by groups.
Alcohol & Drunken Behaviour	99	<ul style="list-style-type: none"> • Crowds of alcohol fuelled loud, foul language and intimidating people. Usually late evening to night time. • lunchtime 'binge drinking / bottomless brunch style. • Drunks being loud and intimidating, especially in Brenchley Gardens
Violence & Intimidation	99	<ul style="list-style-type: none"> • Knife crime/ stabbings. • Fights, bad language, intimidation, people being aggressive. • The amount of young people who have knives in their possession and the behaviour of in particular teenage groups of girls fighting and attacking other females and security staff. This is being reported time and time again.
ASB & Shouting	84	<ul style="list-style-type: none"> • Very loud, irrational behaviour from mainly males. • People using foul and aggressive language. • I am aware of large groups of very rowdy teenagers are behaving with no concern for others, swearing constantly, throwing litter and generally making people feel uncomfortable.
Begging	83	<ul style="list-style-type: none"> • I have witnessed at least 3 different Eastern European looking people openly begging in Week Street. • There regularly seems to be a beggar on the paving outside Sainsburys towards the bus station. • Professional beggars acting like they are disabled and harassing people, shouting out shaking a tin.
Drugs	72	<ul style="list-style-type: none"> • People are openly dealing drugs from car windows in and around Maidstone. • Nitrous oxide cannisters left in areas off of main roads, needles in car parks and physical assaults reported via media within town centre in the evening. Cannabis scent is regularly present along week Street.
Rough Sleepers	64	<ul style="list-style-type: none"> • I feel sad and frustrated that there are more homeless people in Maidstone. What is being done to support them. I believe that increased cost of living and reducing funding for support has let many people down. • There seems to be a lot more homeless, seems that the "displaced people" now congregate around the Knightrider Street car park entrance.

Theme	No.	Comments
Bikes & E-Scooters	36	<ul style="list-style-type: none"> • Electric scooters being ridden illegally on footpaths, pedestrian streets, and town centre roads. • People on bicycles through the pedestrian areas and in paths making pedestrians have to get out of the way or worse go in the road.
Avoid/Feel Unsafe	25	<ul style="list-style-type: none"> • I don't feel safe walking down the top end of Week Street, any time of day. I am also embarrassed about it. • The top end of week Street from Faith Street to Maidstone East feels very hostile at all times of day. I feel a little unsafe there and act wary I'll when there. I avoid when possible.

Visiting Maidstone Town Centre Comments

Survey respondents were provided with a free text box to provide comments they had about visiting Maidstone Town Centre.

There was a total of 455 comments submitted by respondents. Many of the comments covered more than one theme.

The top themes are shown in the table, alongside a sample of comments from that theme.

Theme	No.	Comments
Avoid	144	<ul style="list-style-type: none"> • Try to avoid now unless I need something. • No go areas for me do not shop in Maidstone now. • We rarely visit the town centre in the evening as there are too many undesirable people about, especially around the bars and clubs. During the day if I have to come into Maidstone I try to be as quick as possible, partly because of the cost of parking and partly because it is not a pleasant experience.
Shops & Attractions	102	<ul style="list-style-type: none"> • Not a particularly inspiring place to go any more. Shops boarded up. Shifty characters. • It is no longer a pleasure to walk around the town Centre as there are no longer good quality retail stores to attract the mid to older generation. • Not enough high-quality shops.
Transport & Access	78	<ul style="list-style-type: none"> • I find the approaches to Maidstone town so off putting. Car parking is so expensive. • Public transport an issue - out of working hours rely on expensive taxis. Bus station already looking tired - refurb a waste of money and doesn't link easily to rail services. • Park and Ride close down has had a detrimental effect ie: congestion and parking, also an increase in traffic using the High Street. • The roads are a mess broken pavers replaced with wrong colour substitutes or tarmac.
Unsafe/ Intimidating place	75	<ul style="list-style-type: none"> • Feels unsafe after about 6pm in Week Street from Union Street to the station and often earlier. • I no longer feel safe visiting the town centre and wouldn't recommend people visit on their own. • Find it uncomfortable and not safe walking in the town after dark. This has got worse since lockdown
Run Down	72	<ul style="list-style-type: none"> • Town becoming very dirty and tired. • I do visit town centre but apart from chequers centre and Fremlin walk, I find the town looks very run down and not inviting. • In past couple of years Maidstone has become run down. There is very little to attract people or even youngsters.
ASB	49	<ul style="list-style-type: none"> • The level of anti-social behaviour, drug users etc in Maidstone town centre actually makes me not want to come to the town for shopping or the night-time economy. • Antisocial and irresponsible behaviour are problems, but they're exacerbated by the lack of leisure options for the young. • I avoid the town where possible especially in the evenings. There are gangs of people acting threateningly and antisocially throughout the town centre.
Cleanliness	45	<ul style="list-style-type: none"> • Avoid it now as it is dirty, unwelcoming and no diversity in shops. • Generally noisy dirty & needs renovating. The type & nature of shops has deteriorated. The town is grubby & not a nice place to visit any more.

Theme	No.	Comments
Police	31	<ul style="list-style-type: none"><li data-bbox="480 159 1417 331">• More police presents and use of CCTV to intervene when group of people are gathering and causing problems. No nonsense approach to people hanging around) gathering in large groups, drinking on streets if they have no place to be they should be moved on. This should be happening across the town centre.<li data-bbox="480 338 1417 405">• Try and avoid going to town centre due to increased lawlessness and lack of policing.<li data-bbox="480 412 1417 477">• Safe during the day but at night feels a bit creepy not enough police presence.

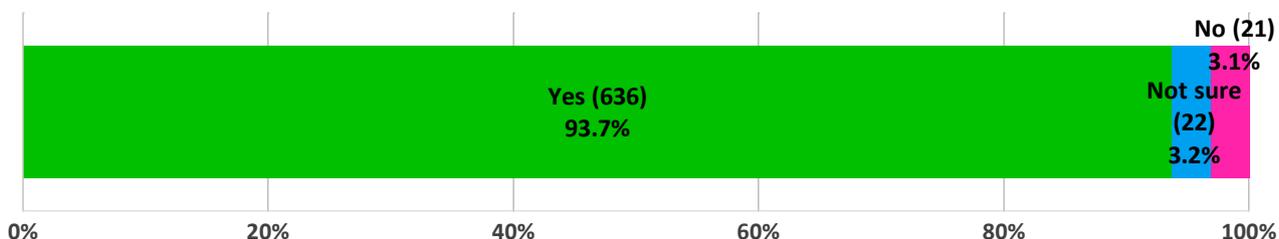
Measure 1 - Street drinking in an anti-social manner

The current PSPO prohibits the drinking of alcohol within the specified area, where their behaviour as a result of consuming alcohol, affects the quality of life to those who live, work in or visit the area, other than within the curtilage of public houses or licensed premises. The area covered includes streets, green spaces and other public areas in the Town Centre PSPO area.

A person seen to be consuming alcohol in this area is in breach of the Order. An authorised officer will in the first instance explain to them that they are in a No Alcohol Zone and request them to stop drinking the alcohol and/or ask them to surrender alcohol in open containers. If the same person is seen consuming alcohol again within a reasonable time in a No Alcohol Zone after having already been advised and warned, a Fixed Penalty Notice will be issued to them.

Survey respondents were asked if they were in favour of renewing measure 1 as described above.

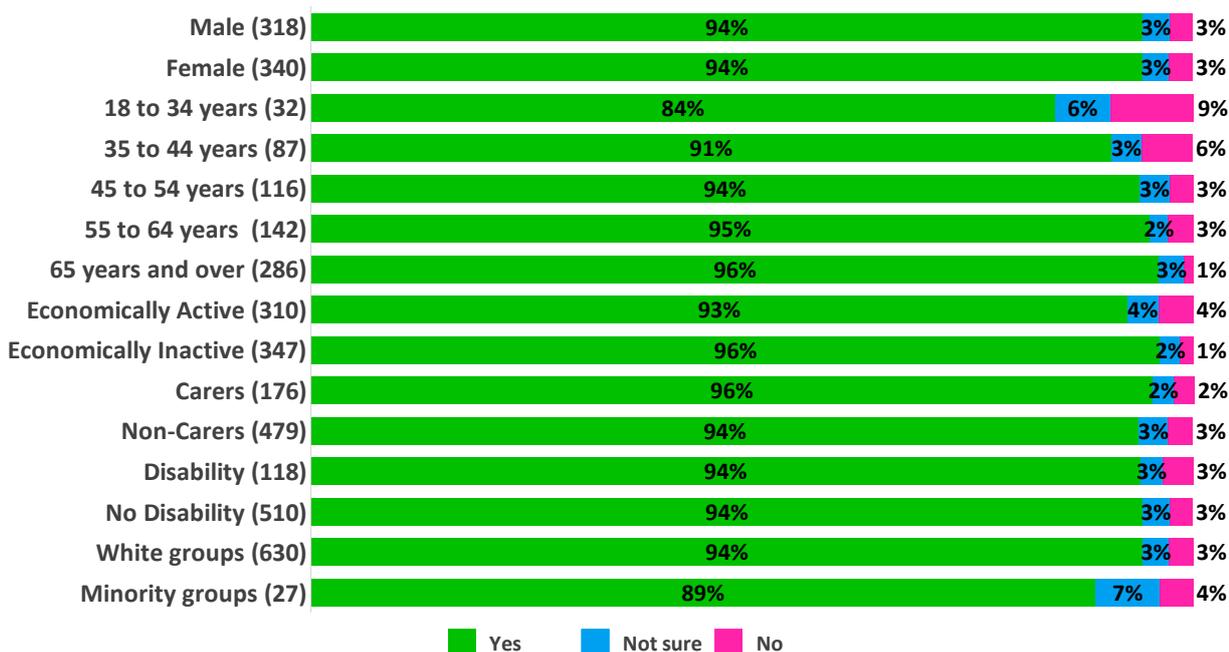
Overall, there were 679 responses to this question. The most common response was 'Yes' with 636 responding this way.



In 2020, 91% of respondents were in favour of measure 1, for 2023 the proportion responding in favour increased by 2.7% to 93.7%.

Demographic Differences

The chart shows how the response differs across the different demographic groups. Significant differences and changes in response from the 2020 consultation are outlined in the table below.



	<ul style="list-style-type: none"> The proportion of male respondents that were not in favour of measure 1 has reduced from 9% in 2020 to 3% for 2023. For 2023 there was also a lower proportion of female respondents that answered neutrally with 3% responding this way compared to 6% in 2020.
	<ul style="list-style-type: none"> In 2020, the 18 to 34 years groups had the greatest proportion that were not in favour of measure 1. The 65 years and over age group had the lowest proportion that answered this way – the profile of responses across the different age groups remains unchanged for 2023.
	<ul style="list-style-type: none"> In 2020, economically inactive respondents had a greater proportion agreeing that measure 1 should be renewed compared to economically active respondents, this still true of the 2023 result.

Measure 1 Comments

Survey respondents were provided with a free text box to provide any additional comments they had about measure 1 – Street drinking in an anti-social manner.

There was a total of 203 comments were submitted by respondents. Many of the comments covered more than one theme.

The top themes are shown in the table, alongside a sample of comments from that theme.

Theme	No.	Sentiment
Enforcement	60	<ul style="list-style-type: none"> Whilst this measure is in place it does not seem to be regularly enforced. It is quite commonplace to see people drinking from open cans of larger walking along Week Street for example. No one takes any notice of any regulations anyway and no one enforces anything so struggling to see the point of renewing anything. Enforcement is spasmodic. I see police very occasionally and then often turning a blind eye.
Supportive of Measure 1	36	<ul style="list-style-type: none"> It will bring the town back to more of a safe and friendly place. This is a good idea because drinking in the street is not nice to see and it could cause an incident to happen with another person. This is a sensible measure to reduce the risk of unruly behaviour and is in line with common practice in many European destinations I visit where the problem of unruly drunks is very rare.
Scope of Measure 1	25	<ul style="list-style-type: none"> Should be a larger area of the town. Increase number of zones. The "reasonable time" seems open to personal interpretation. Also, the size of fixed penalty may cause unreasonable hardship. Issuing a fixed penalty fine is not enough. People should be arrested by the Police if found to break the law.
Query impact of Measure	24	<ul style="list-style-type: none"> FPNs are all very well but the offenders, particularly ones of no fixed abode, simply will not pay them, so they are not a deterrent. Won't make any difference, and no officer in sight 99% of the time.

Theme	No.	Sentiment
		<ul style="list-style-type: none"> It doesn't seem to have made any difference, has also pushed people to the side streets where people live!
General Comments about behaviours	21	<ul style="list-style-type: none"> There are enough pubs and bars to drink at. You don't need to be drinking in the streets. No one should be allowed to buy alcohol in a supermarket etc and consume it on the streets. By implication those that do are a worry and a bad example to kids. A zero tolerance for alcohol and bad behaviour is the only way that the town will change.
Outside Hospitality & Entertaining	14	<ul style="list-style-type: none"> I think having a drink in moderation in public is acceptable. It should only be stopped when linked to antisocial behaviours. A picnic in a park where alcohol in sensible amounts is consumed is different than drunks in the street.
Locations	13	<ul style="list-style-type: none"> The alleyway [a public right of way] next to KFC on Week Street has been taken over and blocked by The Social Chill Bar. It's a loud, drunken, coke-headed mess Alcohol often being drank at bottom of Gabriel's Hill outside last shop on the left. There are often people drinking/drunk in the town centre square, or the top of Week Street towards the station, stronger enforcement would be good.
Catalyst for poor behaviour	11	<ul style="list-style-type: none"> Drinking in public places leads to a minority behaving inappropriately which can lead onto a dangerous situation. It will never change. From my time as a Magistrate, drinking alcohol in public places often results in criminal offences.
Other Themes	9	<ul style="list-style-type: none"> Seven comments said that anti-social street drinking is not an issue. Two comments said they did not support renewing this measure.

Measure 2 - Detering unauthorised collections of money on the street or loitering for such purpose (persistent begging)

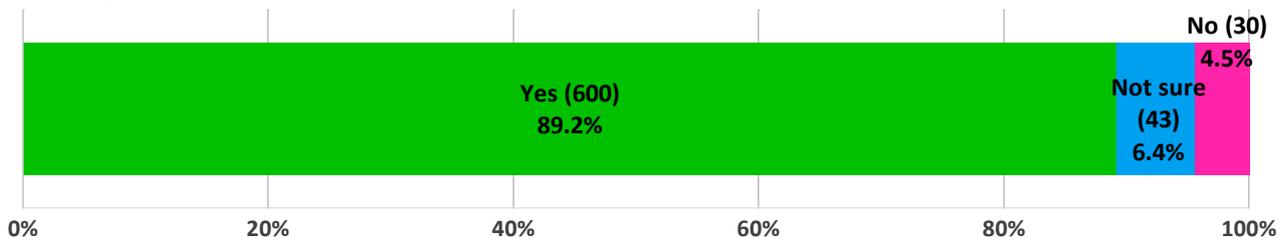
The current PSPO means that no one is able to make verbal, non-verbal or written requests for money or financial donations unless they are authorised e.g. authorised charity collections, within the Town Centre PSPO area.

We try to avoid giving fines for begging to those who are genuinely homeless and instead offer support.

Action will be taken against persons found begging who are in accommodation and in receipt of benefits and in breach of the Town Centre PSPO or where the measure is persistently breached. FPNs are only considered where they are appropriate, and most discharges will be through the Magistrate’s Courts where further requirements will be requested to support the individual.

Survey respondents were asked if they were in favour of renewing measure 2 as described above.

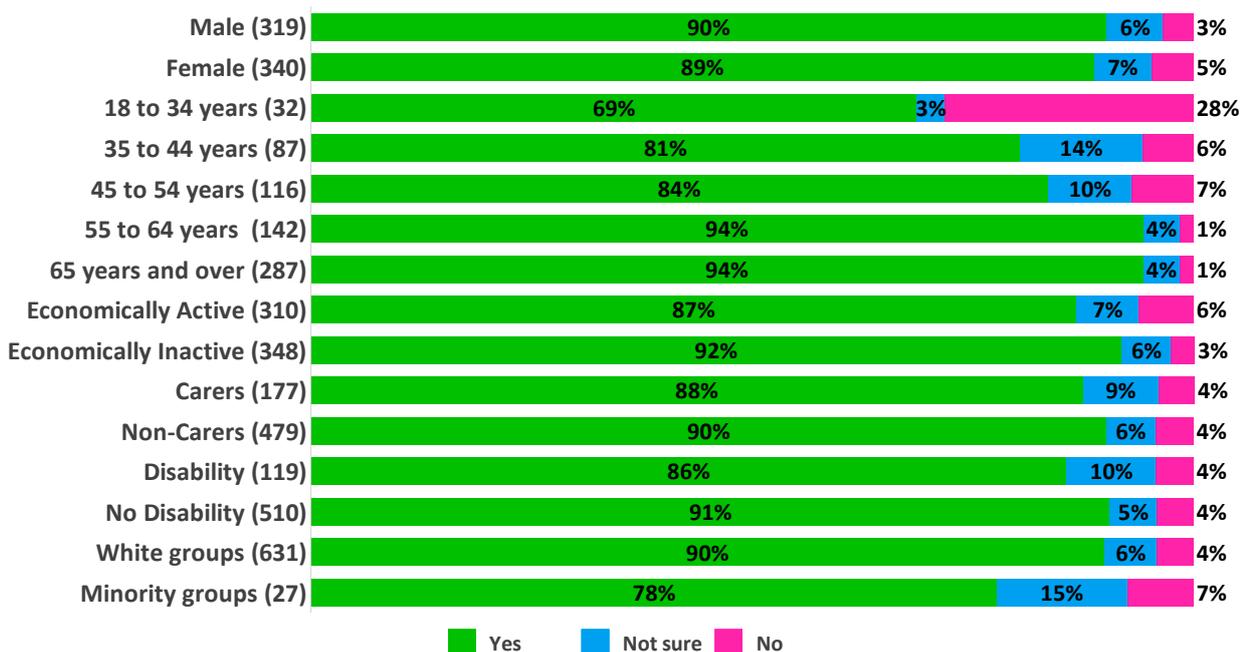
Overall, there were 673 responses to this question. The most common response was ‘yes’ with 600 responding this way.



In 2020, 85.1% of respondents were in favour of measure 2, the 2023 result represents an increase of 4.1% in the proportion of people in favour of measure 2.

Demographic Differences

The chart shows how the response differs across the different demographic groups. Significant differences and changes in response from the 2020 consultation are outlined in the table below.



	<ul style="list-style-type: none"> In 2020, the 18 to 34 years groups had the greatest proportion that were not in favour of measure 1 and the 65 years and over had the lowest proportion that answered this way – the profile of responses across the different age groups remains unchanged for 2023. The proportion that said they are not in favour of measure two has increased by 14% since 2020.
	<ul style="list-style-type: none"> Economically active respondents had a significantly greater proportion that were in favour of renewing measure 2 with 92% answering this way compared to 87% of economically inactive respondents. In 2020, the difference in response between these groups was not significant.
	<ul style="list-style-type: none"> Respondents from white groups had a significantly greater proportion that were in favour of renewing measure 2 with 90% responding this way compared to 78% of respondents from minority groups.

Measure 2 Comments

Survey respondents were provided with a free text box to provide any additional comments they had about measure 2 - Deterring unauthorised collections of money on the street or loitering for such purpose (persistent begging).

There was a total of 210 comments submitted by respondents. Many of the comments covered more than one theme.

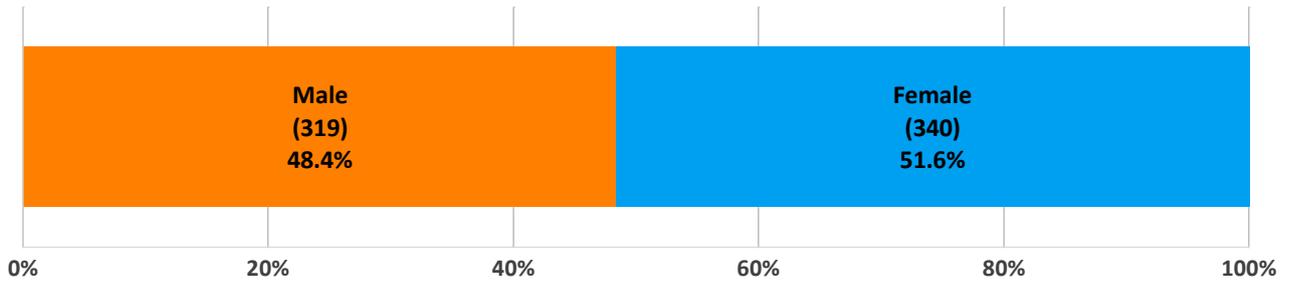
The top themes are shown in the table, alongside a sample of comments from that theme.

Theme	No.	Sentiment
Support for Vulnerable	45	<ul style="list-style-type: none"> From my time as a Magistrate, drinking alcohol in public places often results in criminal offences. "persistent begging" is just because there's not enough welfare support. Punishing them for trying to get by is awful. I am not bothered by people begging at all. The homeless need help & are desperate, so desperate that they need to ask strangers for a few quid to pay for their food & drink. Stopping them from doing so is infringing their human rights. The Council would be better placed in finding these people a home instead of cracking down on something that is of no harm whatsoever.
Charity Collections	34	<ul style="list-style-type: none"> There needs to be more checks on those that are encourage people to take out direct debits in the streets, for various charities. Chugging should be banned. I have never been harassed by any beggars nor homeless for money. I have however been harassed many times by the "authorised" collectors when I have clearly asked them to leave me alone numerous times.
In favour of measure 2	28	<ul style="list-style-type: none"> Please continue as its very intimidating with some! I love that you offer support where genuinely needed and take action against those who are not!!! In favour but have not seen any improvement so far. Although I agree to this, I imagine it's difficult to take appropriate action to deter these individuals.

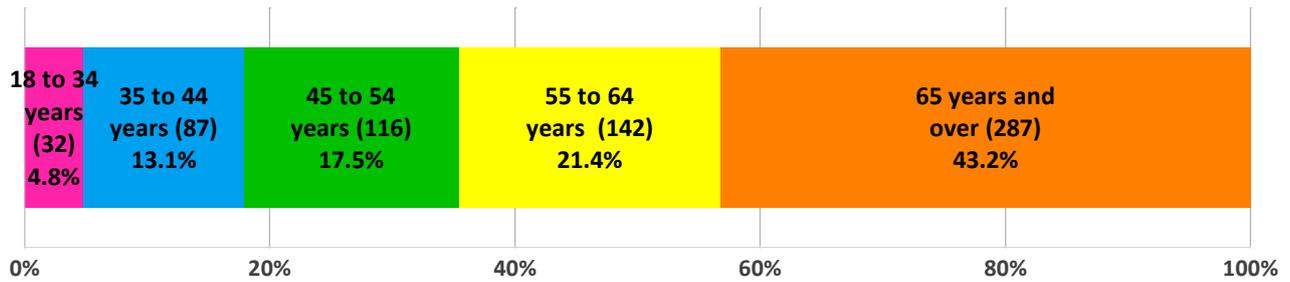
Theme	No.	Sentiment
Unsafe/Harassment/Intimidation	27	<ul style="list-style-type: none"> • Can be frightening to be approached. I am sure there are some genuine cases, but the public are wary after reports of aggressive behaviour. • Begging is intimidating for passers-by. • Zero tolerance - they are intimidating and sometimes aggressive. Maidstone has an excellent homeless process; the town is being used by beggars who are not from the area.
Enforcement	21	<ul style="list-style-type: none"> • I feel that this is not enforced at all. Going through Maidstone on a daily basis there are the same people every day consistently asking for money. • Only if enforced otherwise pointless. • Who wants to be accosted by these people? The order should be enforced.
Organised begging/Disingenuous beggars	16	<ul style="list-style-type: none"> • Impossible to know if those who are begging are really homeless/destitute. They need to be checked and given information where they can get help from various charities that are in Maidstone • Lots of beggars are on a decent income from benefits so need stopping. • Whilst I have huge sympathy for those genuinely on hard times, I have concerns about how genuine these beggars are. I consider some are made to beg and it therefore encourages modern day slavery if we allow begging to continue unchecked.
Buskers	11	<ul style="list-style-type: none"> • I do not consider busking to be classed as begging. Busking enhances the ambience of the town. • People who are busking should not be allowed to carry out this activity. I've seen women intimidated outside Primark - not nice. • Musicians possibly exempt providing not too loud.
Impact	9	<ul style="list-style-type: none"> • This will not help. No one likes to beg. My belief is that they beg because they have no choice. It's not a career choice. Taking money from people who are already struggling is madness. • This measure doesn't seem to be working as I saw plenty sitting on the floor with signs or annoyingly singing whilst asking for money last week.
Other Themes	21	<ul style="list-style-type: none"> • Eight mentioned locations in the town centre where they have witnessed begging including Week Street and outside Sainsburys. • Seven said that the amount of begging going on in the Town Centre was increasing. • Six said they think all unauthorised collections of money should be banned.

Survey Demographics

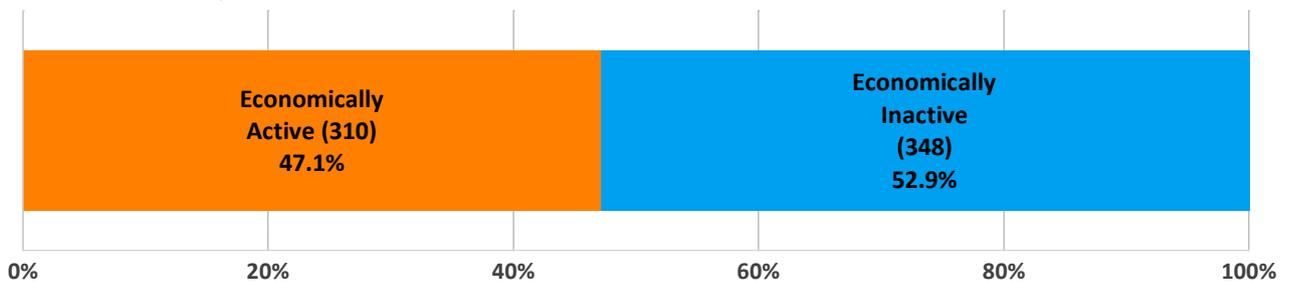
Gender



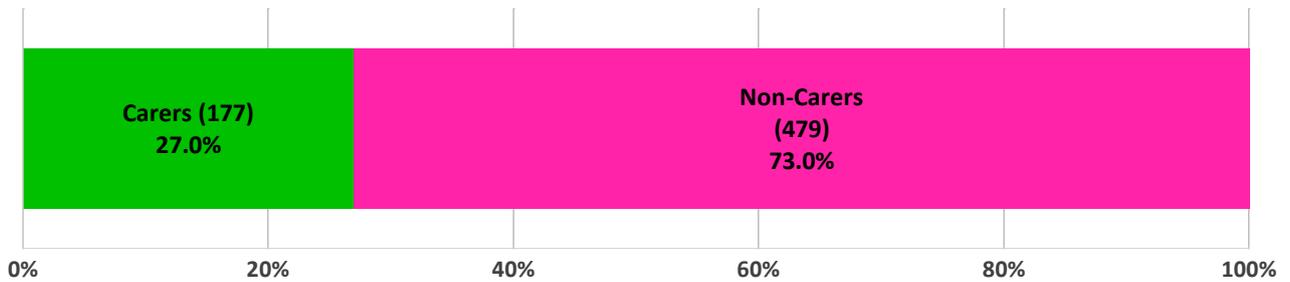
Age



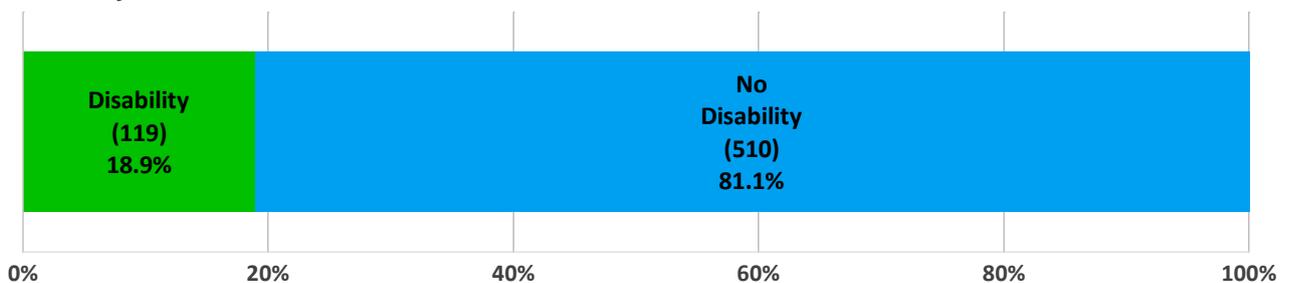
Economic Activity



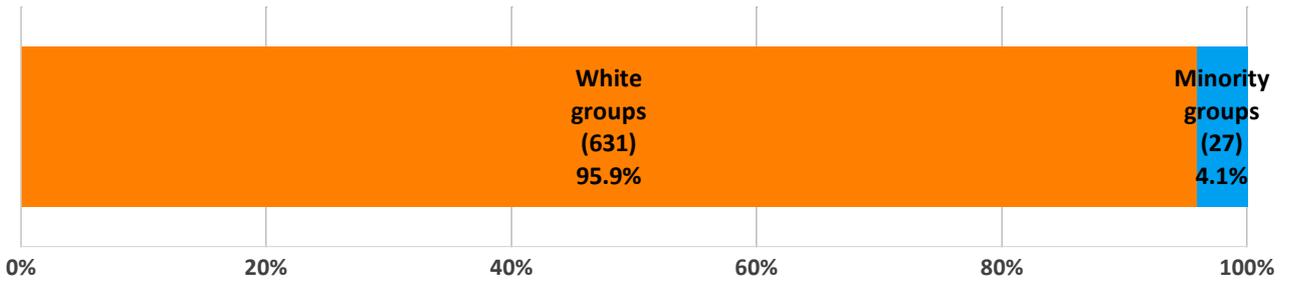
Carers



Disability



Ethnicity



LIBERTY

Communities, Housing & Environment Committee
Maidstone House
King Street
Maidstone
Kent, ME15 6JQ

By email only to: consultation@maidstone.gov.uk

Our ref: 39/LW/CCT

2 May 2023

Dear Communities, Housing & Environment Committee,

Renewal of Public Space Protection Order (PSPO) in Maidstone Town Centre

I am writing in relation to Maidstone Borough Council's ("the Council") consultation regarding the proposed extension of its Town Centre Public Spaces Protection Order ("the PSPO"). Our letter is based on information regarding the consultation as set out on the Council's website¹, as well as within the draft PSPO itself.²

1. Background to Liberty's concerns

Liberty has been concerned about the impact of PSPOs since their inception and has successfully persuaded a number of local authorities not to pursue their proposed PSPOs. We are particularly concerned about the potential misuse of PSPOs, especially those that punish poverty-related behaviours such as begging. For the reasons set out below, we are against the renewal of the PSPO.

2. Lack of evidence

We are disappointed that no evidence has been published on the Council's website to support the renewal of the PSPO, particularly the provisions that seek to criminalise behaviours associated with poverty.

The Council is required by s. 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (the "Act") to be satisfied on reasonable grounds that the PSPO is necessary to prevent the occurrence or recurrence of the activities specified in the PSPO, or to prevent an increase in the frequency or seriousness of those activities. The Council cannot reasonably be satisfied of these conditions without first considering robust evidence on the situation in the area which will be covered by the renewed PSPO. Having had the original PSPO in place since 2017 (and the revised version in place since 2020), there should be extensive evidence available on

¹ <https://letstalkmaidstone.uk.engagementhq.com/town-centre-bsp0-2023-review>

² <https://letstalkmaidstone.uk.engagementhq.com/21926/widgets/64927/documents/39479>

LAWYERS

HEAD OF LEGAL CASEWORK
Louise Whitfield, Solicitor

Lana Adamou, Solicitor
Megan Goulding, Solicitor
Katy Watts, Solicitor

The solicitors employed by Liberty are individually authorised and regulated by the Solicitors Regulation Authority.

whether it has reduced the occurrence of the behaviours it seeks to deter.

The Council's website states that "*a review undertaken with community safety partners has found that the existing PSPO remains an effective tool against specific forms of anti-social behaviour*", yet no evidence has been provided to support this statement. Many councils have realised that PSPOs are a blunt instrument and only serve to "move" the problem to a nearby area. Indeed, research by criminologists in 10 towns in England and Wales have found that PSPOs "merely recycle the homelessness problem rather than go any way towards deterring – let alone preventing – the problems associated with homelessness."³

By way of comparison, we have found that other councils have relied on, and published, data, witness statements, police reports, surveys, impact assessments, and many other sources of information to justify the need for a PSPO before setting out a proposed order and starting a consultation. If the Council goes ahead with renewing this PSPO without sufficient evidence, then it will be unlawful and vulnerable to challenge in the High Court. If you assert that evidence has been considered, we request that you provide evidence to demonstrate that the renewal of the PSPO is necessary to prevent the 'antisocial' behaviours. Please do so without delay so that we may review it.

Furthermore, when considering any evidence, the Council should ensure that its consultation has heard a representative sample of views, including from those who will be negatively affected by the PSPO, who are likely to be among the most vulnerable and marginalised members of the community.

3. General concerns

Firstly, the presence of people living on the streets, who may be begging, is a symptom of poverty and of the detrimental impact of economic inequality and other factors, not the cause. The Council should liaise with local community partners to address the causes of poverty and homelessness; not renew a PSPO that targets and criminalises those living on the streets and in poverty, thereby simply moving the problem to a nearby area.

Secondly, The PSPO provisions below also constitute a potential interference with Article 8 and 10 of the European Convention on Human Rights ('the Convention'). Under s.6 of the Human Rights Act 1998, the Council must not act in a way which is incompatible with any rights contained in the Convention. Article 8 of the Convention grants the right to respect for family and private life. This extends to the protection of personal autonomy and can apply to activities conducted in public; this is especially true of homeless people whose scope for private life is highly circumscribed. Article 10 protects the right to freedom of expression. Any interference with this right must be '*in accordance with the law*', a concept which has been interpreted to mean that any relevant legal provision must be circumscribed with precision and allow sufficient foreseeability of its breadth and consequences. There is a clear risk that the terms included in the PSPO fail to satisfy this requirement and are therefore interfere with rights under Article 8 and 10.

We have set out below more detailed concerns that we have in respect of prohibition [1] relating to begging.

³ <https://www.theguardian.com/society/2022/sep/27/dispersing-homeless-people-fails-to-stop-antisocial-behaviour-finds-study>; accessed on 24 April 2023.

4. Begging

- a. ***All persons are prohibited from approaching another person, either physically or verbally or sitting, laying or loitering in doorways or similar, or next to an ATM within the Restricted Area in order to beg from any other person, including by the use of signage, children, animals or any other means, in order to solicit monies from another other person or using any receptacle to contain monies for the purpose of begging.***

This prohibition does not apply to any authorised collections made on behalf of a registered charity.

We object to the proposal of the prohibition relating to begging for the reasons outlined below.

The Council is required by s.59 of the Anti-Social Behaviour, Crime and Policing Act 2014 to be satisfied on reasonable grounds that the conditions to implement the PSPO are met. The Council can only impose PSPO requirements that is reasonable to impose. It is clearly not reasonable to impose requirements that are simply not needed or could be addressed by more focused provisions of a PSPO.

Additionally, it is not reasonable (or efficient) to target those who are begging with fines that they cannot afford to pay. Indeed, it would be particularly cruel and perverse for those caught begging in violation of the PSPO to have to pay a fine using what little money they might have saved from charitable donations.

The Home Office's guidance "Anti-social Behaviour, Crime and Policing Act 2014 – Anti-social behaviour powers – Statutory guidance for frontline professionals" revised in March 2023 (the 'Statutory Guidance')⁴ emphasises that the prohibited behaviour itself must be unreasonable, and that PSPOs should only be used to address any specific behaviour which is within the control of the person concerned.⁵ Begging when in poverty is not in itself harmful or unreasonable, nor does that person have any other option where begging is their only means to provide for themselves.

The only method of enforcing a PSPO is by way of a Fixed Penalty Notice (an 'FPN') of up to £100 or, upon prosecution, a fine of up to £1,000. A PSPO does not give council officers, police officers or Magistrates any other additional powers, for example powers to require engagement with substance misuse services. However, this is not made clear in the consultation at all. Prosecution for breaching a PSPO cannot, other than in the most exceptional circumstances, lead to the imposition of a community sentence.

Begging is not anti-social behaviour: it is often an act of desperation. This PSPO draws some of the most vulnerable people into the criminal justice system. People who resort to begging are likely to do so because of poverty, addiction and/or mental health issues. They are also highly unlikely to be able to pay an FPN or a Magistrate's Court fine, and a resulting criminal record will not alleviate their poverty or address the underlying causes.

The prohibition on begging constitutes an interference with Articles 8 and 10 of the Convention and is therefore a breach of the Human Rights Act 1998. The measure interferes with these rights in two ways: firstly, begging is arguably an expression of poverty and disadvantage, and criminalising such conduct may undermine the right to freedom of expression under Article 10

⁴https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956143/ASB_Statutory_Guidance.pdf, accessed 24 April 2023.

⁵ Page 61.

of the Convention. Secondly, Article 8 of the Convention extends to the protection of personal autonomy and can apply to activities conducted in public. Begging is a form of interaction with others and, its criminalisation falls within the scope of the right to respect for private life in Article 8.

In a recent case in the European Court of Human Rights (ECtHR), a blanket ban on begging was held to be unlawful.⁶ The court stated that the penalty given impaired the very “essence” of Article 8 and ultimately undermined “human dignity”; it had not been “proportionate either to the aim of combating organised crime or to the aim of protecting the rights of passers-by, residents and shopkeepers.”⁷ In addition, the Court noted the opinion of the United Nations Special Rapporteur on extreme poverty and human rights, according to which the motivation to render poverty less visible in a town, and (thereby) to attract investment, is not compatible with a proper regard for human rights.⁸ The Council should therefore be aware of the unlawful nature of its blanket ban on begging.

There are well-established links between homelessness and disability, based on a range of academic studies in this area. This is recognised in the Government’s September 2022, Ending Rough Sleeping for Good,⁹ which states that “many people sleeping rough suffer from poor mental health and substance misuse.” Those who fail to engage with support services among the homeless and destitute are precisely those who are the most vulnerable; they should not be criminalised.

There is therefore a risk that this prohibition unlawfully discriminates against disabled people.

5. Rough Sleeping

The survey on the Council’s website asks whether “*in the last three years there has been any change in people lying in or sleeping in a public space*”. This appears as though the Council is asking for the public’s view as to whether rough sleeping should be addressed via the renewed PSPO. No proposed PSPO wording is set out; but we are very concerned that any such prohibition would unfairly target rough sleepers and those who are hungry and in most need of support, not criminalisation.

Like begging, rough sleeping is not anti-social behaviour. It is an act of sheer desperation. They should be offered any support they need– they should not be criminalised.

Any prohibition on living on the streets would also constitute an interference with Article 8 of the Convention. Local authorities are bound by s. 6 of the Human Rights Act 1998 not to act in any way which is incompatible with any rights contained in the Convention. Article 8 of the Convention extends to the protection of personal autonomy and can apply to activities conducted in public; this is especially true of the homeless whose scope for private life is highly circumscribed.

CONCLUSION

The Council’s proposed renewal of the PSPO in Maidstone town centre is unreasonable and potentially unlawful. The PSPO would disproportionately interfere with people’s basic rights, including their right to inherent human dignity. It adds nothing to the fight to alleviate poverty.

⁶ Lăcătuș v. Switzerland (application no. 14065/15) [19.01.2021], paras 115-117.

⁷ Ibid, para 115.

⁸ Ibid, para 113.

⁹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1102408/20220903_Ending_rough_sleeping_for_good.pdf, , accessed 24 April 2023.

MAIDSTONE BOROUGH COUNCIL

PUBLIC SPACES PROTECTION ORDER (the "Order")

Begging and Street Drinking

(SECTIONS 59 AND 60 ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014)

In exercise of its powers under sections 59 and 60 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") Maidstone Borough Council hereby makes the following extension to the existing 2017 Order "Maidstone Borough Council Public Spaces Protection Order – Begging and Street Drinking".

This order may be cited as the Maidstone Borough Council Public Spaces Protection Order – Begging and Street Drinking.

The Maidstone Borough Council ("the Council") having consulted with the relevant authorities and persons and being satisfied on reasonable grounds that activities, being begging or street drinking in the manner prohibited below, carried out or likely to be carried on in the public place as specified in Schedule 1 to this Order have had, or are likely to have, a detrimental effect on the quality of life of those in the locality and;

- Is, or is likely to be, of a persistent or continuing nature;
- Is, or is likely to be, unreasonable and
- Justifies the restrictions imposed

This Order shall apply to the parts of the area of the Maidstone Borough shown edged red on the plan attached at Schedule 1. (the "Restricted Area"), to which the public or a section of the public have access on payment or otherwise, as of right or by virtue of express or implied permission.

PROHIBITIONS / REQUIREMENTS:

1. Begging

- a. All persons are prohibited from approaching another person, either physically or verbally or sitting, laying or loitering in doorways or similar, or next to an ATM within the Restricted Area in order to beg from any other person, including by the use of signage, children, animals or any other means, in order to solicit monies from another other person or using any receptacle to contain monies for the purpose of begging.

This prohibition does not apply to any authorised collections made on behalf of a registered charity.

2. Street Drinking

- a. A person must not consume alcohol and as a result behave in a manner that has had, or is likely to have, a detrimental effect on the quality of life of those in the locality.
- b. Where an authorised person reasonably believes that a person is, or has been, consuming alcohol and behaving in a manner as set out in section 2(a). They may require a person not to consume alcohol in breach of the Order and or surrender a container for alcohol or anything the authorised officer reasonable believes to be alcohol.
- c. A person must, when requested to do so, surrender anything in their possession which is, or which the authorised person reasonably believes to be, alcohol or a container for alcohol.
- d. Should the same person continue to consume alcohol and act in the same manner as set out in 2(a) after having been asked to surrender any alcohol as set out in section 2(b), an authorised person may then require the person to cease consuming alcohol in the Restricted Area for a period of 24hrs. A person so requested must then cease to consume alcohol in the restricted area for the period directed.

This prohibition does not apply to alcohol being consumed within premises licensed under the Licensing Act 2003 or Section 115e of the Highways Act 1980 and does not constitute an alcohol ban but places restrictions on the consumption of alcohol where it is linked to anti-social behaviour in the Restricted Area.

DEFINITIONS:

For the purpose of this Order:

Public place means any place to which the public, or a section of the public, have access on payment or otherwise, as of right or by virtue of express or implied permission.

Alcohol is as defined by Section 191 of the Licensing Act 2003.

An authorised person means; Police Constable, designated Police Community Support Officer, or an officer with authority delegated by the Council.

Registered charity means a charity registered with the Charity Commission.

ATM means automated teller machine or cashpoint, being a machine that dispenses cash and/or facilitates other banking services.

OFFENCES AND FIXED PENALTY NOTICES

1. Under Section 63 of the Act a person who fails without reasonable excuse to comply with a requirement imposed on him or her to surrender or cease to consume alcohol under 2 (b) or (c) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
2. Under Section 67 of the Act it is an offence for a person without reasonable excuse to:
 - i. Do anything that the person is prohibited from doing by the Order; or
 - ii. Fail to comply with a requirement to which the person is subject under the Order

(other than as 1. above whereby section 63 sets out the alcohol offence)

Any person who commits an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

3. In accordance with Section 68 of the Act, an authorised person may issue a Fixed Penalty Notice up to £100 to a person he has reason to believe has committed an offence under Section 67 or Section 63.

APPEALS:

In accordance with Section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

SCHEDULE 1:

Street plan of part of Maidstone Borough showing the Restricted Area edged in red.

This Order shall be renewed on 01September 2023 and have effect for a period of 3 years.

**The Common Seal of the
Borough of Maidstone**

was affixed in the presence of:

Agenda Item 13

HOUSING, HEALTH AND ENVIRONMENT – POLICY ADVISORY COMMITTEE

11TH JULY 2023

Housing Strategy 2023 - 28 Action Plan

Timetable

Meeting	Date
HHE PAC	11 July 2023
Cabinet Member for Housing and Health	TBA

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Cabinet Member for Housing and Health
Lead Head of Service	John Littlemore – Head of Housing and Regulatory Services
Lead Officer and Report Author	Hannah Gaston – Housing and Inclusion Manager
Classification	Public
Wards affected	All

Executive Summary

This report requests the Cabinet Member for Housing and Health formally adopts the Housing Strategy 2023 - 28 Action Plan (Appendix 1). The Housing Strategy was adopted by the Executive on 22 March 2023 and was used to inform the development of the attached Action Plan.

Purpose of Report

Recommendation to Cabinet Member for decision

Recommendation – This report makes the following recommendation to the committee:

That the Housing Strategy 2023-23 Action Plan at Appendix 1 to this report be recommended for adoption by the Cabinet Member for Housing and Health.

Housing Strategy 2023 - 28 Action Plan

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>Accepting the recommendation will materially improve the Council's ability to achieve the Homes and Communities Corporate Policy.</p> <p>We set out the reasons other choices will be less effective in section 3 [available alternatives].</p>	Head of Housing & Regulatory Services
Cross Cutting Objectives	The report recommendation supports the achievement of the objective to ensure the Health Inequalities are addressed and reduced.	Head of Housing & Regulatory Services
Risk Management	Contained within the body of the report.	Head of Housing & Regulatory Services
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Section 151 Officer & Finance Team
Staffing	We will deliver the recommendation with our current staffing.	Head of Housing & Regulatory Services
Legal	Acting on the recommendation is within the Council's powers.	Team Leader, Contentious and Corporate Governance
Information Governance	The recommendation do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Senior Information Governance Officer

Equalities	If some strategies are updated as part of the action plan, they may require an EqIA to be completed.	Equalities & Communities Officer
Public Health	We recognise that the recommendation will have a positive impact on population health or that of individuals.	Housing and Inclusion Manager
Crime and Disorder	There are no implications to Crime and Disorder	Head of Housing & Regulatory Services
Procurement	There is no implication to Procurement	Head of Housing & Regulatory Services
Biodiversity and Climate Change	<p>The implications of this report on biodiversity and climate change have been considered and the Housing Strategy should ensure it aligns with the following actions of the Action Plan:</p> <p>Action 1.2 Deliver policies that enable infrastructure for:</p> <ul style="list-style-type: none"> • Low carbon transportation, • Active travel, and that • Facilitates high quality public transport connectivity in new developments and existing communities. <p>Action 1.4 Deliver Policy that ensures sustainable travel, such as bike racks, pool cars, electric vehicle charging, active travel, is integrated into all Maidstone Borough Council construction of new buildings (offices, housing, leisure facilities) and building acquisitions.</p> <p>Action 3.1 Ensure Sustainability DPD as part of larger Development Plan requires on-site renewables on all types of new developments and identify indicators that align with strategic planning and monitor implementation.</p> <p>Action 5.1 Deliver policy as part of design and sustainability DPD and future Development Plan evolution for long term climate change adaptation in new developments to flooding, heatwaves, and</p>	Biodiversity and Climate Change

	<p>drought and ensure longer term climate impacts are being considered as part of planning and policy decisions. Identify indicators that align with strategic planning and monitor implementation.</p> <p>Action 9.3 Deliver Policy that ensures sustainability criteria is used for all Maidstone Borough Council construction of new buildings (offices, housing, leisure facilities) and sustainability criteria is part of decision-making process for all Maidstone Borough Council building acquisitions, to ensure buildings owned by the council are sustainable, future proofed, and align with our net zero commitment.</p>	
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2. INTRODUCTION AND BACKGROUND

- 2.1 The Housing Strategy is a document that sets out the Council’s vision and intention to ensure that the Council is tackling the major housing challenges facing the district. It supports the strategic ambition of the Council to be a *“Vibrant, prosperous, urban and rural community at the heart of Kent where everyone can realise their potential”*.
- 2.2 The Housing Strategy contains three priorities;
- Priority 1: To deliver a mixture of housing types and tenures which are affordable and meet the needs of everyone in the borough.
 - Priority 2: To ensure existing homes meet the decent homes standard, are energy efficient and safe, to enable healthy, independent living.
 - Priority 3: To secure the very best support and housing outcomes for Maidstone’s most vulnerable groups
- 2.3 The Housing Strategy 2023 - 2028 was formerly adopted by the Executive on 22 March 2023. The Strategy document was used to inform the development of the Action Plan. The Action Plan brings together feedback from Officers, Members and Stakeholders including members of the public.
- 2.4 The Strategy was previously considered by the Communities, Housing & Environment PAC in February 2023 that assisted in the development of the Housing Strategy and its Action Plan (Appendix 1). Members are invited to consider the Action Plan and provide comment to the Cabinet Member.

3. AVAILABLE OPTIONS

- 3.1 The HHE PAC could decide not to recommend adoption of the Action Plan. But this is not recommended as this would not assist the Council to determine whether its Housing Strategy is having the positive impact that is contained within its vision to tackle the major housing challenges across the district.
- 3.2 The HHE PAC may recommend that the Cabinet Member adopts the new Housing Strategy Action Plan – with a view to implementing the actions and tackling the major challenges that face the local community across the district. This option is in the spirit of the Housing Strategy developed by the Council to achieve its key objective in the Strategic Plan.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is that the Housing, Health and Environment PAC recommends the Cabinet Member to adopt the Action Plan. This will support the Council’s aspiration in the Strategic Plan to:
- Reduce rough sleeping in a sustainable way
 - Reduce the use of temporary accommodation for homeless families
 - Improve housing through use of our statutory powers to promote good health and wellbeing

5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council’s Risk Management Framework. We are satisfied that the risks associated are within the Council’s risk appetite and will be managed as per the Policy.
- 5.2 A failure to adopt a robust action plan for the Housing Strategy would increase the risk of the Council not meeting its strategic and statutory duties in relation to its housing functions.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Consultation on the Housing Strategy commenced in winter 2021 with feedback from the public and our stakeholders actively sought through an on-line digital survey conducted by our Consultation and Engagement Officer. Consultation was also undertaken with Council Officers to ensure the golden threads contained within the Strategy were transferred to the Action Plan.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Once the Action Plan has been formally adopted it will be published on the website and regular monitoring will take place through reporting to the Cabinet Member for Housing & Health.

8. REPORT APPENDICES

- Appendix 1: Housing Strategy Action Plan

9. BACKGROUND PAPERS

Housing Strategy 2023 – 28

https://maidstone.gov.uk/home/primary-services/council-and-democracy/primary-areas/your-councillors?sq_content_src=%2BdXJsPWh0dHBzJTNBjTjGjTjGbwVldGluZ3MubWFpZHN0b25lLmdvdi51ayUyRmRvY3VtZW50cyUyRnM4NjkwOSUyRk1CQyUyMEhvdXNpbmclMjBTdHJhdGVneSUyMDIzLTl2LnBkZiZhbGw9MQ%3D%3D

Appendix 1

Housing Strategy Action Plan 2023-28

The delivery of Housing				
Objective				
To deliver a mixture of housing types and tenures, including 1000 new affordable homes, that meet the needs of everyone in the borough				
Commitments	Actions	Responsibility	Timeframe	Completed
<p>We will</p> <p>Deliver the council's ambition to deliver 1,000 affordable new homes to be retained by the Council and let on secure tenancies once the probationary period is completed</p>		William Cornell	2023-25	
Develop our readiness to reopen the Housing Revenue Account.	<p>Open Housing Revenue in line with legal responsibilities, with 200 as the trigger.</p> <p>Information needs to be shared across three teams- Finance, Development, and Housing, as well as monitoring process put in place.</p>	<p>Philip Morris</p> <p>Adrian Lovegrove</p>	2023-24	
Develop a suite of housing management policy and practice documents to comply with the Regulator of Social Housing's guidance to ensure we provide the highest levels of service to our tenants	Develop policies to support the delivery of the Council's Affordable Housing	Policy team, Joanna Medley and external solicitors.	March 2024	
Work in partnership with Homes England to deliver a unique, attractive, and desirable new rural Kentish town located between Maidstone and Ashford. Heathlands will provide around 5,000		Philip Morris and Planning team to work	2023-25	

<p>new homes, of which 40% will be affordable for local people. The new community will be designed sensitively to respond to its natural and distinctive setting</p>		<p>on delivery of Heathlands</p>		
<p>We will</p> <p>Review our current HomeFinder scheme to ensure it is value for money, and is supporting our strategic aspiration to provide good quality affordable accommodation for homeless households in both temporary accommodation and those under a Prevention Duty</p>	<p>To ensure the landlord offer is standardised and transparent, offering fair access to incentives.</p> <p>Investigate operating a social lettings agency such as Ashford</p>	<p>Hannah Gaston</p>	<p>December 2023</p>	
<p>Reduce the time households spend in temporary accommodation (TA) by providing a range of options that will include the council's ambition to build and manage its own affordable housing stock.</p>	<p>Monthly oversight and resettlement pathway review.</p> <p>Seek to find options other than TA through social landlord partners, purchasing new affordable housing and potentially a social lettings scheme.</p> <p>Offer landlords the option to let accommodation on a short-term basis – which the team can manage as TA</p> <p>Proactively work with our Registered Provider partners in the borough to explore how we can make more use of their stock available for those affected by homelessness</p> <p>Seek to work more proactively on homeless prevention to reduce the numbers approaching who need TA – build on One View and partnerships.</p> <p>Continue to build relationships with the Golding Homes Private Rented Sector.</p>	<p>Hannah Gaston and Accommodation Resource Team</p>	<p>Review the pilot team in December 2023 and continue</p>	

<p>We will</p> <p>Purchase more temporary accommodation stock to reduce our reliance on nightly paid private temporary accommodation and provide a better quality of home within our own locality</p>	<p>Increase our own stock by 80 units.</p>	<p>Alison Elliott and Joanna Medley</p>	<p>2023-2025</p>	
<p>Offer households a trauma informed approach to service delivery – helping and support those caught in homelessness cycle to develop resilience and break the need for households to have council lead housing support.</p>	<p>All housing and support staff trained in a trauma informed approach</p> <p>Support and drop-in sessions at Trinity to ready households for move on and living independently.</p> <p>Personalised Housing Plans are household specific ensuring applicants are preparing for move on – including accessing the new Housing Register processes and the DWP dashboard.</p> <p>Continue to deliver the Early Intervention Model and No Wrong Door approach.</p>	<p>Hannah Gaston, Alan M'Grady and Natalia Merritt</p>	<p>2023</p>	

Existing Homes and Housing Standards				
Objective				
To ensure existing homes meet the decent homes standard, are energy efficient and safe, to enable healthy, independent living.				
Commitments	Actions	Responsibility	Timeframe	Completed
We will				
Continue to work with private landlords where hazards have been identified.	Use the Council's Housing Standards Enforcement Policy and Housing Renewal Policy where appropriate. Inspect all Homefinder properties.	Phil Jennings and Housing and Health team	On-going	
Make sure that both, private and registered provider, landlords abide by their legal responsibilities and good practise to ensure their properties do not put their tenant's health and safety at risk	Update guidance for landlords on what standards that we expect to find in privately rented properties. Work with Registered Providers, Maidstone Health and Wellbeing Board, and West Kent NHS to provide a Damp and Mould Coordinator to review our interventions regarding damp and mould issues and update guidance. Join with the National Residential Landlord's Association to undertake forums. Licence houses in Multiple Occupation and undertake inspections of them and non- licensable HMOs as part of the risk rating schedule. Promote training courses for private landlords. Integrate new legislation, which is likely to be brought in, such as the Decent Homes Standard in privately rented properties and the Property Portal of private landlords.	Phil Jennings and Housing and Health team	April 2024 On-going On-going On-going On-going April 2024	

Ensure supported housing providers are value for money	Participate on Supported Housing Improvement Programme (SHIP) with neighbouring boroughs to increase standards in the supported housing sector.	Hannah Gaston and Phil Jennings	April 2024	
Work with Registered Providers, private landlords, freeholders and Kent Fire and Rescue Service to ensure that all residential buildings, including those that are managed by ourselves abide by the relevant fire safety legislation.	Work with KCC children’s services to define “good enough” home standards and develop a procedure to support.	John Littlemore and Charlotte King	December 2023	
	Assess premises, and where appropriate and take action when required.	Housing and Health team	On-going	
	Signpost guidance to landlords on new responsibilities under the Building Safety Act 2022 and the Fire Safety Order/ Act 2022.	Housing and Health team	On-going	
Continue to support residents access national funding programmes to ensure homes are energy efficient, to meet the national ambition to “Improve the quality of UK homes to reduce greenhouse gas emissions and to safeguard our comfort, health and wellbeing as the climate changes”. UK housing: Fit for the future	Promote the Home Upgrade Grant (2), Energy Companies Obligation (ECO) and ECO flex to residents.	Housing and Health, Biodiversity and Communication Teams.	September 2023	
	Update the Affordable Energy Strategy	Housing and Health and Biodiversity Teams.	April 2024	
	Undertake action in relation to rented dwellings which fail to meet the Minimum Energy Efficiency Standard (MEES).	Housing & Health Team	On-going	
Work in partnership with suitable providers and the Greater South-Eastern Energy Hub to promote and support the delivery of government funding schemes to homeowners,	Sign up to the relevant grant schemes	Housing and Health Team	On-going	

Introduce as part of our Housing Renewal Policy a more effective mechanism to prioritise the completion of discretionary and statutory grants for those residents experiencing a repaid onset illness and end of life condition.	Work with partners such as the Home Improvement Agency, Kent County Council's Occupational Therapy Service and Finance to facilitate the Housing Renewal Policy.	Housing & Health Team & Housing Inclusion Projects Team		
	Work with partners to help people home from hospital or to avoid hospital admission where relevant under the Helping You Home project	Sarah Ward Helping you Home and the Housing and Inclusion team		
	Update website and promotional material with the Housing Renewal Policy and procedure on Disabled Facilities Grants	Phil Jennings and John Littlemore	March 2024	
Connections to other plans				
Biodiversity and Climate Change Action Plan				
Affordable Energy Strategy				

Assisting Vulnerable Households				
Objective				
To secure the very best support and housing outcomes for Maidstone's most vulnerable groups				
Commitments	Actions	Responsibility	Timeframe	Completed
<p>We will</p> <p>Work with communities and groups to provide the most holistic and responsive approach to their needs – to include a trauma informed approach and health interventions.</p>	Deliver mandatory reframe for resilience and 'Adverse Childhood Experiences' training for staff on a regular basis.	Hannah Gaston and HR	Ongoing	
	Embed a trauma aware approach into all policies and procedures.	All staff	Ongoing	
	Complete a trauma aware audit. Take actions from the audit to improve scoring and measure improvements at a later point in time	Charlotte King	Dec 2023	
	Provide a welcoming trauma aware environment in all spaces, including Trinity as our "Front Door"	Hannah Gaston	Ongoing	
	Survey customers accessing services regularly to understand feelings on arrival and departure.	Policy Team and Housing and Inclusion	On-going	
	Provide a robust support service for those facing homelessness and other complex issues such as domestic abuse and mental health crisis.	Alan M'Grady	On-going	
	Work with partners to provide health and social interventions e.g. mental and physical health support to households accommodated at trinity; sexual health clinics; smoking cessation groups.	Hannah Gaston	On-going	

	Develop a health questionnaire and review findings to inform service provision for the homelessness populations and wider groups affected by homelessness.	Sarah Ward	June 2023 and regular intervals	
	Seek to deliver a range of supported housing options for those within Maidstone – to include direct access hostels, floating support and specialist provision for those fleeing Abuse	Hannah Gaston	On-going	
Ensure that the golden thread of health and inclusion is embedded in all our policies and operational delivery of front line services	Continue to work in partnership with health colleagues to deliver programmes which will enhance life chances of those impacted on by poor social and economic impacts including: Community Ladders – continue funding Damp and Mould Co-ordinator role Rough sleeper health interventions Sexual health clinics in Trinity	Hannah Gaston and Sarah Ward	On-going	
Work with the Home Office and other stakeholders to ensure those placed here from other areas and countries are properly supported and their longer-term needs are met. To include the ending of Homes for Ukraine and the Afghan resettlement schemes	Continue to work with the UK Government (particularly the Home Office) to ensure that identified premises for use with displaced persons are appropriately located and meet the required standards/ regulations.	John Littlemore	On-going	
	Continue to work with partners, such as Kent County Council, to ensure refugees, from Afghanistan and Ukraine are housed in appropriate dwellings and are provided with sufficient support.	Sarah Ward	On-going	
	Devise and deliver a 'local area welcome pack' for new arrivals and information regarding asylum claims.	Sarah Ward	By the end of 2023	
	Continue to deliver the fortnightly Ukrainian support hub located at Trinity.	Alan M'Grady	Until no longer required	
Work on a number of new initiatives to support victims of domestic abuse.	Working with private landlords to provide immediate housing options for those accessing the HELP pathway.	Sharon Hoy	On-going	

	Providing digital mapping of the nearest support and future plans to coordinate a programme for male victims of domestic abuse, as well as medium to low-risk domestic abuse victims.	Charlotte King	End of 2023	
	Develop the Predictive Analytics initiative with Xantura and Kent Police, to use data to intervene as early as possible.	Natalia Merritt	End of 2023	
	Continue to develop the One Stop Shop at Trinity ensuring good weekly participation and representation from all stakeholders.	Charlotte King	Review April 2024	
	Attain the Domestic Abuse Housing Alliance (DAHA) accreditation	Charlotte King	Annual review	
	Deliver the perpetrator support programme and anger management strategies (Operation valuable cooperation valuable).	Charlotte King		
Develop a multi-agency approach to financial inclusion and monitor trends to be able to deliver what assistance and grant schemes are available.	Ensure relevant grants are awarded to those most in need to include: Disabled Facilities Grant Welfare and Hardship Funds Personal Budgets Discretionary Housing Payments	All staff	On-going	
	Continue a close relationship with colleagues at the Department of Work and Pensions – creating good access to work and welfare benefits for our shared customers.	Natalia Merritt	On-going	
	Continue with predicative analytics and the One View programme in relation to debt and homelessness prevention. This will also include specialist staff to support those customers identified as most in need.	Natalia Merritt	March 2024	
	Host a multi-agency financial inclusion event with OneView to better understand available local offer.	Natalia, Anna CM and Charlotte G.	Oct 2023	

	Review the Homefinder scheme and confirm it is value for money.	Hannah Gaston	Summer 2023	
	BEAM – ensure they are meeting their funding obligations and providing a robust employment and resettlement access for those on the periphery of the jobs market.	Alan M’Grady	Oct 2023	
Ensure all clients, including older members of the community and those with additional needs, can confidently access services and we are inclusive of all needs and abilities:	Continue to offer Digital Assistance sessions and Assistance Referring Customers sessions for individuals who may have limited literacy skills.	Holly Veal	On-going	
	Undertake a co- production exercise with individuals who have lived experiences to generate service improvement.	Hannah Gaston	Sept 2023	
	Provide a map of support services outside of Trinity for those who attend Trinity – link this with wider community access via the MBC Policy Team.	Hannah Gaston and Orla Sweeny	End of 2023	
Work in partnership with Planning colleagues to develop policies that will be adopted in response to the need for more gypsy and traveller sites.	Review the organisation’s ability and cultural competency in terms of working with gypsy and travellers.	Joanna Medley	End of 2023	
	Engage the Gypsy and Traveller community in the co- production of relevant polices especially in relation to finding appropriate sites.	Joanna Medley	End of 2023	