

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE EXTRAORDINARY MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON 20 MARCH 2024

Present: Councillor Newton (Mayor) and
Councillors Bartlett, Mrs Blackmore, Burton, Cannon,
Clark, Cleator, Coates, Conyard, Cooke, Cooper, Cox,
Eagle, English, Forecast, Fort, Garten, Mrs Gooch,
Mrs Grigg, Harper, Harwood, Hastie, Hinder, Holmes,
Jeffery, Jones, Joy, Kimmance, Knatchbull, McKenna,
Mortimer, Munford, Naghi, Parfitt-Reid, Perry, Reid,
Riordan, Mrs Robertson, Rose, Round, Russell,
J Sams, T Sams, Spooner, Springett, M Thompson,
S Thompson, Trzebinski, Webb, Wilby, D Wilkinson
and J Wilkinson

131. PRAYERS

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

132. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bryant and Khadka.

133. DISPENSATIONS

There were no applications for dispensations.

134. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Jones stated that she was the ex-Chairman and a founder-member of the Against Lidsing Garden Development Group. However, she was approaching agenda item 10 (Oral Report of the Cabinet held on 19 March 2024 – Maidstone Borough Local Plan Review 2021-2038 Adoption) with an open mind and was not pre-determined.

135. DISCLOSURES OF LOBBYING

All Members stated that they had been lobbied on agenda item 10 – Oral Report of the Cabinet held on 19 March 2024 – Maidstone Borough Local Plan Review 2021-2038 Adoption.

136. EXEMPT ITEMS

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

137. PETITIONS

There were no petitions.

138. QUESTIONS FROM LOCAL RESIDENTS

Councillor Peter Coulling, Chairman of Teston Parish Council, to the Cabinet Member for Planning, Infrastructure and Economic Development

I am Chairman, Teston Parish Council. We are on the border with Tonbridge & Malling, which, currently, is enduring the NPPF-enforced adverse impact of not having a valid Local Plan; that is, presumption in favour of sustainable development. Do you believe that Members are sufficiently briefed on that worrying impact, should our Borough cease to have a valid Local Plan when considering future applications from developers, including applications for major developments in unwelcome locations?

The Cabinet Member for Planning, Infrastructure and Economic Development responded to the question.

Councillor Coulling asked the following supplementary question of the Cabinet Member for Planning, Infrastructure and Economic Development:

Does that mean that you will be recommending to all Members here this evening that, despite no doubt some personal reservations, it is strongly in the overall interests of this Borough that this Local Plan Review should be adopted?

The Cabinet Member for Planning, Infrastructure and Economic Development responded to the question.

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

<https://www.youtube.com/watch?v=Mb3VzcWsIYo&t=629s>

139. QUESTIONS FROM MEMBERS OF THE COUNCIL

Councillor Heidi Bryant to the Cabinet Member for Planning, Infrastructure and Economic Development

The Mayor asked the following question of the Cabinet Member for Planning, Infrastructure and Economic Development on behalf of Councillor Bryant who was unable to be present at the meeting:

If the Local Plan goes through can Councillor Cooper please commit to working with me and Boxley Parish Council even more closely in the future to understand our residents' concerns and create the best possible outcome relating to infrastructure and to mitigate against the significant disruption that could affect our residents in the affected areas of Boxley Ward?

The Cabinet Member for Planning, Infrastructure and Economic Development responded to the question.

The Mayor advised the Council that in line with the Constitution, a written response would be sent to Councillor Bryant.

Councillor Tom Sams to the Cabinet Member for Planning, Infrastructure and Economic Development

We are here this evening to come to a decision on our Local Plan. This extraordinary meeting is called prior to the elections and just before Purdah. This meeting makes it difficult for Parish Councils to respond and is seen by many to be rushed.

How would you answer those who say that you and this Council are putting this forward at this time for politically expedient reasons?

The Cabinet Member for Planning, Infrastructure and Economic Development responded to the question.

Councillor T Sams did not wish to ask a supplementary question of the Cabinet Member for Planning, Infrastructure and Economic Development arising out of the original question or the reply.

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

<https://www.youtube.com/watch?v=Mb3VzcWsIYo&t=772s>

140. **ORAL REPORT OF THE CABINET HELD ON 19 MARCH 2024 - MAIDSTONE BOROUGH LOCAL PLAN REVIEW 2021-38 ADOPTION**

The Mayor and the Chief Executive drew the Council's attention to the following documents received by or arising from the previous night's Cabinet meeting on the topic of the Local Plan Review:

Local Plan Review Adoption – Briefing Note
Kent County Council's Response to Maidstone Borough Local Plan Review 2021-2038 Adoption – 19 March 2024
Briefing Note on Kent County Council's Response
Comments Made by the Planning, Infrastructure and Economic Development Policy Advisory Committee on the Local Plan Review
Appendix 1 - Housing Trajectory – Clearer Version
Officer Advice on Delay/Deferral of a Decision

The Mayor also drew the Council's attention to (a) Kent County Council's response received very late that afternoon to the Cabinet's decision the previous night to recommend to the Council that the Maidstone Borough Local Plan Review 2021-2038 be adopted and (b) a briefing note on the response.

The following Members of the public addressed the Council:

Mr Steve Heeley – Save Our Heath Lands
Mr Ray Dines

The following Parish Council representatives addressed the Council:

Councillor John Britt – Lenham Parish Council
Councillor Andrew Lawrence – Bredhurst Parish Council
Councillor Geraldine Brown – Yalding Parish Council

Councillor Holmes entered the meeting during the statements by Parish Council representatives (7.08 p.m.). He stated that he had no disclosures of interest or of lobbying.

It was moved by Councillor Cooper, seconded by Councillor Burton, that the recommendations of the Cabinet relating to adoption of the Maidstone Borough Local Plan Review 2021-2038 be approved.

Amendment moved by Councillor Jeffery, seconded by Councillor J Sams:

1. That the decision to adopt the Maidstone Borough Local Plan Review (2021-2038) at Appendix D to the report of Cabinet held on the 19 March 2024, which incorporates the Inspector's Main Modifications, and the Policies Map at Appendix E to the report of Cabinet held on the 19 March 2024, be deferred to an Extraordinary Council meeting to be held between 2 and 4 weeks after the AGM in May to allow a new elected Council to make that decision.
2. That the Head of Spatial Planning & Economic Development be given delegated authority to make any non-material, typographical corrections, and formatting changes, as required prior to and post any decision that may be taken by the Council.

When put to the vote, the amendment was lost.

Voting: 11 – For 32 – Against 9 – Abstentions

Amendment moved by Councillor English, seconded by Councillor Harwood:

That the first recommendation be amended to read:

That the decision to adopt the Maidstone Borough Local Plan Review (2021-2038) at Appendix D to the report of Cabinet held on the 19 March 2024, which incorporates the Inspector's Main Modifications, and the Policies Map at Appendix E to the report of Cabinet held on the 19 March 2024, be deferred until 18 April 2024 to consider the issues raised in Kent County Council's letter dated 20 March 2024, discuss those issues with them and put in train the resolutions required to ensure the Plan is sound.

When put to the vote, the amendment was lost.

Voting: 20 – For 32 – Against 0 – Abstentions

The original motion was then put to the vote. In accordance with Council Procedure Rule 18.4, five Members requested that a named vote be taken on the motion. The voting was as follows:

FOR (31)

Councillors Bartlett, Mrs Blackmore, Burton, Cannon, Coates, Cooke, Cooper, Cox, Forecast, Fort, Garten, Mrs Gooch, Mrs Grigg, Harper, Hastie, Holmes, Mrs Joy, Knatchbull, McKenna, Munford, Newton, Parfitt-Reid, Perry, Reid, Riordan, Round, Russell, Spooner, Springett, Trzebinski and Webb

AGAINST (21)

Councillors Clark, Cleator, Conyard, Eagle, English, Harwood, Hinder, Jeffery, Jones, Kimmance, Mortimer, Naghi, Mrs Robertson, Rose, J Sams, T Sams, M Thompson, S Thompson, Wilby, D Wilkinson and J Wilkinson

ABSTENTIONS (0)

MOTION CARRIED

RESOLVED:

1. That the Maidstone Borough Local Plan Review (2021-2038) at Appendix D to the report of Cabinet held on the 19 March 2024, which incorporates the Inspector's Main Modifications, and the Policies Map at Appendix E to the report of Cabinet held on the 19 March 2024, be adopted.
2. That the Head of Spatial Planning and Economic Development be given delegated authority to make any non-material, typographical corrections, and formatting changes, as required.

141. DURATION OF MEETING

6.30 p.m. to 8.40 p.m.

Note: The meeting adjourned between 7.25 p.m. to 7.35 p.m. in order to restart the webcast.