

# OVERVIEW & SCRUTINY COMMITTEE MEETING

Date: Wednesday 12 June 2024  
Time: 6.45 pm, or at the conclusion of Overview & Scrutiny Acting as The Crime Disorder Committee, whichever is the later.  
Venue: Town Hall, High Street Maidstone

Membership:

Councillors Cannon, Cooke, Field (Vice-Chairman), Harper, Higson, Kehily, McKay, M Naghi, Oliver, Parfitt-Reid, Rodwell, Russell (Chairman) and J Wilkinson

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

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## **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 private because of the possible disclosure of exempt information
  8. Minutes of the Meeting Held on 26 March 2024 1 - 3
  9. Minutes of the Meeting Held on 21 May 2024 4
  10. Presentation of Petitions (if any)
  11. Question and Answer session for Local Residents (if any)
  12. Questions from Members to the Chairman (if any)
  13. Cabinet Forward Plan
- An updated version of the Cabinet Forward Plan can be accessed using the link below:

[Your Councillors – Maidstone Borough Council](#)

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**Issued on 4 June 2024**

**Continued Over/:**



**Alison Broom, Chief Executive**

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|--|--------|
| 14. Committee Work Programme 2023-24 & 2024-25 | 5 - 7  |
| 15. Work Programming Report, 2024-25           | 8 - 23 |

### **INFORMATION FOR THE PUBLIC**

In order to ask a question at this meeting, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on 10 June 2024). You will need to provide the full text in writing.

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

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 4 p.m. one clear working day before the meeting (i.e. by 4 p.m. on 10 June 2024). You will need to tell us which agenda item you wish to speak on.

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

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## MAIDSTONE BOROUGH COUNCIL

### OVERVIEW & SCRUTINY COMMITTEE

#### MINUTES OF THE MEETING HELD ON TUESDAY 26 MARCH 2024

##### Attendees:

|                           |   |
|---------------------------|---|
| <b>Committee Members:</b> | <b>Councillors English (Chairman), Mrs Blackmore, Clark, Cleator, Conyard, Eagle, Hinder and S Thompson</b> |
|---------------------------|---|

81. THANKS TO COUNCILLOR HINDER

As Councillor Hinder was not standing for re-election, the Committee thanked him for his contributions to the Overview and Scrutiny function, both during the previous and current Cabinet systems.

82. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cannon, Gooch and Round.

83. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

84. URGENT ITEMS

There was an urgent update to Item 16 – Integrated Transport Strategy Scope, which provided additional points for consideration when discussing the item.

85. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

86. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

87. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

88. EXEMPT ITEMS

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

89. MINUTES OF THE MEETING HELD ON 23 JANUARY 2024

**RESOLVED:** That the Minutes of the meeting held on 23 January 2024 be approved as a correct record and signed.

90. MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2024

**RESOLVED:** That the Minutes of the meeting held on 20 February 2024 be approved as a correct record and signed.

91. PRESENTATION OF PETITIONS

There were no petitions.

92. QUESTION AND ANSWER SESSION FOR LOCAL RESIDENTS

There were no questions from Local Residents.

93. QUESTIONS FROM MEMBERS OF THE COUNCIL TO THE CHAIRMAN

There were no questions from Members.

94. CABINET FORWARD PLAN

In response to comments on the administrative nature of some of the Key Performance Indicators as agreed by the Cabinet, the Director of Strategy, Insight and Governance confirmed that the number of KPIs had increased as required by the Department for Levelling Up, Housing and Communities and the Office for Local Government.

**RESOLVED:** That the Cabinet Forward Plan be noted.

95. COMMITTEE WORK PROGRAMME

It was noted that the 2024-25 Overview and Scrutiny Committee would be responsible for the work programme moving forward.

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

96. HEALTH INEQUALITY SCOPE

The Chairman introduced the proposed scoping paper, which had been produced following a meeting with himself, the Vice-Chairman, and relevant Officers. The paper was not exhaustive but gave a starting point for the Committee in beginning the review.

In response to a query, the Head of Housing and Regulatory Services confirmed that communication with housing associations and providers could be included in the member briefing proposed.

As the Committee would be reappointed in the new municipal year, a recommendation would be made for the Committee to carry out the review as outlined in the scoping paper, with the addition that a RAG status be introduced to monitor the progress of any recommendations for review by a rapporteur.

**RESOLVED:** That the Health Inequality review as proposed in the scoping paper, subject to the addition of a RAG status to monitor the progress of any recommendation made for review by a rapporteur, be recommended to the 2024/25 Overview and Scrutiny Committee.

Note: Councillor Eagle arrived at 6.36 p.m. during the discussion of the item and had no interests or lobbying to declare.

97. INTEGRATED TRANSPORT STRATEGY SCOPE

The Chairman introduced both the proposed scoping paper on the Integrated Transport Strategy (ITS) review, and urgent update provided; the former had been produced following a meeting with himself, the Vice-Chairman, and relevant Officers.

The Committee were disappointed that there were no Officers in attendance for the item, and for having been informed at short notice. The frustrations previously expressed on the lack of officer attendance at the Maidstone Joint Transportation Board for the Maidstone Integrated Transport Package update, which related to the ITS, were highlighted.

In considering the scope's desired outcomes, a 'lessons learnt' would be completed and RAG status to monitor actions, to look at why the ITS schemes had not been delivered and how the Council could take greater ownership of delivery moving forward.

**RESOLVED:** That the Integrated Transport Strategy review as proposed in the scoping paper, subject to the inclusion of 'lessons learnt' and RAG status to monitor the delivery outcome of the ITS, be recommended to the 2024/25 Overview and Scrutiny Committee as a review topic.

98. VOTE OF THANKS

The Committee thanked the Principal Democratic Services Officer for her dedicated work across the past few years and gave their congratulations and best wishes for her upcoming wedding and maternity leave.

99. DURATION OF MEETING

6.30 p.m. to 7.03 p.m.

# Agenda Item 9

## MAIDSTONE BOROUGH COUNCIL

### OVERVIEW & SCRUTINY COMMITTEE

#### MINUTES OF THE MEETING HELD ON TUESDAY 21 MAY 2024

##### Attendees:

|                           |  |
|---------------------------|--|
| <b>Committee Members:</b> | <b>Councillors Russell (Chairman), Cannon, Cooke, Field, Forecast, Mrs Gooch, Higson, McKay, Milham, M Naghi, J Sams, Sweetman and J Wilkinson</b> |
|---------------------------|--|

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harper, Kehily, Oliver, Parfitt-Reid and Rodwell.

2. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

- Councillor Forecast for Councillor Parfitt-Reid
- Councillor Mrs Gooch for Councillor Harper
- Councillor Milham for Councillor Rodwell
- Councillor J Sams for Councillor Oliver
- Councillor Sweetman for Councillor Kehily

3. ELECTION OF CHAIRMAN

**RESOLVED:** That Councillor Russell be elected as Chairman of the Committee for the Municipal Year 2024/25.

4. ELECTION OF VICE-CHAIRMAN

**RESOLVED:** That Councillor Field be elected as Vice-Chairman of the Committee for the Municipal Year 2024/25.

5. DURATION OF MEETING

7.10 p.m. to 7.15 p.m.

## Maidstone Borough Council

### Overview and Scrutiny Committee Work Programme, 2023-24 Municipal Year

#### Policy Development & Reviews

| <b>Review Title &amp; Objectives</b>  | <b>Expected Start Date</b> | <b>Issue Type</b> | <b>Relevant Officer/s</b>  | <b>Timetable</b>                        |
|---|----------------------------|-------------------|--|---|
| <u>Enforcement</u><br><br>To focus on Environmental and Waste Crime Enforcement   | October 2023               | Committee Review  | Jen Stevens, Head of Environment and Public Realm.<br><br>Additional Officers to be identified.  | Review completed – awaiting SCRAIP.     |
| <u>Health Inequality</u><br><br>To:<br>- focus on the impact of poor-quality housing on health inequality<br>- increase understanding of health inequalities across the borough | June 2024                  | Committee Review  | Alison Broom, Chief Executive,<br><br>John Littlemore, Head of Housing and Regulatory Services   | Exact date tbc, possibly from June 2024 |
| <u>Review of the Integrated Transport Strategy</u><br><br>Detailed objectives available on scope (see November 2023 Meeting)  | June/July 2024             | Committee Review  | William Cornall, Director of Regeneration and Place,<br><br>Karen Britton, Head of Spatial Planning and Economic Development   | Exact date tbc, possibly from June 2024 |
| <u>Water Management Cycle – Second Stage Review</u><br><br>To review the remaining elements identified by the working group through its first review.                           | July 2023.                 | Committee Review  | Mark Green, Director of Finance, Resources and Business Improvement,<br>Uche Olufemi, Emergency Planning & Resilience Manager,<br>Karen Britton, Head of Spatial Planning and Economic Development | <b>PAUSED.</b>                          |

## Pre/Post Decision Scrutiny & Constitutional Requirements

| <b>Review Title &amp; Objectives</b> | <b>Expected Start Date</b> | <b>Issue Type</b>         | <b>Relevant Officer/s</b> | <b>Timetable</b> |
|--------------------------------------|----------------------------|---------------------------|---------------------------|------------------|
| <u>Forward Plan Monitoring</u>       | 2023/24<br>Municipal Year  | Pre-decision<br>Scrutiny  | As applicable.            | N/A              |
| <u>Call-Ins</u>                      | 2023/24<br>Municipal Year  | Post-decision<br>Scrutiny | As applicable.            | N/A              |

## Overview and Scrutiny Committee Work Programme, 2024-25 Municipal Year (TBC)

### Policy Development & Reviews

| Review Title & Objectives   | Expected Start Date | Issue Type       | Relevant Officer/s  | Timetable                           |
|---|---------------------|------------------|---|-------------------------------------|
| <u>Enforcement</u><br>To focus on Environmental and Waste Crime Enforcement | October 2023        | Committee Review | Jen Stevens, Head of Environment and Public Realm.<br><br>Additional Officers to be identified. | Review completed – awaiting SCRAIP. |

### Pre/Post Decision Scrutiny & Constitutional Requirements

| Review Title & Objectives  | Expected Start Date    | Issue Type             | Relevant Officer/s  | Timetable |
|--|------------------------|------------------------|---|-----------|
| <u>Forward Plan Monitoring</u>   | 2024/25 Municipal Year | Pre-decision Scrutiny  | As applicable.  | N/A       |
| <u>Call-Ins</u>  | 2024/25 Municipal Year | Post-decision Scrutiny | As applicable.  | N/A       |
| <u>Community Safety Plan</u><br>To monitor the inputs into the Community Safety Plan following public and stakeholder consultation | October 2024           | Pre-decision Scrutiny  | Martyn Jeynes, Community & Strategic Partnerships Manager | N/A       |

# Agenda Item 15

## OVERVIEW AND SCRUTINY COMMITTEE

12 JUNE 2024

### Work Programming Report, 2024-25

| <b>Timetable</b>                |              |
|---------------------------------|--------------|
| <b>Meeting</b>                  | <b>Date</b>  |
| Overview and Scrutiny Committee | 12 June 2024 |

|                                       |  |
|---------------------------------------|--|
| <b>Will this be a Key Decision?</b>   | No   |
| <b>Urgency</b>                        | Not Applicable   |
| <b>Final Decision-Maker</b>           | Overview and Scrutiny Committee                              |
| <b>Lead Head of Service</b>           | Angela Woodhouse, Director of Strategy, Insight & Governance |
| <b>Lead Officer and Report Author</b> | Cassie Beckley, Democratic Services Officer                  |
| <b>Classification</b>                 | Public   |
| <b>Wards affected</b>                 | All  |

#### Executive Summary

This report outlines the process to be taken by the Committee in formulating its work programme for the 2024/25 Municipal Year.

#### Purpose of Report

Decision

#### This report makes the following recommendation to the Committee:

1. To consider the scopes set out in Appendices A-D of the report and determine which, if any, should be included within the Committee's Work Programme for the 2024/5 municipal year; and
2. Determine whether any topics arising from additional submissions from Members (if any), should be included in the Committee's Work Programme.

# Work Programming Report, 2024-25

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

| Issue                                 | Implications  | Sign-off                                  |
|---------------------------------------|---|---|
| <b>Impact on Corporate Priorities</b> | <p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Accepting the recommendations could materially improve the Council's ability to achieve all corporate priorities, due to the Committee's recommendations on its work programme topics. The Committee considers alignment with the strategic priorities as part of the scope of any reviews undertaken.</p> | Democratic and Electoral Services Manager |
| <b>Cross Cutting Objectives</b>       | <p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations could support the achievement of all the Council's cross-cutting objectives due to the Committee's recommendations on its work programme topics.</p>  | Democratic and Electoral Services Manager |
| <b>Risk Management</b>                | See Section 5 of the report.  | Democratic and Electoral Services Manager |
| <b>Financial</b>                      | 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                           |

|                               |   |   |
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| <b>Staffing</b>               | We will deliver the recommendations with our current staffing, however should the Committee choose too high a workload, the current staff resources may not be sufficient. See section 5 of the report for further information.   | Democratic and Electoral Services Manager |
| <b>Legal</b>                  | <p>In accordance with Part 1A of the Local Government Act 2000 (as amended by the Localism Act 2011) the Council is operating under Executive Arrangements.</p> <p>These arrangements must include provision for the appointment of one or more Overview and Scrutiny Committees to review and scrutinise executive decision made, or other actions taken (LGA 2000, Section 9F) and work programming supports this function.</p> <p>In order to be effective, Government Guidance strongly advises that a work programme be agreed by the Committee.</p> | Democratic and Electoral Services Manager |
| <b>Information Governance</b> | The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.  | Information Governance Team               |
| <b>Equalities</b>             | The recommendations do not propose a change in service therefore will not require an equalities impact assessment.  | Equalities & Communities Officer          |
| <b>Public Health</b>          | We recognise that the recommendations will not negatively impact on population health or that of individuals. Any impacts identified arising from topics chosen for the work programme will be reported to the Committee.   | Democratic and Electoral Services Manager |
| <b>Crime and Disorder</b>     | No impacts identified.  | Democratic and Electoral Services Manager |
| <b>Procurement</b>            | No impacts identified.  | Democratic and Electoral Services Manager |

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| <b>Biodiversity and Climate Change</b> | The implications of this report on biodiversity and climate change have been considered and there are no implications on biodiversity and climate change. Any reviews that come forward from the scopes will consider Biodiversity and Climate Change impacts, if relevant. | Democratic and Electoral Services Manager |
|--|---|---|

## 2. INTRODUCTION AND BACKGROUND

2.1 The Overview and Scrutiny Committee are able to undertake pre-and-post decision scrutiny, reviews and policy development. To properly support and structure the Committee’s work over the 2024-25 Municipal Year, a Work Programme needs to be agreed.

2.2 It is important that the Committee sets its own work programme, with Statutory Guidance stating that:

*‘Effective scrutiny should have a defined impact on the ground, with the Committee making recommendations that will make a tangible difference to the work of the authority. To have this kind of impact, scrutiny committees need to plan their work programme, i.e. draw up a long-term agenda and consider making it flexible enough to accommodate any urgent, short-term issues that might arise during the year’.<sup>1</sup>*

2.3 A virtual workshop was held with the Committee Members on 28 May 2024. The workshop covered:

- Introduction to Overview and Scrutiny
- Review of 2023-24 Work Programme
- Review of submitted scopes
- Suggestion Session
- Next Steps

The aim of the workshop was for the Committee Members to discuss the work programme topics it proposed to take forward for the 2024/5 municipal year and the scope of the work to be undertaken in respect of each topic.

2.4 During the workshop, it was explained that reviews were assigned ‘weightings’ which were established in last year’s work programme. These served as a guide to select topics and informed how many reviews would be advisable to keep a balanced workload:

- 3-4 Light reviews OR
- 1 Medium review, 2 Light Reviews OR
- 2-3 Medium Reviews (depending on review remit) OR
- 2 Heavy Reviews.

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<sup>1</sup> [Overview and scrutiny: statutory guidance for councils, combined authorities and combined county authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115241/Overview_and_scrutiny_statutory_guidance_for_councils_combined_authorities_and_combined_county_authorities.pdf)

- 2.5 During the workshop, the Committee considered the scopes from last year's work programme, attached as Appendix A-B but favoured the idea of a fresh start with new review topics.
  - 2.6 Following the workshop, revised scopes for the new topics submitted were considered and these are attached as Appendices C-D, with greater focus being placed on the review's priority, scope and deliverability. Members also requested that further work be done on the initial scopes to help define them better. This has been included in Appendices C-D.
  - 2.7 If agreed by the Committee to form part of their work programme, the proposal would be to undertake the CIL and Section 106 review first (Appendix C) and to carry out further work on the Planning Enforcement review (Appendix D) to better define the outcomes sought and information required.
  - 2.8 At the workshop the Committee Members highlighted that the administration programme was not yet known and capacity needed to be retained within the work programme to allow them to be responsive to the work of the Cabinet.
  - 2.9 The Committee is asked to decide which of the reviews it proposes to include in its work programme for this 2024/5 municipal year. The work programme will be presented at each meeting and reviewed in September 2024 to make sure it is still appropriate.
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### **3. AVAILABLE OPTIONS**

#### **3.1 Option 1 – Select 2 reviews.**

On the basis of the outcome of the workshop and content of the scopes, it is recommended that the Committee select 2 to take forward. The workshop's clear preference was for the scopes set out in Appendices C-D.

This will ensure the reviews are focused, well-planned and supported, with flexibility for the Committee to undertake pre-and-post decision scrutiny, alongside its Crime & Disorder Committee function. This work could be supported sufficiently by the Democratic Services Team.

#### **3.2 Option 2 – Select a different number or makeup of reviews.**

This is not recommended, as it could mean that the Committee would not complete the work across the year, given the number of scheduled meetings and officer support currently available. Capacity also needs to be retained to be responsive to the work of the Cabinet.

#### **3.3 Option 3 – Do Nothing.**

Failing to identify a work programme and items for review is not recommended as this would greatly reduce the effectiveness of the Overview and Scrutiny Committee.

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

- 4.1 Option 1 (as outlined in point 3.1) is the preferred option for the reasons outlined above.

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#### **5. RISK**

- 5.1 The risks associated with Option 1 have been considered in line with the Council's Risk Management Framework.
- 5.2 The risks associated with Options 2 and 3 are that the Committee is unable to complete all of the reviews included within its work programme. This could lead to a mid-year work programme review, rushed reviews and/or a reduction in the quality of support provided by Democratic Services.

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

- 6.1 Informal consultation took place with the Committee at an OSC Member Workshop held on 28 May 2024.

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

- 7.1 Once the Committee has chosen the topics for inclusion within its work programme, work to commence the reviews will begin.

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#### **8. REPORT APPENDICES**

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

- Appendix A: ITS Review Scope
- Appendix B: Health Inequality Review Scope
- Appendix C: CIL and Section 106 Review Scope
- Appendix D: Planning Enforcement Review Scope

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

Overview and Scrutiny: Statutory Guidance for Councils and Combined Authorities: [Overview and scrutiny: statutory guidance for councils, combined authorities and combined county authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118122/Overview_and_scrutiny_statutory_guidance_for_councils_combined_authorities_and_combined_county_authorities.pdf)

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| Proposer Name(s)                         | Cllrs Brian Clark, Clive English, Richard Conyard  |
| Proposer topic (What)                    | Maidstone's Integrated Transport Strategy (ITS)  |
| Description and Reason for Review (Why?) | <p>The council is in the latter stages of the Local Plan Review, an update to the Local Plan adopted in 2017.</p> <p>However, Maidstone's Integrated Transport Strategy, identified to mitigate the impact of planned housing in the Local Plan has been left largely undelivered with many identified schemes left on hold or without agreement on design. The agenda for the August 2023 JTB included an update on the ITS which was largely a cut and paste from previous agendas and no officers were present to discuss the ITS in the meeting (which has attended by many members of the public who were told their registered questions could not be answered in the meeting).</p> <p>Maidstone's Strategic Plan 2019 to 2045 highlights the "Integrated Transport Strategy" as a building block for the Strategic Plan. The Plan's section "Embracing Growth and Enabling Infrastructure" states: "Between 2023-28 we will place particular importance on:" [Section 1.3] Working with partners to get strategic infrastructure planned, funded and delivered.</p> <p>While this may be MBC's strategic plan, MBC has shared no overarching plan for delivery of the ITS to borough members or to residents.</p> <p>The ITS component of the Local Plan, 2017, includes a list of junctions for improvement funded by SELEP and Developer funding (£8.9m SELEP, £10.55m overall – source: SELEP). With inflation considerably higher than when the ITS was initially developed there is a high risk that funding will no longer stretch to fully delivering the program given the the time taken to this point.<br/> <a href="https://www.southeastlep.com/project/maidstone-integrated-transport/">https://www.southeastlep.com/project/maidstone-integrated-transport/</a></p> |
| Link to:<br>Council's Strategic          | Maidstone's Strategic Plan 2019 to 2045<br>Maidstone's Adopted Local Plan 2017   |

|   |   |
|---|---|
| <p>Plan<br/>National/Regional<br/>priorities<br/>Executive Priorities</p> | <p>Integrated Transport Package (SELEP)<br/><a href="https://www.southeastlep.com/project/maidstone-integrated-transport/">https://www.southeastlep.com/project/maidstone-integrated-transport/</a></p>   |
| <p>Desired<br/>Outcome(s)<br/>(Outcome)</p>                               | <p>While KCC, the highways authority has undertaken modelling and has proposed designs for junction improvements in the Integrated Transport Strategy, it is Maidstone Borough Council that is responsible for the overall delivery of the Local Plan for housing.</p> <p>Given this, the Overview and Scrutiny Committee will:</p> <ul style="list-style-type: none"> <li>- Review progress of the ITS focusing on each of the junction improvements identified, including cost, deliverability, progress against initial plan and cost / benefit. Consider MBC’s performance, in its ownership role, in progressing and auditing delivery of the ITS to date, alongside of MBC’s local plan housing delivery.</li> <li>- Consider MBC’s role in holding the highways authority to account for any delivery delays (against the original delivery dates agreed with SELEC).</li> <li>- Consider the potential impact of any delays on other infrastructure projects.</li> <li>- Review the reallocation of MBC ITS funds to Hall Road in Tonbridge and Malling in preference to other MBC infrastructure needs (eg. Improvements to the A26 Fountain Junction).</li> <li>- Review how the council considered the impact on woodland, and other habitats, or heritage features, such as at Willington Street/ A20 (Mote Park), A249 / Bearsted Road and widening of A20/M20 junction 5. At these sites, significant tree cover and other semi-natural vegetation has been lost (or is proposed to be lost) without space for replacement.</li> <li>- Review the coverage and adequacy of ecological surveys in relation to the ITS schemes and Biodiversity Net Gain (including KCC’s assertion that there isn’t need to deliver BNG because the schemes are Permitted Development).</li> </ul> |

- Review the delay and cost associated with the purchase of the Wheatsheaf Public house and the overall cost / benefit to the junction improvement.
- Consider the history and public response to the closure of Cranborne Avenue (including the agreement to remove this proposal from the Local Plan adopted in 2017 and ITS at that time) and its subsequent reinstatement.
- Develop an overarching plan along with a “lessons learned” document to inform similar infrastructure projects, especially those aligned with future local plan updates and those projects involving both MBC and KCC (or other infrastructure providers)
- Consider efficiency of the Maidstone JTB as a forum for the progression of the ITS

Furthermore the following will be considered:

The current ITS focuses exclusively on creating addition road and junction capacity. This effectively creates 'stacking space' rather than addressing the root causes of the congestion i.e. too much development allied to a great reliance on the private car for short journeys. Several of the schemes are without agreed designs to move forward as there are concerns about delivering suitable benefit to cost.

A more progressive approach supporting active travel options, such as safe and pleasant walking routes, and high-quality public transport would bring multiple benefits for the Borough and attract increased central funding. With a roundabout scheme at Hall Road now looking unlikely, and junctions such as the Swan without an agreed plan there may be opportunities to reallocate planned funding on progressive measures.

Moving traffic enforcement has also mitigated to some extent similar problems in the Medway Towns, enhanced road safety and ensured public transport works more effectively. It is very strange that the ITS doesn't consider this technical innovation for Maidstone town centre, where bus

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|  | lane, yellow box and traffic controls are flagrantly ignored to everyone's detriment.   |
| Approach<br>(How, When and Who)            | Initially 6 monthly meetings  |
| Review Timescale (when)                    | Review to be planned for completion during this administrative year   |
| Link to CfPS effective scrutiny principles | This review will provide greater transparency, accountability and will encourage greater involvement of members and the public in governance.<br>Congestion in Maidstone is a major concern for residents and many feel MBC is ineffective in delivering mitigation alongside of housing delivery. The time it has taken to deliver the ITS package compounds this view, making this area a good candidate for member scrutiny. |
| Officer Support                            | Strategic Planning Manager<br>Director Local Plan Review<br>Head of KCC Highways  |

## Overview & Scrutiny Scoping Paper – Health Inequality Review

The Chairman and Vice-Chairman met with the Chief Executive and the Head of Housing and Regulatory Services to discuss the overall topic and how the review could be conducted.

### Questions for the Committee:

- a. Do you agree with the suggested approach?
- b. Is there anything else you wish to include in the scope?

|  |  |
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| Proposer Name  | Overview and Scrutiny Committee  |
| Proposed Topic<br><b>(What?)</b>   | Healthy Inequality (with a focus on housing)   |
| Description and Reason for Review<br><b>(Why?)</b>   | The Committee wished to conduct a review into housing and its impact on health inequality, as this is an area where the Council can have direct influence and involvement using its powers and partnership working.  |
| Link to:<br>Council's Strategic Plan<br><br>National/Regional priorities<br><br>Cabinet Priorities | <i>Strategic Plan and Corporate Priorities:</i> Homes and Communities, Health Inequalities are addressed and Reduced<br><br><i>National/Regional priorities:</i> Reducing Health Inequality<br><br><i>Cabinet Priorities:</i> MBC's Housing Strategy 2023-26, MBC draft Homelessness and Rough Sleeping Strategy 2024-2029 and draft MBC Preventing Financial Exclusion Strategy 2024-2027 – both the draft strategies are due to be considered by the Cabinet for adoption in March 2024. |
| Desired Outcome(s)<br><b>(Outcome)</b>   | Increased understanding of health inequalities in Maidstone, increased understanding of the role and impact of housing on health and well-being, relationship to and interdependency with health inequality<br><br>To identify actions for the Council to take to address this.  |
| Suggested Approach<br><b>(How, When and Who)</b>   | 1. <b>Briefing to the Committee (open to all Members)</b> to provide: <ul style="list-style-type: none"> <li>• Picture of health inequalities in Maidstone Borough</li> <li>• Full picture of housing interventions, homelessness, the Council's legal powers and partnership working.</li> </ul>  |

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|  | <ul style="list-style-type: none"> <li>Supported by the provision of policy documents and information demonstrating the link between housing and health (such as NICE guidance, or from Institute of Health Equity).</li> </ul> <p><b>2. After the Briefing,</b> to refine the review topic to be focused on a specific area.</p> <p><b>3. Conduct the review based on specific topics,</b> inviting key stakeholders.</p> |
| Review Timescale<br><b>(When)</b>          | <p>Committee Briefing - June 2024<br/>Review Start – July/September 2024</p> <p><b>Work Programme Impact: Heavy/Medium/Light [tbc]</b></p>   |
| Link to CfPS effective scrutiny principles | <p><i>Select which CfPS effective scrutiny principles would be met through conducting the review:</i></p> <ul style="list-style-type: none"> <li><i>Provides a constructive 'critical friend' challenge</i></li> <li><i>Amplifies public voices and concerns</i></li> <li><i>Is Independently led by Councillors</i></li> <li><i>Drives Improvement in Public Services</i></li> </ul>                                      |
| Officer Support                            | <p><i>DSO, Head of Housing and Regulatory Services, Chief Executive and others.</i></p>  |

Previously presented Health Inequality Scope can be found here:

[agendas-and-meetings \(maidstone.gov.uk\)](https://maidstone.gov.uk/agendas-and-meetings)

## **Maidstone Borough Council - Overview & Scrutiny Scoping Paper**

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| Proposer Name  | Cllr Claudine Russell   |
| Proposed Topic<br><b>(What?)</b>   | S106 and CIL  |
| Description and Reason for Review<br><b>(Why?)</b>   | The current S106 and CIL regime is not delivering the required infrastructure for our communities. S106 is a retrospective money collection tool and CIL promised big things but doesn't seem to have delivered for our residents.  |
| Link to:<br><br>Council's Strategic Plan<br><br>National/Regional priorities<br><br>Executive Priorities | <p>This links into the strategic plan and corporate priorities of embracing growth and enabling infrastructure and a thriving place. National priorities continue to be to build a quantum of housing and so it is imperative that these regimes work well for Maidstone Borough.</p> <p>The executive have listed "a resilient borough", "spatial strategy and infrastructure" and "community resilience" as key focus areas so it aligns with these and complements their aims.</p>   |
| Desired Outcome(s)<br><b>(Outcome)</b>   | The review should achieve improvement and recommendations to improve the system by which infrastructure is achieved for our communities that achieves appropriate mitigation for development.   |
| Approach<br><b>(How, When and Who)</b>   | <p><b><i>Lines of Enquiry to include:</i></b></p> <ul style="list-style-type: none"> <li>- <i>Suitability of the CIL bidding process to achieve high level infrastructure, e.g. education and highways improvement;</i></li> <li>- <i>Legal framework around Section 106 in conjunction with CIL to achieve high level strategic infrastructure; and</i></li> <li>- <i>Use of Section 106 agreements and the current Section 106 funds to achieve high level strategic infrastructure.</i></li> </ul> <p><b>Research</b><br/>Desk based research into historic S106 legal agreements. Desk based research into the CIL process and infrastructure bids. Examine information from other authorities to find good practice and benchmarking exercise against other authorities arrangements. Potential site visits.<br/><b><i>Case studies.</i></b></p> <p><b>Sources of Information Required</b></p> |

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|  | <p>Previous council reports.<br/>S106 Legal Agreements.<br/>CIL Bidding Process information.<br/>Interviews.</p> <p><b>Possible Participants</b><br/>Director of Regeneration and Place.<br/>Head of Development Management.<br/>CIL&amp;S106 Team Leader.<br/>Cabinet Member for Planning Policy and Management.<br/>Cabinet Member for Community Cohesion and Safety.</p> <p>Written and verbal evidence.</p> <p>Written evidence from other Local Authorities.</p> |
| Review Timescale<br><b>(When)</b>          | <p>Suggested timeline 6 months.</p> <p>The review should take place at a combination of formal committee meetings and working groups.</p> <p><b>The Work Programme Impact will be: Heavy</b></p>  |
| Link to CfPS effective scrutiny principles | <p>The CfPS effective scrutiny principles would be met through conducting the review:</p> <ul style="list-style-type: none"> <li>• Provides a constructive 'critical friend' challenge</li> <li>• Amplifies public voices and concerns</li> <li>• Is Independently led by Councillors</li> <li>• Drives Improvement in Public Services</li> </ul>   |
| Officer Support                            | <p>To include:</p> <p>DSO Officer<br/>Policy Officer<br/>Relevant HoS/Senior Officer</p>  |

## **Maidstone Borough Council - Overview & Scrutiny Scoping Paper**

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| Proposer Name  | Cllr Claudine Russell   |
| Proposed Topic<br><b>(What?)</b>   | Planning Enforcement  |
| Description and Reason for Review<br><b>(Why?)</b>   | Planning enforcement is not currently an effective deterrent in Maidstone borough.  |
| Link to:<br><br>Council's Strategic Plan<br><br>National/Regional priorities<br><br>Executive Priorities | <p>This links into the strategic plan and corporate priorities of embracing growth and a thriving place. It also reflects on the confidence in the Council as a whole.</p> <p>The executive have listed "town and countryside strategies", "a resilient borough" and "community resilience" as key focus areas so it aligns with these and complements their aims.</p>  |
| Desired Outcome(s)<br><b>(Outcome)</b>   | <p><del>The review should achieve a benchmarking exercise for our current enforcement practices against other neighbouring authorities and should be able to offer improvements in areas of best practice that may be suggested for improvements to the Executive.</del></p> <p><i>To produce service improvements and manage public expectations of the service.</i></p>   |
| Approach<br><b>(How, When and Who)</b>   | <p><b><i>Lines of enquiry to include:</i></b></p> <ul style="list-style-type: none"><li>- <i>Examples of best practice from other authorities;</i></li><li>- <i>Establishing benchmarking, including sources of data;</i></li><li>- <i>How to manage public expectations; and</i></li><li>- <i>Helping to shape the revised local enforcement plan.</i></li></ul> <p><b>Research</b></p> <p>Desk based research into current enforcement cases with a particular focus on long-standing cases.<br/>Examine information from other authorities to find good practice and benchmarking exercise against other authorities arrangements. Potential site visits.<br/>Examine associated costs of enforcement.</p> <p><b>Sources of Information Required</b></p> <p>Previous council reports.<br/>Enforcement dashboard.</p> |

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|   | <p>Appeals information.<br/>Public hearing records.</p> <p><b>Possible Participants</b></p> <p>Director of Regeneration and Place.<br/>Head of Development Management.<br/>Senior Enforcement Officers.<br/>Finance Director.<br/>Cabinet member for Planning Policy and Management.<br/>Cabinet member for Corporate Resources.</p> <p>Written and verbal evidence.</p> <p>Written evidence from other Local Authorities.</p> <p>Financial modelling for cost benefit analysis.</p> |
| <p>Review Timescale<br/><b>(When)</b></p>                 | <p>Suggested timeline 4 months.</p> <p>The review should take place at a combination of formal committee meetings and working groups.</p> <p><b>The Work Programme Impact will be: Medium</b></p>  |
| <p>Link to CfPS<br/>effective scrutiny<br/>principles</p> | <p>The CfPS effective scrutiny principles would be met through conducting the review:</p> <ul style="list-style-type: none"> <li>• Provides a constructive 'critical friend' challenge</li> <li>• Amplifies public voices and concerns</li> <li>• Is Independently led by Councillors</li> <li>• Drives Improvement in Public Services</li> </ul>  |
| <p>Officer Support</p>                                    | <p>To include:</p> <p>DSO Officer<br/>Policy Officer<br/>Relevant HoS/Senior Officer</p>   |