

MAIDSTONE BOROUGH COUNCIL

**MINUTES OF THE LOCAL DEVELOPMENT DOCUMENT TASK
AND FINISH SCRUTINY PANEL MEETING HELD ON TUESDAY
15 NOVEMBER 2011**

PRESENT: Councillor Burton (Chairman)
Councillors Ash, Harwood, Newton, Paine and
Springett

1. The Committee to consider whether all items on the agenda should be web-cast.

Resolved: That all the items on the agenda be webcast.

2. Apologies.

Councillors English and FitzGerald sent their apologies.

3. Notification of Substitute Members

It was noted that Councillor Newton was substituting for Councillor FitzGerald.

4. Notification of Visiting Members

There were no visiting members.

5. Disclosures by Members and Officers

Councillor Harwood, as a Member of the Planning Committee which would be considering two specific applications referenced by the petition, left the room when item 8 – Reference from Council was considered to avoid prejudicing himself when considering those applications or any other applications that might be indirectly related to the petition.

6. To consider whether any items should be taken in private because of the possible disclosure of exempt information.

Resolved: That all items be taken in public as proposed.

7. Minutes of the Meeting Held on 20 September 2011

Resolved: That the minutes of the meeting held on 20 September be agreed as a correct record of the meeting and duly signed by the Chairman.

8. Reference from Council

The Chairman introduced the Reference from Council to the Scrutiny Panel and explained that the item had been referred to the Committee from the Regeneration and Economic Development Overview & Scrutiny Committee.

It was noted that there were four requests within the petition:

1. The Greensand Ridge and the Greensand Way are protected from development. That the access to and rural nature of the walk, and views across and from the Weald are maintained.
2. Any planning development is in keeping with the open countryside.
3. Any development at Wierton Place is in keeping with the scale, appearance and character of the Grade 2 designation, involves the restoration of the Manor House and Greenhouse and is restricted to those buildings currently used as residential.
4. Maidstone Borough Council co-ordinate with Kent County Council and other agencies to act swiftly to enforce established planning policies in dealing with all unlawful developments.

The Chair then invited the Panel to comment. Team Leader for Spatial Policy, Sue Whiteside informed the Panel that the petition had also been submitted as a formal representation for the Core Strategy at the public consultation stage and was being analysed by Officers with the other representations received. The Panel noted that the publication version of the Core Strategy was due to the Panel in January and that the report would include details of amendments arising from the representations. The Chair thanked Mrs Whiteside for clarifying the relation to the Core Strategy.

Members queried if demands one and two would be automatically considered in relation to the Landscape Character Assessment (LCA) or if the petition would need to be resubmitted for this. The Scrutiny Panel were told that the petition could be looked at in relation to the LCA when the representations on the Core Strategy were considered in January.

The Panel agreed that demands one and two were clear policy issues and was due to the Panel as part of their review of Core Strategy consultation in due course.

The Scrutiny Panel concurred that demand three was not something that was appropriate for the Panel to comment on. It was agreed that demand three should left for the Planning Committee to be considered as, when and if an application occurs.

The Scrutiny Panel discussed demand four and it was felt that those who had brought the petition to Council had concerns that the Council was not taking appropriate enforcement action when breaches occurred. It was

suggested that undertaking comparative work in this area would be beneficial in assessing if there was any other approaches that could be taken to planning enforcement as well as demonstrating that the Council was acting appropriately. Members noted that there had been a Scrutiny Review on the Enforcement of Planning Conditions and Compliance with section 106 agreements in 2008/09 and requested an update on the recommendations arising from this review and recent statistics on development enforcement activity.

In addition it was noted that the Head of Development Management had recently attended the annual parish meeting and briefed them on what the enforcement process and why some breaches were pursued and others were not.

It was resolved that:

Demand three from the petition be passed to Planning Committee for consideration if such an application affecting this area was received;

Cabinet consider commissioning a comparative exercise on Development Enforcement to assess if there was anything new that could be learnt and to evidence Maidstone Borough Council's process; and

The Panel be circulated an update on the recommendations of the Scrutiny review of Enforcement of Planning Conditions and Compliance with section 106 agreements in 2008/09 including up to date statistics on enforcement activity.

9. Annual Monitoring Report

The Chairman welcomed Spatial Policy Team Leader, Sue Whiteside and Planning Officer, Emma Boshell to the meeting. Mrs Whiteside introduced Miss Boshell to the Panel and explained that Miss Boshell was responsible for compiling the Annual Monitoring Report and was to present the item to the panel.

Miss Boshell then introduced the report and gave a brief outline of the changes to the format of the Annual Monitoring Report (AMR) and areas of interest including:

- The removal of guidance has allowed the Council to decide what statistics were pertinent and should be included in the AMR and that the enactment of the Localism Bill would remove the duty on the Council to produce an AMR.
- The new format report was split into two parts: a local area profile and Key Monitoring Indicators.
- The Borough's population was forecast to increase by 15% between 2006 and 2026. With the largest increase in population with those aged 85 and over. In addition a 16% increase in the number of households was forecasted due to an increase in single occupant's households.

- Unemployment levels rose by 8% between 2010 and 2011 however, the percentage of resident unemployment in Maidstone remained lower than in Kent, the South East and England.
- There has been a net loss of employment floorspace in the borough overall and 79% of all dwellings were completed on previously developed land.
- Maidstone has demonstrated a minimum 5 year housing land supply in accordance with national policy and has continued to make best use of its available land – 83% of dwellings were constructed at densities in excess of 30 dwellings per hectare, and of all planning permissions granted in 2010-11, 42% of dwellings were affordable units.

The Scrutiny Panel thanked Miss Boshell for her presentation and complimented the new format of the report. Members made suggestions for additional information to be included in the report for next year including: The addition of a percentage change column on page 25 of the agenda document within the table Natural Environment assets and the inclusion of statistics on Free School Meals in the section on deprivation.

The Panel noted that the section on sustainability has been cut from the report and suggested that in future a reference to the Code of Sustainable Homes would be useful.

The Panel also requested that under the section 'Local Nature Reserves' that the wards detail be amended for the River Len Corridor from Downswood and Madginford to Downswood and Bearsted. Miss Boshell agreed that this would be amended.

The Panel recommended that the Leader agree the Annual Monitoring Report.

Resolved: That the Leader be recommended to approve the Annual Monitoring Report 2010/11.

10. Future Work Programme

The Performance & Scrutiny Officer informed the Panel that there were currently no items for the meeting scheduled for the 13 December 2011. The Panel agreed to cancel this meeting but to hold the date in case an urgent item came up.

The Performance & Scrutiny Officer told the Panel that she had met with the Spatial Policy Team Leader and the Principal Transport Planning Officer to clarify when the Transport Strategy would be available for the Panel. The Panel were advised that the Transport Strategy, excluding the Parking Strategy was expected to be available for January's meeting. It was explained to the Panel that further research was being undertaken on the Parking Strategy between now and March. The Committee were not satisfied with this and requested that they only receive the Transport Strategy with the Parking Strategy however they were happy to accept that it may need to be discussed in Part 2. The Panel agreed that if this

was not possible that they would then consider the Transport Strategy with the Parking Strategy as a complete document in April once research on it had been completed.

Resolved:

1. That the meeting arranged for 13th December would be cancelled but that Panel Members would hold the date in case of an urgent item;
2. That the Panel would only consider the Transport Strategy as a full document; and
3. That the future work programme be noted.