

# AGENDA

## COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE MEETING



Date: Tuesday 15 September 2015

Time: 6.30 pm

Venue: Town Hall, High Street,  
Maidstone

Membership:

Councillors D Mortimer, Newton, Mrs Parvin,  
Perry, Mrs Ring (Chairman),  
Mrs Robertson, Webb, Webster and  
J.A. Wilson

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1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers
5. Disclosures of Lobbying

**Continued Over/:**

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**Issued on 7 September 2015**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Orla Sweeney on 01622 602524**. To find out more about the work of the Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

**Alison Broom, Chief Executive, Maidstone Borough Council,  
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

6.	Petitions	
7.	To consider whether any items should be taken in private because of the possible disclosure of exempt information.	
8.	Questions and answers from members of the public	
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## **MAIDSTONE BOROUGH COUNCIL**

### **Communities, Housing and Environment Committee**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 16 JUNE 2015**

**Present:** Councillors Mrs Ring (Chairman), D Mortimer, Newton, Mrs Parvin, Perry, Mrs Ring, Mrs Robertson, Webb, Webster and J.A. Wilson

**Also Present:** Councillors Mrs Blackmore and Garland

7. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

8. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

9. **URGENT ITEMS**

The Chairman stated that, in her opinion, the appointment of a Parish Charter Member Champion should be taken as an urgent item because of impending meetings requiring a representative to support the work of the Committee.

10. **NOTIFICATION OF VISITING MEMBERS**

The following Members were in attendance as observers:

- Councillor Mrs Blackmore
- Councillor Garland

11. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by members or officers.

12. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

13. **EXEMPT ITEMS**

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

14. **PRESENTATION OF PETITIONS**

It was noted that there were no petitions.

15. QUESTIONS

It was noted that there were no questions from members of the public.

16. MINUTES OF THE MEETING HELD ON 26 MAY 2015

**RESOLVED:** That the minutes of the meeting held on 26 May 2015 be approved as a correct record and signed.

17. LOW EMISSION STRATEGY

The Head of Housing and Community Services introduced the Low Emission Strategy.

- The covering report outlined the rationale behind the Low Emission Strategy, the issues driving its development and its main aims;
- The Low Emission Strategy would enable the council to develop a new action plan that was more aligned to the council's responsibilities, available resources and to reflect the latest Strategic Plan; and
- It was intended that the Low Emission Strategy would evolve to encompass the relevant parts of the Carbon Management Plan which was in need of refreshing. This would ensure that the key actions from both documents would have a synergy that was tailored to what could reasonably be expected of a district council to deliver.

In response to Members' questions the following points were made:

- The Low Emission Strategy looked at all emissions and what Maidstone Borough Council could achieve in partnership;
- Infraction proceedings made reference to the legalities and potential fines in relation to poor air quality standards.
- The strategy was aspirational but tried to remain realistic;
- The proposals were likely to be cost neutral. The strategy would be developed further and would be brought back to the Committee for its approval at the end of the year.

Members of the Committee were interested in the concept of Shared Space, an urban design approach used to improve traffic efficiencies. It was proposed that the following wording was added to the first recommendation: *including investigating the emission benefit from 'shared space schemes' used by some local authorities.*

**RESOLVED:**

1. That the Committee agrees the proposed themes for the Low Emission Strategy, as set out in Appendix A, for consultation with stakeholders and members of the public *including investigating the emission benefit from 'shared space schemes' used by some local authorities*;
2. That the Committee instructs the Head of Housing & Community Services to report back to the Committee with the result of the consultation and the draft Low Emission Strategy for approval by the Committee no later than December 2015; and
3. That the Committee notes that the Carbon Management Plan 2009 is being reviewed and updated and a report on progress is being prepared. The Committee agrees that an updated Carbon Management Plan will be prepared and incorporated into the Low Emission Strategy.

Voting: 9 – For 0 – Against 0 – Abstentions

18. **URGENT ITEM - APPOINTMENT OF PARISH CHARTER MEMBER CHAMPION.**

The Committee considered the appointment of a Parish Charter Member Champion because of impending meetings requiring a representative of the Committee.

**RESOLVED:** That Councillor John Perry be appointed as the Member Champion for the Parish Charter.

Voting: 9 – For 0 – Against 0 – Abstentions

19. **DURATION OF MEETING**

6.30 p.m. to 7.13 p.m.

# Agenda Item 10

## **MAIDSTONE BOROUGH COUNCIL**

### **COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE**

**28 JULY 2015**

#### **REFERENCE FROM POLICY AND RESOURCES COMMITTEE**

1. **ANNUAL PERFORMANCE REPORT 2014/15**

- 1.1 At the meeting of Policy and Resources Committee held on 24 June 2015 Members considered a report of the Head of Policy and Communications in relation to the end of year Strategic Plan action updates and Key Performance Indicator Results for 2014/15 and to agree the Key Performance Indicators and targets.
- 1.2 It was noted that there was no Key Performance Indicator for the Council's Commercial Waste Service and Members felt that as this service had been in operation for a while that there should be some sort of performance monitoring. However, whilst it would be appropriate for Policy and Resources Committee to look at the contribution of all commercial projects at a strategic level for the medium term financial strategy, it would be more appropriate for individual services to be scrutinised by the relevant Service Committees.

**RESOLVED:** That it be recommended that the Communities, Housing and Environment Committee monitor the performance of the Commercial Waste Service as the Service Committee responsible for overseeing this function.

## COMMUNITIES HOUSING AND ENVIRONMENT COMMITTEE 15 SEPTEMBER 2015

Is the final decision on the recommendations in this report to be made at this meeting?

**No**

### BUDGET MONITORING 2015/16 AND MEDIUM TERM FINANCIAL STRATEGY 2016/17 ONWARDS

<b>Final Decision-Maker</b>	Council: 2 March 2016
<b>Lead Head of Service</b>	Head Of Finance & Resources
<b>Lead Officer and Report Author</b>	Paul Riley Head Of Finance & Resources
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### This report makes the following recommendations to this Committee:

1. That the Committee note the outturn for 2014/15 and the position for 2015/16 as at the end of June 2015.
2. That a reference is made by this Committee to Policy & Resources Committee confirming agreement with the decision of the Policy and Resources Committee on the strategic revenue projection and the capital programme, in so far as it affects this Committee's budget.
3. That the Committee agrees to consider budget pressures and opportunities to provide savings to support the medium term financial strategy through a working group as set out in paragraph 4.2 of the report and the results of the consideration be reported to a later meeting of the Committee for consideration.
4. That the Committee also requests that potential capital projects be informally discussed by the working group and that the results be reported to a later meeting of the Committee for consideration.

#### This report relates to the following corporate priorities:

The medium term financial strategy and the budget are a re-statement in financial terms of the priorities set out in the strategic plan. It reflects the Council's decisions on the allocation of resources to all objectives of the strategic plan.

#### Timetable

<b>Meeting:</b>	<b>Date:</b>
Communities, Housing and Environment Committee	15 September 2015
Policy & Resources Committee	23 September 2015
Policy & Resources Committee	16 December 2015
Communities, Housing and Environment Committee	19 January 2016
Policy & Resources Committee	24 February 2016
Council	2 March 2016

# BUDGET MONITORING 2015/16 AND MEDIUM TERM FINANCIAL STRATEGY 2016/17 ONWARDS

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides a financial analysis of the recent outturn for 2014/15, the current performance in the first quarter of 2015/16 and the recently agreed draft medium term financial strategy for 2016/17 onwards. The information is provided where these three issues affect the Communities, Housing and Environment Committee.
- 1.2 The intention of the report is to inform the Committee of the current financial position to enable the Committee to consider options for supporting the Council's need to make saving in future years and the Committee's need to resolve any current budget pressures.

## 2. INTRODUCTION AND BACKGROUND

### Outturn 2014/15

- 2.1 The revenue outturn for the financial year ended 31 March 2015 was reported to Policy & Resources Committee on 29 July 2015. That report detailed financial performance during 2014/15 for all services. The report required a contribution of £22,000 from balances to be agreed so that all actions previously agreed by Council and Cabinet during 2014/15 could be completed. No underspend was available to carry forward, beyond the sums that had received prior approval by Cabinet in April 2015.
- 2.2 The financial information set out in that revenue outturn report can be summarised by committee as set out in table 1 below:

<b>Committee</b>	<b>Estimate £</b>	<b>Actual £</b>	<b>Variance £</b>
Policy & Resources	11,664,440	10,749,096	915,344
Communities, Housing & Environment	8,816,010	9,165,320	-349,310
Heritage, Culture & Leisure	590,710	682,171	-91,461
Strategic Planning, Sustainability & Transport	113,730	-228,634	342,364
Use of Balances & Reserves	-2,068,140	-1,229,060	-839,080
	<b>19,116,750</b>	<b>19,138,893</b>	<b>-22,143</b>

*Table 1: 2014/15, outturn compared to budget analysed by service committee.*

As can clearly be seen from the table, the Communities, Housing and Environment Committee reported an overall adverse variance of £349,310 against a net budget of £8,816,010. This means the Committee's services ended the year in deficit by 4% of the net revenue budget.

- 2.3 The outturn report detailed the major services that contributed to the adverse variance for this Committee:
- a) Temporary Accommodation – In recent years there has been a significant demand placed upon this service. During 2014/15 the service



over spent by £449,125. The Council has used a number of methods to compensate for the additional pressure including the purchase of property for use in accommodating people directly and additional base budget provision. While it is hoped that the service will remain closer to budget during 2015/16 there is still a need for additional action and plans are being developed for consideration;

b) Other less significant adverse variances include:

- CCTV over spend of £52,389;
- Public Conveniences over spend of £33,187.

2.4 The major positive variances were:

- a) Recycling Collection reported a positive variance of £159,647 all related to the provision of bins for the green waste service; and
- b) Public Health Grants under spent by £78,841. The Committee should note that the funding for this service is derived from grants received. The unused budget will be carried forward to ensure the service is provided as required by the grant conditions.

2.5 The Outturn Report to Policy & Resources Committee recognised the risk that the variances represent to the Council and these services will be closely monitored as part of that Committee's quarterly budget monitoring work.

#### First Quarter Results and Forecast 2015/16

2.6 Attached at **Appendix A** is a report on the current budget and the position in relation to the first quarter of 2015/16, to June 2015. The appendix details net budget per cost centre for this Committee. The full analysis of all services will be reported to the next meeting of the Policy & Resources Committee.

2.7 The columns of the table in the Appendix show the following detail:

- a) The cost centre description;
- b) The value of the total budget for the year;
- c) The amount of the budget expected to be spent by the end of June 2015;
- d) The actual spend to that date;
- e) The variance between expected and actual spend;
- f) The forecasted spend to year end; and
- g) The expected significant variances at 31 March 2016.

2.8 Appendix A shows that of an annual budget of £4,844,846 the expectation is that £1,264,957 would be spent in the first quarter of the year.

2.9 At this point in time the budget is reporting an under spend of £99,130 and the forecast for year-end shows that the likely outcome at 31 March 2016 is forecast at a break even position across the committee's full range of services.

- 2.10 The key budget that is likely to require careful attention during the remains the temporary accommodation budget.

Strategic Revenue Projection 2016/17 to 2020/21

- 2.11 The Policy and Resources Committee on 29 July 2015 also considered an initial report on the medium term financial strategy for the period 2016/17 to 2020/21. The Policy & Resources Committee's decisions are set out at **Appendix B** to this report and the full report can be viewed on the agenda for that meeting.
- 2.12 Based on the decisions of the Policy & Resources Committee, this report asks the Committee to consider the factors as they relate to the Committee's services and respond to Policy & Resources Committee's request for feedback.
- 2.13 The report to Policy & Resources Committee requested the approval of a strategic revenue projection to enable budget planning to progress. The officer recommended projection was approved and it took into account the following factors in relation to the Council's available resources:
- a) Business Rates: That the Council would continue to be a member of the Kent Business Rates Pool, an arrangement that is likely to benefit the Council by enabling the retention of up to £400,000 of business rates growth that would otherwise have been transferred to central government;
  - b) Revenue Support Grant: Following the Chancellor of the Exchequer's emergency budget it is clear that local government can expect renewed pressure on resources as part of the continued austerity programme. The assumption is currently that the Council can expect to lose a further £1m from its revenue support grant in 2016/17 with the grant falling to zero by 2019/20;
  - c) Council Tax Levels: The current prediction is for there to be a 2.49% increase in council tax each year. This is the aggregate of a 1.99% increase in the council tax charge and a 0.5% increase in the tax base (chargeable dwellings);
  - d) Locally Derived Income: This has been held at the current level in the projection although there is an expectation in the Council's policy on fees and charges that there will be appropriate consideration of an increase at least in line with inflation, where appropriate.
- 2.14 In addition factors that create budget pressures were also taken into account in developing the strategic revenue projection. Where those pressures create implications for this Committee the details are as follows:
- a) Employee costs: In the emergency budget the Chancellor of the Exchequer announced actions that will have an impact on the employee costs of the council. The two main issues impacting the council are:

- Funding for a 1% annual increase in public sector pay over the period of the current parliament; and
- An increase in the national living wage to £9 per hour by 2020. This included an increase to £7.20 in 2016/17.

These two issues will cause a budget pressure for all committees and officers are reviewing the longer term implications of the increase in the national living wage to £9.00. Policy & Resources Committee approved a planned increase in employee costs of 1.7% to allow for both factors and the potential cost of incremental increase for some employees.

- b) Inflation Increases: For the majority of service budgets and for over a decade the Council has set a policy of zero inflation in order to ensure a regular pressure on all services to promote efficiency. Where there are contractual or unavoidable commitments that include inflationary increases then these values are specifically set as a budget pressure. For this Committee this would include contractual arrangements within the parking service.
- c) Single Tier Pension Arrangements: From the commencement of the tax year 2016/17 the government is changing the state pension arrangement. As set out in previous medium term financial strategies the intention is to pay a single tier pension to all contributors. This will increase national insurance contributions for the Council as an employer and for all employees as the ability to “contract out” of some national insurance because of the local government pension scheme will be removed.

2.15 These pressures have been set against the current resources utilised by this Committee’s services and the current budget for those services. Set out at **Appendix C** to this report is a strategic revenue projection that approximates this Committee’s share of the overall shortfall in resources that was reported to Policy & Resources Committee.

2.16 This shows that this Committee will utilise more resources than its allocation in future years. The need to find savings for the Council as a whole and the approximation of the share that can be expected on an apportioned basis from this Committee is set out in the table below:

	2016/17 £,000	2017/18 £,000	2018/19 £,000	2019/20 £,000	2020/21 £,000	<b>Total £,000</b>
Council Savings Target	1,632	791	713	526	103	<b>3,765</b>
Apportioned to SPST	563	234	215	177	0	<b>1,189</b>

*Table 2: Apportioned savings target per financial Year*

2.17 When considering these figures and the actions that might be taken to resolve the need to identify savings, the Committee should bear in mind that the Council will look to support areas that are its key priorities and expect greater contributions from other areas. The priorities that are directly provided by this Committee’s services include one of the two highest priorities, based on public opinion. The public consultation on the Strategic Plan 2015 – 2020 showed that key priorities for the public are:

- Providing a clean and safe environment; and
- Securing improvements to the transport infrastructure of our borough.

2.18 In any circumstance it is essential that the Council is prepared for the future loss of financial resilience as set out in this report and in more detail in the report to the Policy & Resources Committee. For this reason all service committees have been requested to consider the strategic revenue projection and provide views back to the Policy & Resources Committee on its accuracy and options to balance expected resources and expenditure.

#### Capital Programme 2016/17 to 2020/21

2.19 The capital programme, also considered by the Policy & Resources Committee on 29 July 2015, includes schemes that provide additional assets for this Committee.

2.20 Funding for the programme remains consistent with previous decisions of Council in that the majority of resources come from the New Homes Bonus receipts available to the Council along with a small grants budget and a small number of receipts from asset sales. Previous decisions of Council and Cabinet have focused the use of New Homes Bonus on infrastructure projects where these are required by the infrastructure delivery plan that forms part of the Local Plan.

2.21 The current programme does include resources to support private sector landlords and registered providers of affordable housing. The sum available is £1.35m per annum.

2.22 The Policy & Resources Committee will consider schemes that service committees may wish to propose, where these schemes meet strategic priorities and a suitable business case exists. Should the Committee wish to consider any future schemes they may put them forward for consideration.

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### **3. AVAILABLE OPTIONS**

3.1 In its decision the Policy & Resources Committee approved the strategic revenue projection for the whole Council and the projection set out at Appendix C is extracted and apportioned to this Committee's services from that overall projection. The Committee also requested that the service committees review the medium term financial strategy and feedback their views of the resources and budgets available. Of special interest to Policy & Resources Committee are proposals from services committees on how to find savings of £1.6m in 2016/17 and in total £3.8m over the five year period 2016/17 to 2020/21.

3.2 The Committee should consider the requests of Policy & Resources Committee to review the factors set out in the revenue and capital budget assumptions.

- 3.3 In addition the Committee should consider its approach to identifying contributions towards the savings requirements as set out in table 2 in paragraph 2.17. It is possible for the Committee to put forward no options for savings but the pressure on the Council as a whole is considerable and it is in the interests of the Committee to be in control of the consideration of its options to make savings both immediately and in the medium term (up to five years).
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#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 It is recommended that the Committee approve the factors used in the agreed strategic revenue projection as they are the best estimates available from the information known to date. During the remainder of this financial year, as the strategy develops and more accurate information becomes available, it is possible to amend the factors and the overall plan up until the Policy & Resources Committee meeting on 24 February 2016, which will agree the budget for recommendation to Council on 2 March 2016.
- 4.2 In considering options for savings the Committee should be aware that while proposals will be put forward for consideration by officers and Councillors they may need to be considered confidential in nature and may not gain full support from all members of the Committee. For this reason it is recommended that the Committee approves the creation of a working group to consider initial options for savings that will improve value for money service delivery or reductions in non-priority service delivery. Once the working group has developed proposals that it wishes to submit they can be considered formally by the Committee and, if agreed, referred to Policy & Resources Committee.
- 4.3 Finally the Committee should request proposals from officers for capital projects that it may wish to then put forward for inclusion in the developing capital programme.
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#### **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 This report is an initial stage report in the development of the medium term financial strategy and the budget for 2016/17. From this report information will be provided to Policy & Resources Committee for inclusion in their consideration of the public consultation plan. Once this is complete public consultation will commence late October 2015 or Early November 2015.
- 5.2 This Committee's final opportunity to consider the medium term financial strategy and budget for 2016/17 will be on 12 January 2016 and feedback from consultation and other stakeholder's views will be included in that report along with final details relating to approved savings proposals.
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#### **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 6.1 Information on this decision will be passed back to the Policy & Resources Committee for their consideration when preparing the budget consultation for this year.
- 6.2 If the recommendations are agreed the working group will work with relevant officers to develop savings and growth proposals to submit to this Committee and to a later Policy & Resources Committee. All final proposals will be considered in the light of the Chancellor of the Exchequer's autumn statement and the local government finance settlement in December 2015.

## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	It is the purpose of the medium term financial strategy (MTFS) to allocate resources to the priorities in the strategic plan, including the allocation of resources to other plans and strategies developed to achieve those outcomes.	Head of Finance & Resources
<b>Risk Management</b>	<p>Matching resources to priorities in the context of the significant pressure on the Council's resources is a major strategic risk. The MTFS is improved each year to enhance its resilience and effectiveness. The MTFS is considered by Policy &amp; Resources Committee, all service committees, the Audit Governance &amp; Standards Committee and Council.</p> <p>Specific budget risks and opportunities are identified in the main body of the report, especially the consideration of the factors in the strategic revenue projection.</p>	Head of Finance & Resources
<b>Financial</b>	The budget strategy and the MTFS impact upon all activities of the Council. The future availability of resources to address specific issues is planned through this process. It is important that the committee gives consideration to the strategic financial consequences from the recommendations in this report.	Head of Finance & Resources

<b>Staffing</b>	The process of developing the budget strategy will identify the level of resources available for staffing over the medium term and the proposals include adequate resources to meet current plans.	Head of Finance & Resources
<b>Legal</b>	The Council has a statutory obligation to set a balanced budget and development of the MTFS and the strategic revenue projection in the ways set out in this report supports achievement of a balanced budget.	Head of Finance & Resources
<b>Equality Impact Needs Assessment</b>	<p>The report sets out a policy that will have a positive impact as it will enhance the lives of all members of the community through the provision of resources to core services. In addition it will affect particular groups within the community.</p> <p>It will achieve this through the focus of resources into areas of need as identified in the Council's strategic priorities.</p>	Head of Finance & Resources
<b>Environmental/Sustainable Development</b>	No specific issues arise	Head of Finance & Resources
<b>Community Safety</b>	No specific issues arise	Head of Finance & Resources
<b>Human Rights Act</b>	No specific issues arise	Head of Finance & Resources
<b>Procurement</b>	No specific issues arise	Head of Finance & Resources
<b>Asset Management</b>	Resources available for asset management are contained within the strategic revenue projections and capital programme set out in this report.	Head of Finance & Resources

## **8. REPORT APPENDICES**

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

Appendix A: First Quarter 2015/16 Budget Monitoring Report

Appendix B: Decision of Policy & Resources Committee 29 July 2015

Appendix C: Strategic Revenue Projection 2016/17 to 2020/21 –  
Communities, Housing & Environment.

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## **9. BACKGROUND PAPERS**

None



## COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

## BUDGET MONITORING REPORT 2015/16

## BUDGET POSITION TO JUNE 2015

Cost Centre	Full Year Budget	To June	Actual	Variance	Forecast	Year End Variance	Explanation
Community Safety	56,440.00	9,858.00	11,576.56	-1,718.56	56,440.00	0.00	
Building Safer Communities (BSC)	0.00	-15,380.00	-8,652.00	-6,728.00	0.00	0.00	
C C T V	243,260.00	60,341.00	2,914.76	57,426.24	268,260.00	-25,000.00	The budget is not sufficient to cover contract costs
Drainage	31,700.00	7,926.00	10,077.12	-2,151.12	31,700.00	0.00	
Licences	-7,370.00	-3,367.50	-7,289.62	3,922.12	-7,370.00	0.00	
Licensing Statutory	-61,040.00	-7,301.69	-3,696.75	-3,604.94	-61,040.00	0.00	
Licensing Non Chargeable	7,030.00	1,757.50	1,813.90	-56.40	7,030.00	0.00	
Dog Control	24,150.00	6,038.00	7,492.52	-1,454.52	24,150.00	0.00	
Health Promotion	33,000.00	16,500.00	0.00	16,500.00	0.00	33,000.00	Unlikely to spend grant in year
Health Improvement Programme	1,000.00	13,750.00	2,964.75	10,785.25	1,000.00	0.00	
Pollution Control - General	25,850.00	4,702.00	-799.52	5,501.52	25,850.00	0.00	
Contaminated Land	0.00	0.00	40.00	-40.00	0.00	0.00	
Environmental Enforcement	13,580.00	-279.02	2,398.57	-2,677.59	-16,420.00	30,000.00	Additional resources are ringfenced to waste
Food Hygiene	8,840.00	1,383.00	0.00	1,383.00	8,840.00	0.00	
Sampling	3,300.00	550.00	0.00	550.00	3,300.00	0.00	
Occupational Health & Safety	24,100.00	4,026.00	-5,000.00	9,026.00	24,100.00	0.00	
Infectious Disease Control	910.00	228.00	227.50	0.50	910.00	0.00	
Noise Control	3,690.00	647.00	176.30	470.70	3,690.00	0.00	
Pest Control	-12,000.00	-3,001.00	-3,180.75	179.75	-12,000.00	0.00	
Public Conveniences	116,320.00	47,169.00	53,136.75	-5,967.75	116,320.00	0.00	
Licensing - Hackney & Private Hire	-68,400.00	-18,943.51	-30,327.86	11,384.35	-68,400.00	0.00	
Street Cleansing	991,220.00	256,299.00	332,348.34	-76,049.34	991,220.00	0.00	
Household Waste Collection	1,149,140.00	299,158.00	246,879.85	52,278.15	1,129,140.00	20,000.00	Minor underspend on non-contract budgets is expected
Commercial Waste Services	-61,500.00	-15,376.00	-15,285.80	-90.20	-66,500.00	5,000.00	Additional surplus planned

## COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

## BUDGET MONITORING REPORT 2015/16

## BUDGET POSITION TO JUNE 2015

Cost Centre	Full Year Budget	To June	Actual	Variance	Forecast	Year End Variance	Explanation
Recycling Collection	779,330.00	218,157.00	135,474.69	82,682.31	659,330.00	120,000.00	Positive variance arises from green waste service
Switch Cafe Project	15,060.00	15,015.00	15,746.08	-731.08	15,060.00	0.00	
Community Development	16,520.00	5,105.49	2,764.45	2,341.04	16,520.00	0.00	
Social Inclusion	22,040.00	5,860.00	5,900.03	-40.03	22,040.00	0.00	
Troubled Families	23,929.73	-164,603.25	-130,686.62	-33,916.63	23,929.73	0.00	
Public Health - Sexual Health	0.00	-0.10	0.00	-0.10	0.00	0.00	
Public Health - NHS Health Check Programme	0.00	0.20	0.00	0.20	0.00	0.00	
Public Health - Obesity	21,670.00	-2,059.38	-10,048.70	7,989.32	21,670.00	0.00	
Public Health - Physical Activity	0.00	-0.15	0.00	-0.15	0.00	0.00	
Public Health - Misc Services	0.00	1,597.30	-17,259.30	18,856.60	0.00	0.00	
Grants	217,270.00	134,705.00	141,020.00	-6,315.00	217,270.00	0.00	
Delegated Grants	2,100.00	0.00	430.00	-430.00	2,100.00	0.00	
Parish Services	199,800.00	148,300.00	140,695.50	7,604.50	199,800.00	0.00	
Strategic Housing Role	13,500.00	6,100.00	5,495.40	604.60	13,500.00	0.00	
Housing Register & Allocations	10,000.00	8,501.00	7,849.42	651.58	10,000.00	0.00	
Private Sector Renewal	2,630.00	658.00	0.00	658.00	2,630.00	0.00	
HMO Licensing	-2,380.00	-2,380.00	-1,805.00	-575.00	-2,380.00	0.00	
Homeless Temporary Accommodation	107,364.00	24,968.00	125,221.05	-100,253.05	307,364.00	-200,000.00	Continued high levels of demand against an increased budget
Homelessness Prevention	95,275.00	-13,056.24	-24,782.50	11,726.26	78,275.00	17,000.00	Use of this resources is effected by demand for temporary accommodation
Aylesbury House	109,160.00	89,569.99	7,185.97	82,384.02	109,160.00	0.00	
Magnolia House	-880.00	-470.00	-11,849.82	11,379.82	-880.00	0.00	
Marden Caravan Site (Stilebridge Lane)	18,080.00	4,604.50	-5,835.94	10,440.44	18,080.00	0.00	
Ulcombe Caravan Site (Water Lane)	6,030.00	-1,151.50	-7,390.69	6,239.19	6,030.00	0.00	
Head of Environment and Public Realm	84,860.00	21,212.00	15,234.40	5,977.60	84,860.00	0.00	

## COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

## BUDGET MONITORING REPORT 2015/16

## BUDGET POSITION TO JUNE 2015

Cost Centre	Full Year Budget	To June	Actual	Variance	Forecast	Year End Variance	Explanation
Street Scene Section	239,800.00	61,229.00	44,714.70	16,514.30	239,800.00	0.00	
Waste Collection Section	205,870.00	52,195.00	48,587.62	3,607.38	205,870.00	0.00	
Environmental Operations Enforcement Section	307,340.00	76,838.00	72,914.98	3,923.02	307,340.00	0.00	
Community Safety Co-ordinator Section	61,440.00	15,564.00	14,997.64	566.36	61,440.00	0.00	
Licensing Section	96,500.00	24,235.49	21,873.79	2,361.70	96,500.00	0.00	
Environmental Health & Pollution Control Section	0.00	0.00	-1,034.54	1,034.54	0.00	0.00	
Environmental Protection Section	236,450.00	59,111.00	53,972.87	5,138.13	236,450.00	0.00	
Food and Safety Section	283,690.00	76,178.50	67,638.40	8,540.10	283,690.00	0.00	
Community Development & Partnerships Section	28,890.00	26,558.00	44,356.80	-17,798.80	28,890.00	0.00	
Head of Housing & Community Services	94,530.00	23,854.00	23,351.47	502.53	94,530.00	0.00	
Housing Services Manager	520.00	129.00	149.00	-20.00	520.00	0.00	
Policy & Development Section	47,080.00	6,545.00	8,949.74	-2,404.74	47,080.00	0.00	
Private Sector Housing Section	18,540.00	17,219.00	16,569.60	649.40	18,540.00	0.00	
Housing Options Section	30,210.00	28,319.00	41,449.79	-13,130.79	30,210.00	0.00	
Housing & Enabling Section	303,277.61	66,760.37	37,788.34	28,972.03	303,277.61	0.00	
Housing & Inclusion Section	242,390.00	61,558.99	37,561.84	23,997.15	242,390.00	0.00	
Housing & Communities Section	306,850.00	76,713.96	55,993.17	20,720.79	306,850.00	0.00	
Fleet Workshop & Management	727,700.00	181,923.00	178,399.09	3,523.91	727,700.00	0.00	
MBS Support Crew	-80,050.00	-20,014.00	-8,007.68	-12,006.32	-80,050.00	0.00	
Grounds Maintenance	1,273,930.00	304,362.52	307,816.64	-3,454.12	1,273,930.00	0.00	
Communities, Housing & Environment	4,844,846.61	1,264,956.58	1,165,825.73	99,130.85	5,027,846.61	0.00	

**MAIDSTONE BOROUGH COUNCIL**

**RECORD OF DECISION OF THE POLICY AND RESOURCES  
COMMITTEE**

Decision Made: 29 July 2015

**MEDIUM TERM FINANCIAL STRATEGY 2016/17 ONWARDS**

**Issue for Decision**

To give initial consideration to a Medium Term Financial Strategy for 2016/17 and beyond.

**Decision Made**

- 1) That, for planning purposes, a council tax increase of 1.99% be agreed for the development of the medium term financial strategy;
- 2) That the officer recommended strategic revenue projection as set out in Appendix C to the report of the Head of Revenues and Resources be agreed for submission to all Service Committees for their consideration and respond back to this Committee on the factors outlined;
- 3) That the current capital programme be advanced by one year as set out in Appendix D to the report and agreed for planning purposes; and
- 4) That all Service Committees be requested to consider possible submission for the future capital programme.

Should you wish to refer this decision to Council, please submit a Decision Referral Form, signed by five Councillors, to the Head of Finance and Resources by: 6 August 2015
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## COMMUNITIES HOUSING AND ENVIRONMENT

BUDGET STRATEGY 2015/16 ONWARDS  
REVISED REVENUE PROJECTION

2015/16 £,000		2016/17 £,000	2017/18 £,000	2018/19 £,000	2019/20 £,000	2020/21 £,000
<b>AVAILABLE FINANCE</b>						
1,022	REVENUE SUPPORT GRANT	661	417	190	0	0
1,329	RETAINED BUSINESS RATES	1,355	1,382	1,410	1,439	1,467
2,351		2,016	1,799	1,600	1,439	1,467
139	COLLECTION FUND ADJUSTMENT					
6,023	COUNCIL TAX	6,174	6,328	6,487	6,649	6,815
8,513	<b>BUDGET REQUIREMENT</b>	8,190	8,128	8,087	8,087	8,282
2,128	OTHER INCOME	2,128	2,128	2,128	2,128	2,128
<b>10,641</b>	<b>TOTAL RESOURCES AVAILABLE</b>	<b>10,318</b>	<b>10,256</b>	<b>10,215</b>	<b>10,215</b>	<b>10,410</b>
<b>EXPECTED SERVICE SPEND</b>						
10,585	<b>CURRENT SPEND</b>	10,641	10,318	10,256	10,215	10,215
	<b>INFLATION INCREASES</b>					
158	PAY AND INFLATION INCREASES	167	171	174	178	195
	<b>NATIONAL INITIATIVES</b>					
	SINGLE TIER PENSION ARRANGMENTS	73				
	<b>LOCAL PRIORITIES</b>					
160	HOUSING TEMPORARY ACCOMMODATION					
<b>10,903</b>	<b>TOTAL PREDICTED REQUIREMENT</b>	<b>10,881</b>	<b>10,489</b>	<b>10,430</b>	<b>10,393</b>	<b>10,411</b>
<b>262</b>	<b>ANNUAL SAVINGS TARGET</b>	<b>563</b>	<b>234</b>	<b>215</b>	<b>177</b>	<b>0</b>

# Agenda Item 12

## Community, Housing and Environment Committee

15<sup>th</sup> September  
2015

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

## Affordable Energy Strategy

<b>Final Decision-Maker</b>	Community, Housing and Environment Committee
<b>Lead Director or Head of Service</b>	John Littlemore
<b>Lead Officer and Report Author</b>	Ellie Kershaw and Helen Miller
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

### **This report makes the following recommendations to the final decision-maker:**

1. To support the production of an affordable energy strategy
2. To agree which actions should be undertaken and resourced
3. To delegate authority to Head of Housing and Community Services to allocate the £50,000 in the existing capital home improvement budget to relevant funding opportunities that are aligned with this strategy as they arise

### **This report relates to the following corporate priorities:**

- Keeping Maidstone Borough an attractive place for all : Reducing fuel poverty will encourage good health and wellbeing
- Securing a successful economy for Maidstone Borough: Reducing fuel poverty will ensure residents are more likely to have more money to spend in the local economy

### **Timetable**

<b>Meeting</b>	<b>Date 15/09/15</b>
Policy and Resources Committee	
Council	
Other Committee	Community, Housing and Environment Committee

# Affordable Energy Strategy

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Approximately 5000 households in the borough are currently affected by fuel poverty. These households are likely to either under-heat their home or fall into debt due to high bills. Living in a cold home has a negative impact on the health of occupants and may reduce children's educational attainment so perpetuating health inequalities. The large amounts of money needed to heat an energy inefficient home could otherwise be spent in the local economy.
- 1.2 The Government released "Cutting the cost of keeping warm; A fuel poverty strategy for England" in March 2015. This has a clear expectation that local authorities will act to reduce fuel poverty. It recognises the three drivers of fuel poverty;
- Poor home energy efficiency;
  - Low household Income; and
  - High fuel costs
- and recommends ways to address them.
- 1.3 Levels of fuel poverty vary across the borough from a low of 2.2% to a high of 15.2% of households living in fuel poverty. In the urban areas, fuel poverty generally coincides with high levels of poverty but in rural areas the picture is more complex and drivers include older, less energy efficient homes and no access to the cheapest fuel: mains gas.
- 1.4 The proposed strategy and action plan attached in Appendix 1 explains the drivers and impacts of fuel poverty, the national and local strategic framework and how levels of fuel poverty vary across the borough. It lists the actions the council is already taking and provides a menu of actions it could take to reduce fuel poverty.

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## 2. INTRODUCTION AND BACKGROUND

- 2.1 The council is a member of the Kent and Medway Sustainable Energy Partnership (KMSEP) which aims to help residents improve the energy efficiency of their home and so reduce the carbon emissions and heating costs associated with heating their home using Energy Company Obligation (ECO) funding. The scheme helps residents in owner occupied or privately rented homes gain substantial funding towards installing loft and cavity wall insulation. It also provides a lower level of help with gas boilers for households on a narrow range of means tested benefits. It is a good scheme for addressing the more common needs of the more modern homes; insulating lofts and cavity walls, but provides no help for insulation of solid walls or park homes. KMSEP is active in seeking other funding streams which would also be used to improve heating and insulation in homes for a small number of households with more diverse needs.

- 2.2 Rural fuel poverty is linked to older and harder to heat homes, low income but not necessarily benefit recipient households and the use of expensive fuels like oil. These households are often ineligible for the mainstream ECO schemes or require measures like oil boilers or solid wall insulation that is not currently covered by ECO.
- 2.3 The action plan in Appendix 1 provides a menu of new actions the council can choose from. The actions are listed under the driver they aim to address: poor home energy efficiency, low household income and high fuel costs. Some, like the one stop shop service, could be useful to residents across the borough. Others could be targeted to help geographical communities where the level of fuel poverty is highest, where the energy efficiency of the homes is poorest or where the external funders' criteria allow it to be used. Some actions work better in conjunction with others. For example, the Help to Heat scheme that connects the home of a vulnerable person to the gas main will not address fuel poverty on its own. When combined with another scheme to give the occupant a gas central heating system, it provides a heating system that is cost and energy efficient and will reduce or remove fuel poverty.
- 2.4 The fuel poverty landscape moves quickly with new funding streams becoming available and dwindling regularly. The council would benefit from a flexible strategy that permitted it to adapt to changes and benefit from them.
- 

### **3. AVAILABLE OPTIONS**

- 3.1 The council has no legal obligation to increase its activity to reduce fuel poverty. It could continue with its current participation in the KMSEP partnership and activities outlined in the Home Energy Conservation Act 1995 (HECA) report submitted in March 2015. This would enable the council to implement the actions outlined in the HECA report and take limited actions to reduce fuel poverty in the borough. For information, the council is not legally bound to carry out the proposals contained in the HECA report.
- 3.2 The council could support the production of an Affordable Energy Strategy and identify additional actions to take that can be carried out within existing staffing and budget levels. This approach would enable the council to fully implement the actions in the HECA report and the flexibility to undertake additional targeted action to reduce fuel poverty for the groups of people, locations or types of homes selected. Authority could be delegated to the Head of Housing and Community Services to allocate the £50,000 resource, already allocated to address fuel poverty, to opportunities aligned to this programme as they arise.
- 3.3 The council could support the production of an Affordable Energy Strategy and assign additional resources to carry out a wider range of activities to reduce fuel poverty. This approach would allow the council to reduce the fuel poverty of a larger number of households.
- 

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



- 4.1 The preferred option is for the council to support the production of an Affordable Energy Strategy and to allow greater flexibility on the actions taken to reduce fuel poverty whilst working within existing resources. This will allow the strategy to be drafted with an action plan, for the council to respond to changes in external funding streams, for partners to be consulted on it and a targeted approach to be taken. Authority could be delegated to the Head of Housing and Community Services to allocate the £50,000 resource, already allocated to address fuel poverty, to opportunities aligned to this programme as they arise.
- 4.2 The benefit of this strategy and approach to resources is to enable the council to take a strategic approach to addressing fuel poverty within the borough.

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

- 5.1 The HECA report was accepted by Cabinet Member for Environment and Housing on 12<sup>th</sup> March 2015. No consultation has taken place for the proposed Affordable Energy Strategy and action plan. Should the production of the proposed Affordable Energy Strategy be supported, partners in community groups, health and social care, internal departments and rural parish councils with high levels of fuel poverty would be consulted.

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

- 6.1 Consultation would be carried out with internal and external partners and further revisions made as needed. The council would then work with partners to enact the action plan.

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## **7. CROSS-CUTTING ISSUES AND IMPLICATIONS**

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	none	[Head of Service or Manager]
<b>Risk Management</b>	none	[Head of Service or Manager]
<b>Financial</b>	possible depending on which actions from the action plan are agreed	[Section 151 Officer & Finance Team]
<b>Staffing</b>	possible depending on which actions from the action plan are agreed	[Head of Service]
<b>Legal</b>	None	[Legal Team]
<b>Equality Impact Needs</b>	Stage 1 carried out Policy and Information	[Policy &

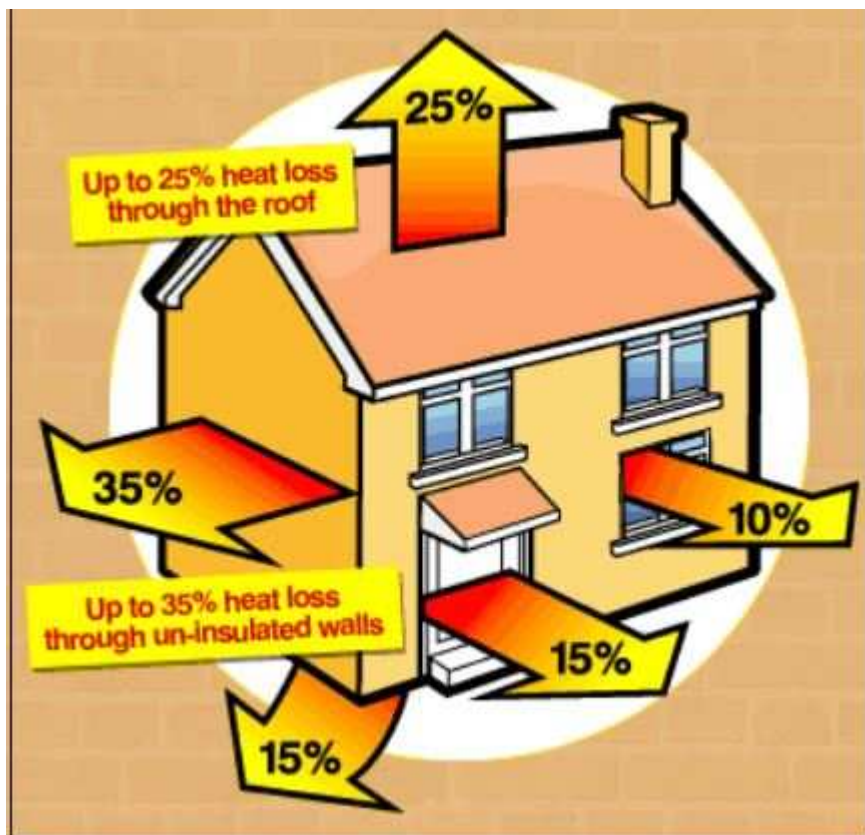
<b>Assessment</b>	Manager agreed stage 2 not needed	Information Manager]
<b>Environmental/Sustainable Development</b>	If adopted the strategy would improve the energy efficiency of a small number of residents' homes.	[Head of Service or Manager]
<b>Community Safety</b>	None	[Head of Service or Manager]
<b>Human Rights Act</b>	none	[Head of Service or Manager]
<b>Procurement</b>	Depending on actions chosen the council may wish to procure contractors to install heating systems in residents homes to a total value of £65,000.00	[Head of Service & Section 151 Officer]
<b>Asset Management</b>	none	[Head of Service & Manager]

## 8. REPORT APPENDICES

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

- Appendix 1: The draft Affordable Energy Strategy and draft Action Plan
  - Appendix 2: Background documents to the Affordable Energy Strategy
  - Appendix 3: Equality Impact Assessment stage 1
-

## Affordable Energy Strategy



## **Foreword**

To be provided by chair of committee if the strategy is agreed.

## Contents

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## **2 Why should the council have an affordable energy strategy?**

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A household experiences fuel poverty when they cannot afford to heat their home to a comfortable level. The government's new definition of fuel poverty, the low income high cost model, considers a household is fuel poor when it spends more than the UK median on its energy bills and its income is below the poverty line. This definition is less vulnerable to changes in fuel prices and enables better year on year comparisons. It also allows the level of fuel poverty to be quantified.

### **New Definition of Fuel Poverty**

The new indicator finds a household to be fuel poor if:

- Their income is below the poverty line, and
- Their energy costs are higher than is typical for their household type.

Fuel poverty used to be defined as when a household needed to spend 10% of their income to heat their home adequately. Under this definition the level of fuel poverty did fall between 1996 to 2002 due to improvements in domestic insulation supported by Warm Front, compliance with the Decent Homes standard in social housing and targeted income increases via the winter fuel allowance payments. Since 2003 levels of fuel poverty have increased due to large increases in fuel prices compounded by low income increases since 2008. It is important to check the definition of fuel poverty used when viewing statistics and trends.

In March 2015 the government released a new strategy to tackle fuel poverty which supports the need to tackle the three drivers of fuel poverty set out below. The government set a target that no fuel poor household should be living in a home with the lowest levels of energy efficiency on its Energy Performance Certificate by 2030.

Approximately 5000 households in the borough live in fuel poverty. 7.87% households live in fuel poverty, but within the borough levels vary from just 2.2% to 15.2% with the higher levels found in Marden, Yalding, Headcorn and small areas of the High Street, Fant, North and North Shepway wards.

### **Impacts of fuel poverty**

Fuel poverty can lead to the home being kept at a colder temperature than is good for the health of the occupants. Cold homes can affect or exacerbate a wide range of health problems including respiratory and circulatory problems, slow recovery following discharge from hospital and increased risk of poor mental health. Estimates suggest the 10% of excess winter deaths are attributable to fuel poverty.

As well as the negative impact on the health of children, adults and older people fuel poverty also has a negative impact on the educational attainment of children and increases work absence. Excessive money spent on heating the home cannot be spent in the local economy and sometimes leads to homelessness when the household has to prioritise the cost of heating rather than rent or mortgage payments. See background documents for more detail on the impacts of fuel poverty.

## **The Drivers of Fuel Poverty**

The three drivers that determine whether a household is likely to be in fuel poverty are;

- The energy efficiency of the home;
- The cost of heating fuel; and
- The household income.

See background documents for an explanation of the three drivers of fuel poverty.

The relatively low standard of energy efficiency in the older housing stock means that heating a home can be costly, particularly for those on a low income. Fuel poverty is a long standing problem and a raft of interventions will be needed to address the three drivers in a meaningful way.

Reducing fuel poverty will address the key objectives of reducing health inequalities and increasing financial inclusion. Interventions should be planned to address all three drivers of fuel poverty.

## **3 The national context**

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The government released its new fuel poverty strategy, "Cutting the cost of keeping warm; A fuel poverty strategy for England" in March 2015. The vision is to cut bills and increase comfort and well-being in cold, low income, homes. The strategy sets the target to ensure that as many fuel poor homes as is reasonably practicable achieve a minimum energy rating of Band C by 2030. The interim targets are as many fuel poor homes as is reasonably practicable to band D by 2025 and of as many fuel poor homes to band E by 2020. To achieve this many homes will require insulation and heating improvements. The government's strategy suggests tackling the least energy efficient homes, those households with the largest fuel poverty gap, and those housing people who are most vulnerable to the cold, first.

To measure how well fuel poverty is being addressed the government will measure the SAP ratings, home energy efficiency by measuring the presence of a central heating system in fuel poor homes, the number of fuel poor homes with non-condensing (less efficient) boilers and the number of fuel poor households with loft and cavity wall insulation. They also intend to monitor use

of renewable technologies, the distribution of fuel poor households across the country, homes off the mains gas network and children living in fuel poverty.

The government plans to release data in 2015 showing the location of homes that are not on the mains gas line and layering maps with other data sets to include;

- Index of Multiple Deprivation (IMD) data at Lower Super Output Area (LSOA) level,
- Carbon Saving Community Obligation (CSCO) at LSOA level,
- penetration of energy efficiency measures,
- rural-urban classification census data,
- main heating type and
- benefit claimants

When released, this information should enable organisations to plan interventions. The government also plans to carry out research on the drivers of fuel poverty for park home residents and to make it easier for residents living in park homes to claim the Warm Homes discount in 2015/16.

The fuel poverty strategy recognises the link between cold homes and health. Fuel poverty is an indicator in the Public Health Outcomes Framework for England and the Cold Weather Plan for England emphasises tackling fuel poverty as one of the actions to minimise the health impact of cold weather. The government favours 'warmth on prescription' type approach with referrals from GPs, and a wide range of health professionals, with funding secured from many sources for physical works and strong partnership working.

There are a range of other national and local strategic documents, guidance and legislation which have also been considered in deciding the strategic direction that this document sets. These are listed in the background documents with links for further information. These documents focus on reducing the number of people living in fuel poverty; the health and social impacts of living in cold homes and reducing carbon emissions. They indicate the expected direction of travel for reducing fuel poverty and the impacts associated with it.

## **4 Local context**

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### **Maidstone the place**

Maidstone is an exceptionally green Borough with a number of parks, the largest of which is Mote Park, which is Grade II on the English Heritage Register of Historic Parks and home to thriving rugby and cricket clubs. There are numerous smaller parks and squares within the town and villages which have benefited from a major playground and sports facility investment programme in recent years. We recognise the importance of maintaining a quality environment for residents including our heritage and conservation areas. The attractive countryside offers high quality landscape and biodiversity and a wide range of informal recreation opportunities.



Maidstone Borough is considered a good place to live and work with high rates of employment, relatively low levels of adults claiming incapacity benefits and a higher proportion of residents who have a degree than the South East average. Larger numbers of people commute into than out of the Borough. The Borough has a very mixed business sector with large numbers of small and medium size businesses with particular strengths in professional services (law and accountancy) and construction. There is a growing media industry led by Maidstone Studios and the Kent Messenger Group. Maidstone has an extensive further education campus (Mid Kent College) and a growing higher education offer with both the University for the Creative Arts and Mid Kent College seeking to increase their range of courses and facilities. Residents living in the Borough have relatively high wages (although many higher earners commute out of the Borough to achieve these). Maidstone came out as the top destination for business in the 2010 Perception Study of locations for business in Kent carried out by Locate in Kent ([www.locateinkent.com](http://www.locateinkent.com))

Maidstone's Local Strategic Partnership has carried out work in 2010 looking at how public money is spent locally. They have identified that £602 million has been spent in Maidstone in 2010 by various bodies including Kent County Council, Maidstone Borough Council, Kent Police and the local Primary Care Trust. Just over 35% of the money is spent on health and social well-being, nearly 17% is spent on education and 15% on housing.

### **Maidstone Sustainable Community Strategy 2009-2020:**

The Sustainable Community Strategy (SCS) is the topmost level of policymaking in the Council. Our SCS was published in April 2009, and it contains the following vision and long term objectives for the Borough agreed with our partners:

**"We want Maidstone Borough to be a vibrant, prosperous 21st century urban and rural community at the heart of Kent, where its distinctive character is enhanced to create a safe, healthy, excellent environment with high quality education and employment where all people can realise their aspirations".**

In Maidstone sustainable communities mean places where people want to live and work, now and in the future. We involve the local community in a range of ways to ensure that people can share their views on housing services and priorities for service development. We already encourage our housing services customers to tell us what they think and suggest how we can do things better, for example through stakeholder meetings, community events (e.g. annual Housing Stakeholders Event) and public consultation events for policy changes e.g. choice based lettings, housing needs review. We keep looking for new ways to improve customer involvement, particularly where there may be communication barriers. It is important that we engage with our residents and customers to ensure our knowledge remains up to date and we can respond to changes in local issues.

### **Housing tenure mix**

Maidstone Borough Council has regularly kept up to date on the levels of housing need in the borough, with the most recent Strategic Housing Needs Survey being reported in March 2010. The supply and demand analysis that sits alongside the SHMA gives helpful information on mismatches between the supply of certain types of homes and the demand for them locally.

The housing market is considered balanced if the local population is adequately accommodated.

Currently about 5.5% of households are classified as inadequately housed. Lone parent households are the household group least likely to live in adequate accommodation, with multiple pensioner households the most likely.

The private rented sector almost doubled from 2005-2010 and therefore the Council needs to engage with this sector while recognising that we have limited influence on the market.

## **5 Our local plans and vision**

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Our vision is for our residents to live in decent homes, enjoy good health and a pleasant environment, with a successful economy that is supported by reliable transport networks. Our Housing Assistance Policy 2013-15 contains 4 priorities including "to promote affordable warmth through improving private sector home energy efficiency". This strategy will be reviewed in 2015 and renewed every 2 years. Our Health Inequalities Action Plan 2014-2020 recognises the importance of tackling fuel poverty and aims to take advantage of government initiatives to reduce fuel poverty.

Under previous housing assistance policies the Council extended and supported the Government's Warmfront Scheme (now ended) to increase the availability of funding to those residents who would have otherwise been marginalised. The Council adopted a Heating and Energy Efficient Grant that in certain prescribed qualifying conditions increased the value of financial assistance available to ensure vulnerable residents had the opportunity to access efficient heating systems and improvements in the thermal efficiency of their homes.

## **6 Fuel Poverty in Maidstone Borough**

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The average level of fuel poverty in the borough is close to the regional and county average. 7.87%, or just under 5000, households in Maidstone borough are in fuel poverty, which is below the Kent average of 8.46%, but slightly above the South East average of 7.79%.

However, when counted at lower super output area (LSOA) the level of fuel poverty varies from 2.2% to 15.2%. There are small urban areas within the High Street, Fant, Shepway North and North wards with high levels of fuel poverty. The much larger rural areas of Stockbury, Huckling, Bicknor, Wormshill, Frinstead, Wichling, Otterden, Hollingbourne, Marden, Yalding, Headcorn, Coxheath and Hunton, Boughton Monchelsea, Nettlestead, West Farleigh, Linton, Chart Sutton, Sutton Valence, Boughton Malherbe and Ulcombe all have more than 10% of the households in fuel poverty. The map in the background documents item 6 shows the levels of fuel poverty in the borough.

Gas is a lower cost fuel and nationally we see higher levels of fuel poverty in areas without access to mains gas. Bicknor, Boughton Malherbe, Grafty Green, Frinstead, Wormshill, Wichling, Huckling, Hawkenbury, Broadstone, Broad Street, Chainhurst, Otham, Stockbury, Ulcombe, Platts Heath, West Farleigh and Bedminton are off the mains gas service. Parts of Barming, Bredhurst, Broomshill, Kingswood Chart Sutton, Collier Street, Coxheath, East Farleigh, Staplehurst and Watlingbury are also off mains gas.

## **Why do we have more rural fuel poverty?**

Nationally the level of fuel poverty is higher in rural areas than urban areas. Homes in rural areas are more likely to be heated by more expensive fuels like oil rather than mains gas. The English Housing Survey estimates rural homes cost more to heat than the national average as rural homes tend to be larger, with 45% being detached so having more external walls and 25% having solid walls which hold the heat less well than cavity walls. Rural areas are often slightly colder than cities due to higher altitude and greater exposure to wind. Successive government policies to reduce fuel poverty have been taken up more by urban areas with the Campaign to Protect Rural England estimating that rural properties make up 18% of the housing stock yet receive 1% of government funding.

## **7 Aims and outcomes**

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The council aims to help residents address the drivers of fuel poverty by helping them find the information they need to make informed choices and take the action as suits their needs.

### **Aim**

#### **1. To help residents to increase the energy efficiency of their home**

### **Outcomes**

- Residents know where to seek guidance and support
- Residents improve the energy efficiency of their home

It is important to help residents find reliable sources of information on home energy efficiency. Living in an energy efficient home reduces the likelihood of fuel poverty.

## **2. To help residents control the costs of the energy to heat their home**

### **Outcomes**

- Residents know how to seek better deals on their fuel bills
- Residents have lower fuel bills

High fuel prices are an important driver of fuel poverty. Helping residents to seek better deals of their fuel bills and pay less will help them to reduce fuel poverty.

## **3. To help residents increase their household income**

### **Outcomes**

- Residents are supported to find employment
- Residents are supported to apply for all the benefits they are entitled to.

Low income is a key driver of fuel poverty. Helping residents to boost their income, via employment or benefit maximisation, will increase their ability to heat their home to an adequate level.

## **8 Action plan for addressing fuel poverty in Maidstone**

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The action plan below is divided into actions to tackle the three drivers and finishes with some actions that address more than one driver. Each section begins with the actions the council is already taking and then offers a menu of actions that the council could adopt. Some actions will work better if teamed with other actions; for example bringing the cheaper fuel, mains gas, to a residents home without any support to change their boiler and heating system to use gas may not be effective, but add that action to support from a grant to pay for installing heating and the resident will benefit from an effective and affordable heating system.

£50,000 has been allocated towards the Home Energy Efficiency Grant. The grant could be used in a more responsive and flexible way to support new actions to reduce fuel poverty. It could be allocated to one area or funding could be split between several actions. Many actions in the action plan refer to this one £50,000 fund.

## Affordable Energy Action Plan

### 1.1 Current Actions to improve energy efficiency

Aims	Action	Milestones	Resources	Teams involved	Strategic links
1.11 Support Warm Homes call centre and service	Contribute towards funding for Kent wide Warm Homes call centre	Ongoing	£643 for first year (2014). No payment needed for 2015. May be self-funding in future. No staff time	None	Health Inequalities Action Plan Housing Assistance Policy 2013-5 Welfare Reform Agenda
1.12 Sustain referrals to Warm Homes service	Promote Warm Homes scheme to residents via events, website, social media and publications	On-going	Less than 0.1 FTE. Leaflets, banner and packs are provided by KCC	Inclusion Team Communications Team	Health Inequalities Action Plan Housing Assistance Policy 2013-5 Welfare Reform Agenda Low emissions strategy
1.13 Improve take up of grants amongst vulnerable households	Provide Home Energy Efficiency Grant Scheme to give a repayable grant to vulnerable households to top up shortfalls in other funding streams. Currently used to top up funding from ECO of Green Deal Cash back schemes	On-going	Less than 0.1 FTE. £50K allocated from Housing Assistance Fund	Inclusion Team Housing and Health Team	Health Inequalities Action Plan Housing Assistance Policy 2013-5 Welfare Reform Agenda
1.14 Encourage residents to take up Green Deal	Provide and update information on our website	On-going	Less than 0.1 FTE.	Inclusion Team	Health Inequalities Action Plan Housing Assistance Policy 2013-5 Low emissions strategy
1.15 Reduce health inequalities by tackling homes that worsen poor health	Administer the winter warmth grant. This may require procuring a service or using contractor from the KMSEP service in future	Now until 2017 but may be continued	Up to 0.1 FTE Capital funding provided by KCC.	Inclusion Team Housing and Health Team Procurement team	Health Inequalities Action Plan

### 1.2 Possible new action to improve energy efficiency

Aims	Action	Milestones	Resources	Teams involved	Strategic Links
1.21 Make better use of the £50K assigned to the Home Energy Efficiency Grant	Investigate options to re-orientate grant to support more funding streams. This may include procuring contractors to do installations or administration and installation.	Begin when status of Central Heating fund and Warm and Healthy Fund are known. Central heating bid fund decision date 30/07/15	0.1 FTE Existing capital home improvement budget - £50k	Inclusion Team Housing and Health Team	Health Inequalities Action Plan Housing Assistance Policy 2013-5 Welfare Reform Agenda Low emissions strategy
1.22 If bid successful use Warm and Healthy Homes fund to improve the energy efficiency of homes occupied by people with health issues	Work with KMSEP to identify suitable homes and households to install central heating to 7 homes and solid wall insulation to 3 homes housing people with health conditions. Use the Winter Warmth, and where eligible HEEG, funds to support the programme	Programme begins October 2015 End March 2017	0.1 FTE but concentrated into short time period.  Existing capital home improvement budget - £50k.  The Winter Warmth funding from KCC	Inclusion Team Housing and Health Team	Health Inequalities Action Plan Housing Assistance Policy 2013-5 Low emissions strategy
1.23 Provide Technical Support for people who are able to pay for works	Negotiate with Home Improvement Agency to determine whether they will help 'able to pay' households determine works and find contractors	Not time sensitive	Less than 0.1 FTE.	Inclusion Team Housing and Health Team	Health Inequalities Action Plan Housing Assistance Policy 2013-5 Low emissions strategy
1.24 Improve the energy efficiency of the private rented stock	Write and follow a communications plan to inform landlords and letting agents of the changes coming and ways to find funding for	Throughout 2015-2017	Less than 0.1 FTE.	Inclusion Team Housing and Health Team Communications Team	Health Inequalities Action Plan Housing Assistance Policy 2013-5 Low emissions strategy

	improvements. Health & Housing Team to give advice to landlords whose rental stock is rated F or G when having other contact.				Welfare reform agenda
1.25 Investigate ways to help the households living in homes rated F or G that are not eligible for other support.	Investigate options for helping residents not eligible for other funding streams to access support. Consider whether HEEG should be spent on this priority.	Not time sensitive	Less than 0.1 FTE. May result in new action being created to address matter.	Inclusion Team Housing and Health Team	Health Inequalities Action Plan Housing Assistance Policy 2013-5 Low emissions strategy

## 2.1 Current actions to reduce fuel costs

Aims	Action	Milestones	Resources	Teams involved	Strategic links
2.11 Provide a collective switching scheme that is open to people using all types of payment and living in all types of tenure	Run the Big Maidstone Switch service	Schemes run 3 times a year at dates set by iChoosr. We can opt in for each scheme.	Less than 0.1 FTE concentrated into short time periods. Up to £200 promotional materials for each scheme. Council receives £5.50 for each fuel switched so service broadly breaks even.	Inclusion Team Communications Team ICT Gateway and Contact Centre	Health Inequalities Action Plan Welfare Reform Agenda
2.12 Provide training on home energy efficiency and switching energy supplier to frontline staff, councillors and vulnerable residents	Provide Energy Best Deal courses on contract from Citizens Advice Bureau (CAB)	Scheme runs Oct to March most winters	Less than 0.1 FTE We receive £300 for each course provided	Inclusion Team	Health Inequalities Action Plan Welfare Reform Agenda
2.13 Provide information on ways to save money on cost of heating using oil	Located online and local oils clubs. Provided training to rural councillors on oil clubs. Provided information on website.	Completed	Less than 0.1 FTE completed	Inclusion Team	Health Inequalities Action Plan Welfare Reform Agenda
2.14 Provide information on government schemes to support vulnerable people in winter months	Provided information on the schemes and how to access them on Money Matters website	Update yearly as amounts may increase	Less than 0.1 FTE.	Inclusion Team	Health Inequalities Action Plan Welfare Reform Agenda
2.15 Help vulnerable households off mains gas get connected to mains gas	Promoted SGN's Help to Heat scheme to rural parish councils	Completed	Less than 0.1 FTE. Completed	Inclusion Team Communications Team	Health Inequalities Action Plan Welfare Reform Agenda



## 2.2 Possible new actions to reduce fuel costs

Aims	Action	Milestones	Resources	Teams involved	Strategic Links
2.21 Research whether further support needed to help residents source cheaper oil/LPG/Wood	Find out how many households are using oil/LPG/wood as their main heating fuel. Find out how many are in fuel poverty. Determine whether there is a need to provide more help in this area. May lead to new action.	Not time sensitive	Less than 0.1 FTE.	Inclusion Team	Health Inequalities Action Plan Welfare Reform Agenda Low emissions strategy
2.22 Provide support for residents on searching for cheaper fuel at Gateway	Train volunteers to help residents use our computers to compare the market and switch their electricity or gas supplier. Residents could transfer these skills to comparing market and switching on other products.	Not time sensitive	0.1 FTE Printer for residents to print out information	Inclusion Team Gateway staff Volunteers Housing and Health Team	Health Inequalities Action Plan Welfare Reform Agenda
2.23 Investigate barriers residents experience to making use of Feed in Tariff (FIT) or Renewable Heat Incentive (RHI)	Investigate why residents have not used these schemes so far and why those who have used them chose to	Not time sensitive	Less than 0.1 FTE.	Inclusion Team	Health Inequalities Action Plan Low emissions strategy
2.24 Using intelligence gained from above decide what support council will provide to promote take up	Do options analysis, cost out options and provide report for committee on ways to support residents make use of FIT and RHI	Not time sensitive	Less than 0.1 FTE.	Inclusion Team	Health Inequalities Action Plan Low emissions strategy
2.25 Investigate whether to promote 'renting your	Do options analysis on strengths, weaknesses and risks to residents	Not time sensitive	Less than 0.1 FTE.	Inclusion Team Commercial projects	Health Inequalities Action Plan

roof' schemes	and council for promoting such a scheme. Provide report to committee			team	Welfare Reform Agenda Low emissions strategy
2.26 Ensure energy efficiency is embedded in council policies	Support proposed planning policy to include requirement in DM2 for the 'Merton Rule' of 10% of the developments energy to be created by renewable, low carbon or waste for developments of more than 10 homes.	Immediately	Less than 0.1 FTE.	Inclusion Team Planning Policy Team	Health Inequalities Action Plan Welfare Reform Agenda Low emissions strategy
2.27 Provide information to residents on RHI, FIT and the relevant technologies online and at events	Write website text, design leaflets, and attend events.	Not time sensitive	Less than 0.1 FTE. Simple leaflets	Inclusion Team	Health Inequalities Action Plan Low emissions strategy Welfare Reform Agenda
2.28 Promote the SGN's Help to Heat Scheme in the LSOAs where all residents are eligible	Determine areas where residents are eligible for scheme AND scheme is viable as within 23m of the gas main. Inform residents of scheme and other sources of support as bring gas to home will not enable them to use the cheaper fuel without gas appliances e.g. boiler	Not time sensitive	0.1 FTE concentrated in one time period	Inclusion Team Housing and Health Team	Health Inequalities Action Plan Low emissions strategy Welfare Reform Agenda
2.29 Promote SGN's Help to Heat Scheme in rural areas with highest level of fuel poverty	Develop communications strategy that promotes the scheme and other relevant schemes in the simplest ways possible. Need different approach as no rural area has all residents eligible due to IMD criteria. Up to 15% residents will be eligible under Fuel Poverty criteria.	Not time sensitive	0.1 FTE concentrated in one time period	Inclusion Team Housing and Health Team	Health Inequalities Action Plan Low emissions strategy Welfare Reform Agenda

2.30 Inform practice and targeting using research to be provided by Ovo on energy use and population statistics	Use findings to target interventions	Not time sensitive	Less than 0.1 FTE	Inclusion Team	Health Inequalities Action Plan Welfare Reform Agenda
2.31 Consider how Ovos community tariff can reduce fuel bills for residents	Work with Ovo to determine options and report to committee	Not time sensitive	Less than 0.1 FTE	Commercial Projects Team	Welfare Reform Agenda

### 3.1 Current actions to increase household income

Aims	Actions	Milestones	Resources	Teams involved	Strategic links
3.1 Support eligible residents take up benefits	Staff refer residents to pension service, DWP, HMRC and to relevant advice agencies	On-going	3 FTE staff time	Benefit assessors Gateway staff	Welfare reform Agenda
3.2 Support eligible residents to identify benefits to take up	Staff do affordability checks to ensure resident can afford planned tenancy and advise on claiming benefits	On-going	1 FTE	Housing and Inclusion	Welfare reform agenda

### 3.2 Possible new actions to increase household income

Aims	Actions	Milestones	Resources	Teams involved	Strategic links
3.21 Encourage eligible households to claim the benefits they are entitled to	Design and follow a communications plan to provide information on benefits, and reduce stigma in claiming them, to go in out publications and social media	March 2016	Less than 0.1 FTE.	Communications team	Health Inequalities Action Plan Welfare Reform Agenda
3.22 Encourage hard to reach eligible households to claim the benefits they are entitled to	Attend community events with resources and one to one support to encourage people to discover whether they are eligible for benefits and to claim them. Target at people above working age and owner occupiers as groups most likely not to claim benefits	On-going after March 2016	Less than 0.1 FTE.	Inclusion Team Housing and Health Team	Health Inequalities Action Plan Welfare Reform Agenda

#### 4.1 Possible new actions that address more than one driver

Aims	Actions	Milestones	Resources	Teams involved	Strategic Links
4.11 Provide excellent advice on fuel poverty related matters at one stop shop	Provide a one stop shop at the Gateway to answer questions on understanding fuel bills, comparing the market and switching supplier, choosing energy efficiency works and contractors, signposting to Green Deal, ECO, RHI, FIT, Help to Heat and other sources of funding, debt and benefit take up.	Not time sensitive	Staff and partner time dependant on number of weeks the one stop shop is provided for  Leaflets for residents to take away Phone line to call energy companies, etc.	Inclusion Team Housing and Health Team Gateway Staff Volunteers Possibly external partners	Health Inequalities Action Plan Low emissions strategy Welfare Reform Agenda
4.12 Find a provider to provide one stop shop	Liaise with KMSEP to determine whether remit of the Warm Homes helpline could be extended to cover a much wider remit	Not time sensitive	Less than 0.1 FTE.	Inclusion Team Procurement Team	Health Inequalities Action Plan Low emissions strategy Welfare Reform Agenda
4.13 Provide a multi-agency referral system for fuel poverty or to include fuel poverty to help us find the hard to reach residents considering the wider health needs of those in the community	Liaise with partners to determine the appetite to a multi-agency referral system where frontline staff from the council and health and social care agencies can refer a client with a need they cannot address. (For inspiration consider the Thanet Your Home your Health system)	Not time sensitive	Less than 0.1 FTE Staff and partners time Possible IT resources	Inclusion Team Housing and Health Team Community Wardens Possibly external partners	Health Inequalities Action Plan Low emissions strategy Welfare Reform Agenda

## 10 Conclusions

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Fuel poverty has a negative impact on approximately 5000 households in the borough. It should be addressed by borough wide services on our website, in our publications and the Big Maidstone Switch and Warm Homes services.

As levels of fuel poverty vary widely within the borough it would be reasonable to target some services to the areas with the highest levels of fuel poverty. Some interventions, including the SGN Help to Heat scheme and the Warm Homes ECO funded boiler service, which partially funds new boilers, are targeted at low income households but these households are unlikely to be able to benefit from them without additional support.

The Home Energy Efficiency Grant was designed to help vulnerable households improve the energy efficiency of their home with no upfront costs. The criteria of the grant could be widened to allow it to be used in conjunction with the Help to Heat scheme and the ECO scheme. The council had planned to ask the ECO contractors to administer the scheme but this has resulted in no take-up. The council could bring the grant administration in house and promote the scheme itself to vulnerable households or re-procure a service where the contractor assists in the administration of the grant and carries out installations.

Guidance from other organisations suggested energy one stop shops are an effective way to help residents tackle a wide range of energy related matters. The council could offer a service for a fixed period to gauge the level of interest and range of topics to include. If a pilot indicated the one stop shop was effective partner organisations could be invited to participate, including the CAB to give benefit take up and billing advice and Warm Homes to give advice on ECO grants.

## **Appendix 2      Background documents**

1. The impacts of fuel poverty
2. The three drivers of fuel poverty
3. Legislation and national and local policy context
4. Excess winter death statistics for the borough
5. The help to heat scheme
6. Levels of fuel poverty at lower super output level



# **1 The impacts of fuel poverty**

## **Adult Health**

The Marmot Review states that living in a cold home has a negative impact on the occupants' health. The health impacts can be summarised as exacerbating many long term heart, circulatory and pulmonary conditions. Cold homes are also linked to depression and anxiety.

## **Children's Health**

For infants, living in fuel poor homes is associated with a 30% greater risk of admission to hospital or primary care facilities when other contributory factors have been accounted for. For children, living in fuel poor homes is associated with a significantly greater risk of health problems, especially respiratory problems. Poorer weight gain and lower levels of adequate nutritional intake have also been found – a “heat-or-eat” effect. Adolescents living in fuel poor homes are at significantly greater risk for multiple mental health problems when other contributory factors have been accounted for.

## **Older Peoples Health**

Older people are more vulnerable to the health impacts of cold homes. In older people cold homes increase the risk of stroke and circulatory problems, respiratory problems, admission to hospital and lower strength and dexterity leading to an increase in falls and accidental injuries. Public Health England estimates that that 10% of excess winter deaths are attributable to fuel poverty. Item 4 in the background documents shows Kent and local data for excess winter deaths.

## **Education**

Children living in cold homes are more likely to have lower educational attainment. This may be due to a higher rate of absence due to ill health and also lacking a quiet warm place to study. Lower educational attainment can reduce the individual's employment opportunities and levels of income and therefore impact their future access to good housing.

## **Social Isolation**

Cold, and the associated mould growth, has a negative impact on mental health with some occupants feeling ashamed of their home and being less likely to invite people to visit which can lead to social isolation.

## **Work Absences**

Poorer health related to fuel poverty may lead to an increased level of work absences.

## **Local Economy**

Households with high fuel bills have less money to spend on all other items. Heating an energy inefficient home properly can cost many hundreds of pounds more than heating an energy efficient home of the same size. The local economy could benefit if residents were spending less to keep their home warm.

## **2 The drivers of fuel poverty**

### **The energy efficiency of the home**

Interventions that improve the energy efficiency of the home are likely to reduce energy bills if the occupants heat the home to the same temperature. Energy efficiency in homes is measured using a Standard Assessment Procedure (SAP) rating with A rated homes being very efficient down to G which are very inefficient. These ratings are shown on the Energy Performance Certificate (EPC) of the home. Homes that have been sold or rented since 2008 have an EPC but some housing stock does not have an EPC. In 2012 just 1% of homes were rated G, 5% rated F and 25% rated E. Fuel poverty is common in homes rated E, F and G and rare in homes rated A, B and C. SAP ratings are strongly influenced by the main fuel type used with 73% of homes heated by gas having a SAP rating of a A-D but less than 40% of homes heated with oil or solid fuel rated A-D.

Homes rated E, F, and G are likely to have solid walls, lack sufficient loft insulation, be heated by oil or solid fuel, have inefficient heating systems with poor controls and have single glazed windows. Homes with more external surfaces will lose more heat than those with more party walls so detached homes and bungalows tend to have a lower SAP rating than terraced homes. There was significant investment to bring socially rented homes up to the Decent Homes standard and they generally are more energy efficient with owner occupied homes being slightly more energy efficient than privately rented homes.

The energy efficiency of homes has gradually increased since 1919 and then more steeply over the last 2 decades as new homes are designed to be more energy efficient and by existing homes being improved. Many homes have been retrofitted with loft insulation, cavity wall insulation, modern heating systems and double glazing. It is easier and cheaper to insulate cavity walls than solid walls and easier to insulate unoccupied lofts than rooms in the eaves.

### **Changes in legislation**

Regulations made under Section 43 of the Energy Act 2011 will make the provision that landlords will not be allowed to let a property that has a rating of F or G on the EPC from 2018. From April 2016 landlords may not unreasonably refuse their consent to making energy efficiency improvements to the home helping tenants who wish to access the Green Deal to do so. The Green Deal is a government scheme that allows the occupier to have works including insulation, e.g. solid wall, cavity wall or loft insulation, heating, draught-proofing, double glazing and renewable energy generation, e.g. solar panels or heat pumps carried out. The work is paid for by putting a cost onto the electricity bill which equals or is less than the amount the energy bills will reduce by due to the works carried out.

### **The cost of heating fuel**

Fuel prices have increased at more than the rate of inflation over the last 10 years. Increases in fuel prices have not been uniform with some fuels, including

oil, moving from being a cheaper fuel to being a comparatively much more expensive fuel.

Mains gas is currently the cheapest fuel but many urban blocks of flats and rural homes are not on the mains gas network. The English Housing Survey estimated that 34% of rural homes are off the main gas grid. See background documents item 5 for a description of the Help to Heat scheme that pays for vulnerable households to be connected to the mains gas.

Oil is more expensive to use than gas, but may be the cheapest option in areas off mains gas. The CPRE states that just over a third of rural households in England use oil heating. Oil cannot be bought in quantities of less than 500 litres and households on low incomes can struggle to budget for the less frequent but larger bills associated with oil use. Oil clubs can save their members 3-5 pence per litre and residents can join online clubs or other local clubs.

On peak electricity tends to cost more than using oil but as it can be paid for by monthly direct debits or a pre-payment meter it may be better for those households that want to control the payments. Off peak electricity, or Economy 7 electricity, is much cheaper than peak electricity and can be used to run storage heaters and immersion heaters. Economy 7 can heat a well-insulated home comfortably but may run out of heat in the evening in poorly insulated homes. Homes that do not use more electricity at night than day should not use Economy 7 as the day time rates are higher on this tariff. Households should contact their current energy supplier to discuss changing their meter.

When wood is burned in an open fire most of the heat is lost up through the chimney and a significant amount of particulate matter is released, reducing air quality. Wood burners and stoves are more efficient than open fires, and produce far less particulate matter, with some efficient models available that can heat a room, a room and hot water or the whole house via a heating system. Households using wood need sufficient space to store the wood, an able bodied person to carry the wood and clean the stove, and the ability to pay for wood in larger, less frequent, payments. Wood is sometimes used as a secondary fuel in smaller wood burners to heat one room in rural and urban areas.

A small number of homes, including park homes, use LPG in either large tanks or small bottles at highly variable prices broadly similar cost to oil.

### **Household income**

Households with lower incomes are much more likely to experience fuel poverty. They may be in receipt of income related benefits for unemployed or employed people but some low income households are not eligible for, or do not claim, benefits. The superseded Warm Front Scheme, and the current Home Heating Cost Reduction Obligation and the Carbon Saving Communities Obligation parts of the Energy Company Obligation, are targeted at households including a child, a disabled person or a person over 60 and receiving a narrow range of means tested benefits. Nationally fuel poverty is common in single person working households and it is likely that this picture is mirrored locally.

There are 30,000 people of pension age in the borough. Nationally it is estimated that around 1/3 of pensioner households entitled to Pension Credit are

not claiming it and 2/5 of all pension households entitled to council tax reductions are not claiming it. It appears that owner occupiers are less likely to take up pension credits as they are less likely to be in contact with their local authority as they do not claim housing benefit.

### 3 Legislation and National and local policy context

- Energy Act 2011 <https://www.gov.uk/government/publications/energy-act-2011> (introduced Green Deal, provides for powers to restrict tenancies from 2018 in homes rated F or G on their EPC, and creates ECO funding)
- Climate Change Act 2008 [http://www.doeni.gov.uk/index/protect\\_the\\_environment/climate\\_change\\_e/climate\\_change\\_bill.htm](http://www.doeni.gov.uk/index/protect_the_environment/climate_change_e/climate_change_bill.htm) (introduces a legally binding target to reduce greenhouse gas emissions by at least 80% by 2050 and a progress reporting system)
- The Home Energy Conservation Act 1995 <https://www.gov.uk/government/publications/2013-home-energy-conservation-act-heca-reports> (introduced the requirement for local authorities to submit a report to the Department of Energy and Climate Change DECC every two years until 2027 setting out the measures the authority will take to improve the energy efficiency of the homes in their area.)
- Cutting the cost of keeping warm; A fuel poverty strategy for England, released in March 2015 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/408644/cutting\\_the\\_cost\\_of\\_keeping\\_warm.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408644/cutting_the_cost_of_keeping_warm.pdf) (introduces targets to reduce the numbers of fuel poor households in the least fuel efficient homes from now to 2030 and indicates ways to reduce fuel poverty).
- The Housing Health and Safety Rating System (Housing Act 2004) <https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals> (a risk based system to help local authorities identify risks to the health and safety of the occupants of the home from any deficiencies in the home).
- Public Health England released the report, Local action on health inequalities: Fuel Poverty and Cold Home related health problems. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/355790/Briefing7\\_Fuel\\_poverty\\_health\\_inequalities.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/355790/Briefing7_Fuel_poverty_health_inequalities.pdf) (This reviews interventions and suggests that the most effective way of tackling fuel poverty is to take a holistic approach that balances home efficiency measures, such as insulation provision and energy-saving techniques, with wider welfare benefits take-up and other interventions to improve the health of vulnerable people.)

#### In Kent

- Kent Child Poverty Strategy 2013 [http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCwQFjAAahUKEwiWtoCJ7YfGAhVGStsKHeWsAL4&url=http%3A%2F%2Fwww.kent.gov.uk%2F\\_data%2Fassets%2Fpdf\\_file%2F0008%2F13310%2Fchild-poverty-strategy.pdf&ei=P5t5VdaaCMaU7Qbl2YLwCw&usg=AFQjCNEndrI3fGVLCMerw\\_fFcmeDhfe4jQ&bvm=bv.95277229,d.ZGU](http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCwQFjAAahUKEwiWtoCJ7YfGAhVGStsKHeWsAL4&url=http%3A%2F%2Fwww.kent.gov.uk%2F_data%2Fassets%2Fpdf_file%2F0008%2F13310%2Fchild-poverty-strategy.pdf&ei=P5t5VdaaCMaU7Qbl2YLwCw&usg=AFQjCNEndrI3fGVLCMerw_fFcmeDhfe4jQ&bvm=bv.95277229,d.ZGU)
- Kent Environment Strategy 2013-2015 Growing the Garden of England: A strategy for environment and economy in Kent July 2011

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/environmental-policies/kent-environment-strategy/> includes the aim to make Kent homes energy efficient and led to the development of the Kent and Medway Sustainable Partnership and the Kent Retrofit Programme).

- The sustainability chapter of the Joint Strategic Needs Assessment for Kent recognises fuel poverty as contributing to health inequalities.  
<http://www.kmpho.nhs.uk/jsna/sustainability/>
- We anticipate that a Kent Wide Fuel Poverty Strategy will be agreed in spring 2016.

## 4 Excess winter deaths

The excess winter death ratio is a measure of how many people die each year in the winter compared to the summer. We have known for many years that older people are more likely to die in the cold winter months and that hospital admissions rise in winter.

The level of excess winter deaths in Maidstone has fallen from 30.1% in 2002-2004 to 18.3% in 2011-2013. The average level in Maidstone from 2002-2013 was 18.9%, a little higher than the 17.5% found in Kent as a whole for the same time period.

The excess winter death ratios are given in three year aggregated periods as the numbers are very low and emphasis should be placed on trends not one individual figure.

<b>Time period</b>	<b>Maidstone ratio</b>	<b>Kent ratio</b>
2002-2004	30.1	17.7
2003-2005	31.4	18.6
2004-2006	24.3	17.3
2005-2007	13.1	14.1
2006-2008	12.9	16.6
2007-2009	15.7	18.8
2008-2010	14.4	20.8
2009-2011	9.3	16.3
2010-2012	13.8	17.6
2011-2013	18.3	17.5
<b>2002-2013</b>	<b>18.9</b>	<b>17.5</b>

## **5 The help to heat scheme**

SGN administers a long running scheme, Help to Heat, which helps those in receipt of certain means tested benefits, households including a person aged 70 or older, households living in fuel poverty as measured by the high cost and low income criteria and those living in a LSOA which is deemed as being in the 20% most deprived when measured by the IMD. The map on the next page shows the homes in the borough that are eligible for this scheme under the deprivation criteria.

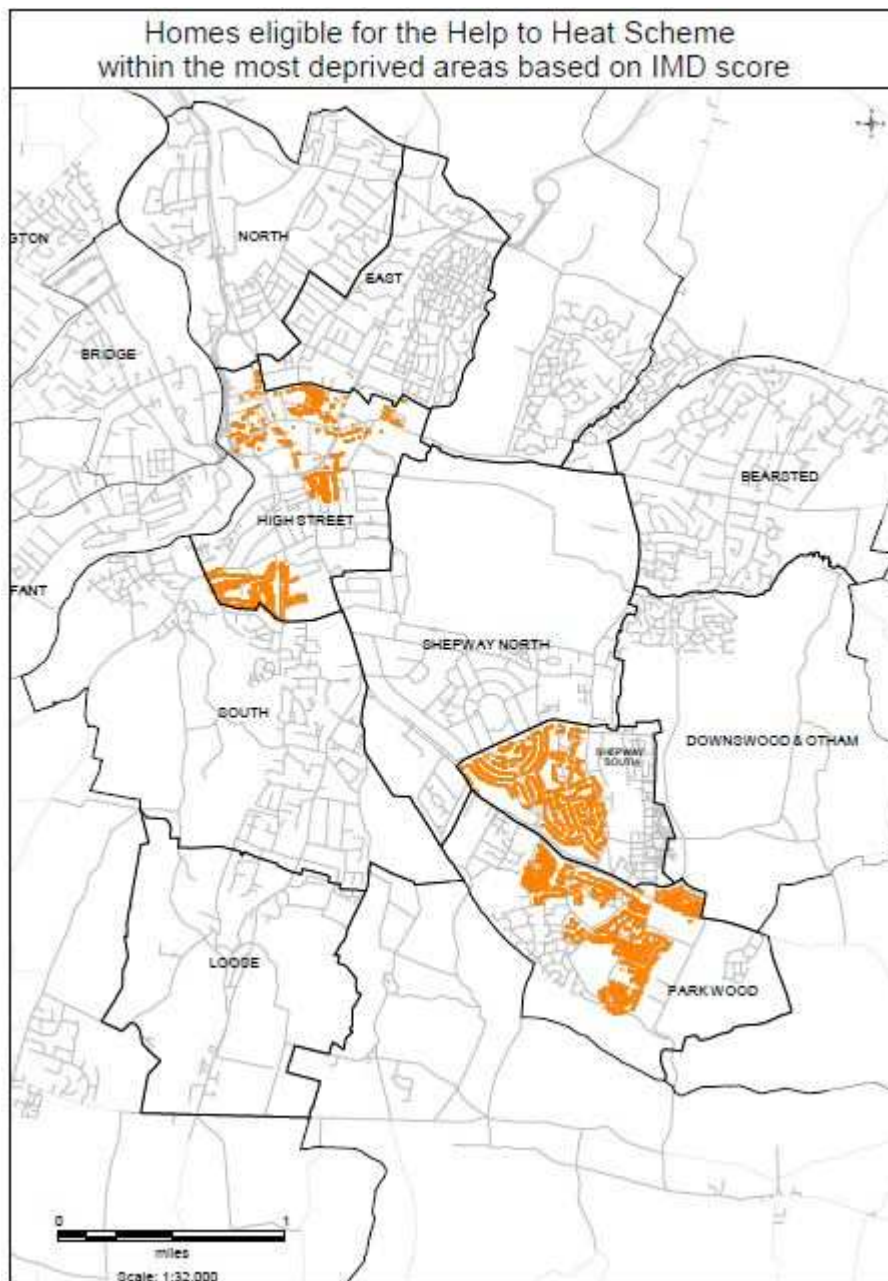
This scheme provides enough funding to run approximately 23metres of gas pipe from the gas main to the home and can be used to extend the gas main when the pipeline is very close to the home. It cannot help rural communities where no part of the community is connected to gas.

The Council sent SGN's letter describing the scheme to each parish council that has some housing off the mains gas network but as residents self-refer we do not know whether this resulted in any new connections.

Households in poverty may struggle to make the most of being connected to gas as they may struggle to afford to install a new heating system or convert their heating systems to mains gas and may need further support to use gas to reduce their fuel poverty.

The map on the next page shows the areas in the borough where all homes are eligible for the scheme.

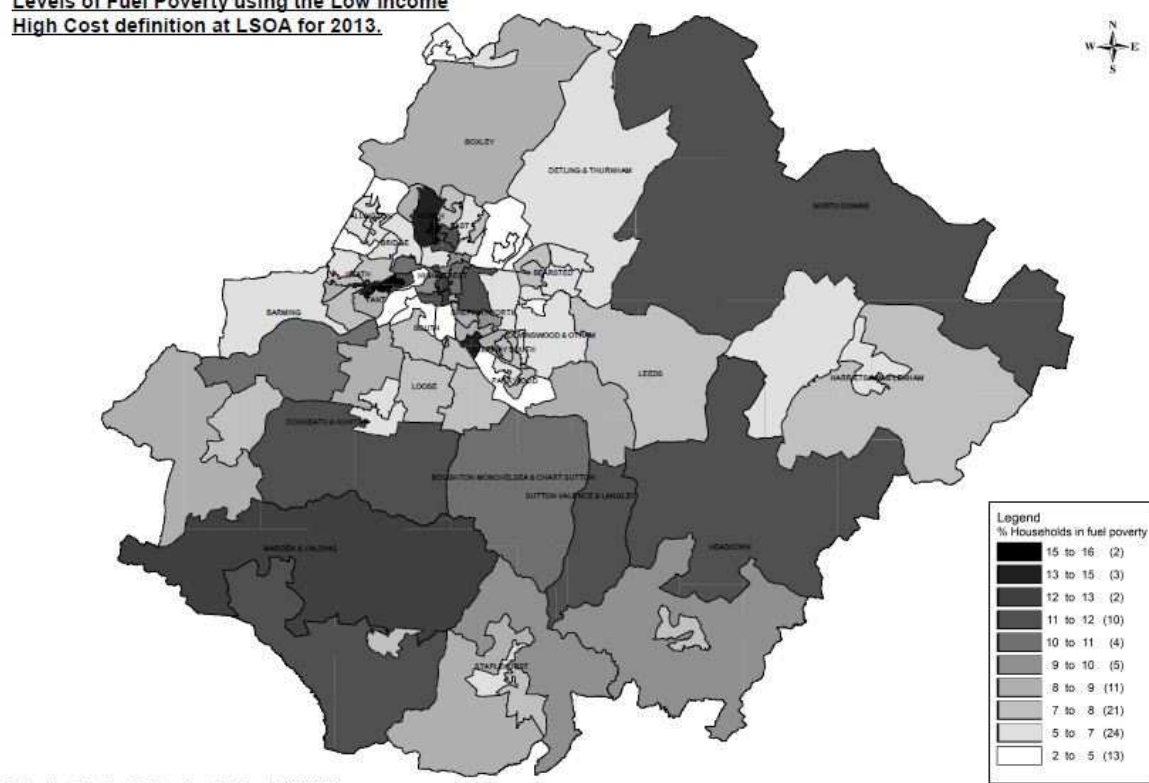




## 6 Levels of fuel poverty at lower super output level

Fuel poverty is lower than average in the light grey areas, close to average in the mid grey areas and higher than average in the dark grey areas. Fuel is highest in parts of the Fant, High Street, North and Shepway Wards in the town and Marden and Yalding in the rural areas.

Levels of Fuel Poverty using the Low Income High Cost definition at LSOA for 2013.



## **Appendix 3: Equality Impact Assessment Stage 1**

### **Equality Impact Assessment Guidance**

#### **1 Introduction**

This guidance sets out information on the equality duty and the council's equality impact assessment (EqIA) process, including the templates. The aim of the EqIA is to identify and analyse adverse impacts on any part of the community and identify appropriate action. The Equality Act (2010) Section 149 creates the single public sector Equality Duty and specific duties which are set out in secondary legislation. The Duty covers race, disability, and gender (existing duties), plus age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment (in full) – collectively referred to as the protected characteristics. The duty also covers marriage and civil partnership with regard to eliminating discrimination. In essence we are required to have due regard to the need to achieve the three equality aims listed in 1.3.2.

#### **2 The General Equality Duty**

Those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are referred to as the three arms or aims of the general equality duty. Further information in the guidance has been provided on the advancement of equality, the advancement of equality involves:

- Removing or minimizing disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.<sup>i</sup>

#### **3. Equality Impact Assessments**

The council is no longer required to undertake equality impact assessments we do however have to assess and analyse the effect of our policies and practices and how we further the equality aims and publish these. EqIAs provide a useful method to do this. Corporate Management

Team have agreed that wherever a policy/function or service is reviewed, changed or developed the two stage EqIA process should be applied.

#### **4. Undertaking an Equality Impact Assessment**

##### **Stage 1**

Whenever a policy/service or function is reviewed, changed, developed, removed an initial equality impact assessment set out as stage 1 will need to be undertaken. This is a screening template and will help establish whether a full assessment is needed. This should be done at an early stage of the process so that it is part of policy development. The EqIA will need to be agreed with the appropriate director and should be included on the decision making report along with commentary on the assessment in the main body of the report.

##### **Stage 2**

This is the full EqIA and seeks to identify the equality considerations that have been taken into account any mitigating actions proposed and ensures decisions are based on evidence. The EqIA will need to be agreed with the appropriate director and should be included on the decision making report, along with commentary on the assessment in the main body of the report.

Guidance notes have been included where appropriate on the template attached, please speak to the Policy and Performance team should you require any support or guidance.

## **Stage 1: Equality Impact Assessment**

### **1. What are the main aims purpose and outcomes of the Policy and how do these fit with the wider aims of the organization?**

The affordable energy strategy aims to reduce the severity and numbers of households living in fuel poverty in the borough. Households in fuel poverty can under-heat their home or struggle to pay their fuel bills. Living in a cold home has a negative impact on the health of adults and children and reduces the educational attainment of children.

Reducing fuel poverty will encourage good health and wellbeing. Reducing fuel bills will support residents to have more money to spend on other things.

### **2. How do these aims affect our duty to:**

- **Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.**
- **Advance equality of opportunity between people who share a protected characteristic and those who do not.**
- **Foster good relations between people who share a protected characteristic and those who do not.**

The changes would have no impact on eliminating unlawful discrimination, harassment and victimisation.

The potential new actions listed in the action plan will not aim impact of equality of opportunity between people with a protected characteristic and those without.

The changes will have no impact on good relations between those with a protected characteristic and those without.

### **3. What aspects of the policy including how it is delivered or accessed could contribute to inequality?**

All actions chosen from the action plan will be designed to be accessible to all except where the funders eligibility criteria limits access. Most eligibility criteria favour those with low incomes or being in receipt of means tested

benefits. The winter warmth criteria favour people with certain health conditions and it is possible that a larger number of these may also have a disability.

**4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?**

The policy may have a slightly more positive impact of the lives of people with disabilities compared to the rest of the population. Living in a warmer home will benefit the health of any occupant but may have a greater positive benefit on people with physical disabilities. It will not have a negative impact on people with protected characteristics. Improving home energy efficiency, increasing income and reducing fuel costs will not harm residents.

If the answer to the second question has identified potential impacts and you have answered yes to any of the remaining questions then you should carry out a full EQIA set out as stage 2 below.

**Stage 2: Equality Impact Assessment**

<b>Name of Policy/Service/Function</b>
<b>Purpose</b>
What are you trying to achieve with the policy / service / function?

Who defines and manages it?
Who do you intend to benefit from it and how?
What could prevent people from getting the most out of the policy / service / function?
How will you get your customers involved in the analysis and how will you tell people about it?
<b>Evidence</b>
How will you know if the policy delivers its intended outcome / benefits?

How satisfied are your customers and how do you know?
<i>Include evidence such as customer satisfaction results and other statistics</i>
What existing data do you have on the people that use the service and the wider population?
<i>Do we have data through MOSAIC that could be applied?</i> <i>Please speak to policy and performance if you need any assistance finding this</i>
What other information would it be useful to have? How could you get this?
Are you breaking down data by equality groups where relevant (such as by gender, age, disability, ethnicity, sexual orientation, marital status, religion and belief, pregnancy and maternity)?
Are you using partners, stakeholders, and councillors to get information and feedback?



<b>Impact</b>
Are some people benefiting more – or less - than others? If so, why might this be?
<b>Actions</b>
If the evidence suggests that the policy / service / function benefits a particular group – or disadvantages another - is there a justifiable reason for this and if so, what is it?
Is it discriminatory in any way?
<i>For example would it only be accessible to certain groups i.e. to get the service you have to apply in writing or it is only accessible at certain times</i>
Is there a possible impact in relationships or perceptions between different parts of the community?
What measures can you put in place to reduce disadvantages?

Do you need to consult further?
Have you identified any potential improvements to customer service?
Who should you tell about the outcomes of this analysis?
<i>Director/CMT/Cabinet Member/Communities/Councillors</i>
Have you built the actions into your Service Plan or Policy Implementation Plan with a clear timescale?
<i>Evidence of how you will take action and by when</i>

When will this assessment need to be repeated?
<i>When will the policy/service or function be reviewed, when will actions be implemented?</i>

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<sup>i</sup> Equality and Human Rights Commission, *The essential guide to the public sector equality duty*, p5, 2011

# Agenda Item 13

## Communities, Housing & Environment Committee

15 September  
2015

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

## Environmental Health Enforcement Policy

<b>Final Decision-Maker</b>	Communities, Housing & Environmental Committee
<b>Lead Director or Head of Service</b>	John Littlemore, Head of Housing and Communities Services
<b>Lead Officer and Report Author</b>	Tracey Beattie, Mid Kent Environmental Health Manager
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

### This report makes the following recommendations to the final decision-maker:

1. To approve adoption of the attached draft revised Environmental Health Enforcement Policy ,(appendix 1) in respect of Maidstone Borough Council.

### This report relates to the following corporate priorities:

- Great Place

### Timetable

<b>Meeting</b>	<b>Date</b>
Corporate Leadership Team	
Policy and Resources Committee	
Council	
Other Committee	15 September 2015

# Environmental Health Enforcement Policy

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 As a regulatory service environmental health needs to ensure that the steps that lead to formal enforcement action are in line with national guidance. This includes the Enforcement Concordat, the Regulators' Code issued in 2014 and relevant regulatory guidance specific to the offence. This report seeks to ensure that the enforcement policy is in line with these documents and reflects good practice.
  - 1.2 The policy also reflects the Regulators' Code issued in April 2014 which sets out the principle that regulation should support the economic growth of compliant businesses. The code is clear that such principles do not prevent regulators' responding to a serious breach or where providing a stepped approach would be likely to defeat the purpose of the proposed enforcement action.
  - 1.3 Environmental Health Enforcement Policy will provide guidance to ensure that enforcement action is proportionate, consistent, transparent, targeted and accountable. Such actions will be documented, justified and where appropriate include authority from the Head of Service or other senior officer with delegated authority under the Maidstone Constitution.
- 

## 2. INTRODUCTION AND BACKGROUND

- 2.1 The revised draft Environmental Health Enforcement Policy,(appendix1) updates the previous enforcement policy agreed in 2010. The new policy should be read in the context of the legislation the Environmental Health Service operates within and the national and statutory guidance for these statutes.
- 2.2 In 2014 the Regulators' Code was produced by the Better Regulation Delivery Office, it directs regulators' that when reviewing policies they should consider how they support the economic growth of compliant businesses. To this end the aim of the Environmental Health enforcement policy will help create a level playing field for compliant businesses.
- 2.3 The policy will provide managers and officers with guidance and businesses with the confidence that enforcement action is consistent and proportionate to any non compliance. The Team Leaders will make sure there are monthly regular reviews and monitoring of authorised officers' decisions to embed consistent standards in the service. The officers will record information on their actions and decisions to deliver transparency and the service will follow national guidance and codes of practice on targeting higher risk activities and businesses.

- 2.4 Officers will follow a stepped approach to enforcement, in general, but where there are serious breaches of legislation, or there is imminent risk to the health or welfare of people, immediate enforcement action may be considered.
- 2.5 The enforcement options available to officers in the Environmental Health service include; advice and guidance, written warning, statutory notices, fixed penalty notice, seizure, refusal or revocation of approval for food businesses, simple caution, and prosecution. Most work undertaken by the service involves advice, guidance and written warnings.
- 

### **3. AVAILABLE OPTIONS**

- 3.1 The committee can approve the draft policy (appendix 1) as drafted or with amendments and provide officers with the guidance and structure contained in the policy.
- 3.2 The committee could choose not to approve the new policy.
- 

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

- 4.1 The preferred option is the adoption of the draft revised policy for the areas of enforcement delegated to Environmental Health as set out at appendix 1. The current policy requires updating and it is good practice for the service to have a policy which meets current requirements and provides clear guidance to officers.
- 

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

- 5.1 No consultation has been sought as this is an update in accordance with legislation and the Regulators' Code.
- 5.2 No previous committee feedback has been identified as this is the first report on this draft document.
- 

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

- 6.1 To take the Environmental Health Enforcement policy to the Policy and Performance Committee. Subject to call in to be effective from 20 September 2015.
- 

### **7. CROSS-CUTTING ISSUES AND IMPLICATIONS**

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	Supports economic growth of compliant businesses by providing clear enforcement options with balance and checks by senior managers.	John Littlemore
<b>Risk Management</b>	Providing a member approved enforcement policy ensures that the Environmental Health Service are given clear guidance when considering enforcement action.	John Littlemore
<b>Financial</b>		Paul Riley
<b>Staffing</b>	None	John Littlemore
<b>Legal</b>		Jayne Bolas
<b>Equality Impact Needs Assessment</b>	Completed	Clare Wood
<b>Environmental/Sustainable Development</b>	None	John Littlemore
<b>Community Safety</b>	None	[Head of Service or Manager]
<b>Human Rights Act</b>	The policy is compliant with the Human Rights Act	[Head of Service or Manager]
<b>Procurement</b>	None	[Head of Service & Section 151 Officer]
<b>Asset Management</b>	None	[Head of Service & Manager]

## 8. REPORT APPENDICES

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

- Appendix I: Draft proposed Environmental Health Enforcement Policy

## 9. BACKGROUND PAPERS

Enforcement Concordate  
Regulators' Code  
2010 Enforcement Policy

Status	Draft	Issue Date		Revised	
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**Maidstone Environmental Health Service**

ENFORCEMENT POLICY

Version number	V2	Author	Peter Lincoln & Nollaig Hallihan
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Status	Draft	Issue Date		Revised	
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## Contents

- 1.0 Introduction
- 2.0 Purpose and Methods of Enforcement
- 3.0 General Principles
- 4.0 Deciding on Enforcement Action to be Taken
- 5.0 Review of Policy

Version number	V2	Author	Peter Lincoln & Nollaig Hallihan
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Status	Draft	Issue Date		Revised	
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## 1.0 INTRODUCTION

- 1.1 This document sets out the Enforcement Policy for the Environmental Health Service for Maidstone Borough Council.
- 1.2 This policy will also be adopted for Swale and Tunbridge Wells Borough Council's following their democratic processes. At such time the name of the policy will be changed to 'Mid Kent Environmental Health Enforcement Policy'. This will not change the content of the policy.
- 1.3 It must be read in conjunction with any Corporate Enforcement Policy in place at the relevant Council for the individual case.  
Documents are based on the principles of:
  - Proportionality
  - accountability
  - Consistency
  - Transparency
  - Targeting of enforcement action
- 1.4 All decisions to prosecute will be taken in accordance with the "Code for Crown Prosecutors", and this policy recognise the Central and Local Government Concordat on Good Enforcement (Enforcement Concordat).
- 1.5 To improve consistency of enforcement standards, the following will be carried out:
  - Ensure that all officers are aware of this and any Corporate Enforcement Policy;
  - Ensure that all officers have adequate training in the aspects of enforcement relevant to their role;
  - Ensure Officers have regard to national and local guidance and co-ordination arrangements including:
    - Statutory Codes of Practice
    - Health and Safety Executive guidance
    - Department for Business Innovation & Skills Guidance, Including the Statutory Code of Practice for Regulators.
    - Appropriate British Standards, e.g. BS 4142, BS 5228, BS 8233
  - A commitment to Kent wide auditing of practices and procedures.

## 2.0 PURPOSE AND METHODS OF ENFORCEMENT

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2.1 The purpose of enforcement is to secure compliance with legal requirements.

2.2 The Food and Safety Team(s) is responsible for the enforcement of the following functions :

- Food Safety and Hygiene
- Imported food
- Health and Safety at Work
- Smokefree and public health functions
- Infectious Disease control
- Animal welfare (if applicable)

2.3 The Environmental Protection Team(s) are responsible for the enforcement of a number of functions including preventative consultations and reactive functions:

- Statutory nuisance
- Air Quality
- Noise
- Environmental Permitting
- Private Water Supplies
- Water Industries Act 1991
- Statutory consultee for Planning and Licensing Service

2.4 There are a wide variety of enforcement actions available within these areas of responsibility;

- Advice and guidance
- Written warning
- Statutory notices
- Seizure
- Refusal/revocation of approval
- Fixed Penalty Notice
- Simple Caution
- Prosecution.
- Works in Default
- Injunction

## 2.5 Advice/Education

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For minor breaches of the law, verbal advice will be given, including a deadline for compliance. Continued non-compliance will result in escalation through the stepped approach in the policy. When advice about 'good practice' is given, team members will clearly distinguish between this and legal requirements.

## 2.6 Warning Letter

For significant breaches of the law, a warning letter/report will be sent to the appropriate person/organisation. Within the letter, legal requirements and recommendations will be clearly distinguished. Where the recipient of a letter disagrees with any requirement, there is a "right of appeal" to the relevant Team Leader.

A reasonable date for compliance will also be stated. Failure to comply could result in a Statutory Notice being served or more severe enforcement action being taken e.g. prosecution; withdrawal of licence.

## 2.7 Statutory Notice

Continued non-compliance may be dealt with by more formal means of securing compliance such as food hygiene, health and safety and environmental protection matters. Notices are available to deal with food hygiene, health and safety and environmental protection contraventions.

Hygiene Emergency Prohibition Notices (food) or Prohibition Notices (health and safety) require contravening activities to cease immediately, and may close all or part of a premise. These are used where there is a serious and imminent risk to safety or health.

Hygiene Emergency Prohibition Notices (food) must be confirmed by a Magistrates Court within 3 days of service.

Hygiene Improvement Notices (food) or Improvement Notices (health and safety) are served to correct specific contraventions of the legislation, and specify a compliance date.

In both cases, the Notice must state what provision is being contravened, and what 'works' are necessary in order to comply with it.

Failure to comply with a Notice is an offence and may result in prosecution (see 2.12 below).

Environmental Protection notices are served for contraventions of appropriate legislation e.g. for the existence of a statutory nuisance. An appeal may be made up to 21 days following service of notice..

As above, failure to comply with such a notice is an offence, for which a prosecution may result subject to processes identified in paragraph 4.3.

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### **All Notices issued will include details of the appeals procedure.**

Notices will be served in circumstances where there are serious contraventions, or where there has been a continuing failure to comply with legal requirements e.g. failure to comply with the requirements of a warning letter. The appeal period for each notice is referred to in the notice itself or the accompanying letter.

## **2.8 Seizure**

Certain legislation enables authorised officers to seize goods or equipment. This would include unsafe food or dangerous pieces of work equipment, noise generating equipment etc. Receipts will be issued to the person from whom the goods are seized. Where the law requires, seized goods will be taken before a Magistrate e.g. unfit food.

## **2.9 Refusal / Revocation of Approval**

Certain food businesses manufacturing or handling high risk food products require approval to allow these foods to be sold.

For the approval to be refused or revoked, one or more of the following criteria must be met:

- Failure to comply with legal requirements
- Have ignored written warnings or statutory notices
- Are producing unsafe food products likely to harm human health
- Obstructing an officer undertaking their duties

## **2.10 Fixed Penalty Notices**

These can only be used in respect of certain legislation such as the Health Act 2006 or the Anti-Social Behaviour Crime and Policing Act 2014, for example where an individual is smoking within an enclosed workplace or public place, or “no smoking” signage is not displayed.

## **2.11 Simple Caution**

Used in cases where a prosecution could be brought but there are significant mitigating factors. For a simple caution to be issued there must be:-

- Sufficient evidence that an offence has been committed, and;
- The offender must admit the offence, and agree to be cautioned.

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## 2.12 Prosecution

The decision to prosecute is outlined in paragraph 4. A prosecution will normally be brought where an individual / organisation meets one or more of the following criteria:

- Deliberately or persistently breaching legal requirements, likely to cause significant material loss or harm to others
- Have ignored written warnings or statutory notices
- Endangered, to a significant degree, the health, safety or well-being of people.
- Assaulted or obstructed an officer in the course of their duties

## 2.13 Works in Default

Under certain legislation there are circumstances where the local authority can choose to carry out works in default and recover the cost from the occupier or owner. For example where;

- It is in the public interest to carry out the work
- There has been a failure to carry out work required by a statutory notice
- Immediate action is required

## 2.14 Injunction

Used in where behaviour is likely to cause serious harm to victims and communities. Or where an individual has engaged or threatens to engage in conduct likely to cause nuisance or annoyance.

## 3.0 GENERAL PRINCIPLES

- 3.1 Each case is unique and will be considered on its own merits, in-line with this Enforcement Policy.
- 3.2 Enforcement officers must be fair and objective. Individual views about issues such as ethnic or national origin, sex, religious beliefs, political views or sexual orientation of any suspect, victim, or witness must not influence decisions.
- 3.3 During enforcement investigations, individuals / organisations will be kept informed of progress. This will include notifying them as soon as possible of any enforcement action, unless this would impede an investigation.
- 3.4 In every investigation officers will follow the requirements of the Police and Criminal Evidence Act 1984, the Regulation of Investigatory Powers Act 2000, and associated legislation, statutory guidance and Codes.

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- 3.5 Both the Evidence Test and the Public Interest Test in the Code for Crown Prosecutors will be considered to determine whether a prosecution or simple caution is viable and appropriate. Mid Kent Legal Services will advise on the appropriate action in line with processes in paragraph 4.

- 3.6 Commercial organisations may enter into a partnership with a local authority relating to food hygiene and / or health and safety matters.

Before service of notice, simple caution, or prosecution, officers must check whether a Home (food), Lead (health and safety), or Primary Authority partnership exists. Where the arrangement is in operation, the officer must contact the local authority to discuss the issues and proposed action, unless the action is taken in an emergency or because of imminent risk. Account must be taken of the views of the Home, Lead or Primary Authority, and the Team Leader must be informed.

Where a Hygiene Emergency Prohibition Notice (food) or Prohibition Notice (health and safety) is served, it may not have been possible or appropriate to have consulted with the Home, Lead, or Primary Authority, due to the urgent nature of the matters involved. However, the Home, Lead, or Primary Authority must be contacted as soon as possible.

- 3.7 The Department for Business, Innovation & Skills statutory Code of Practice for Regulators has been considered when writing this Policy.

#### **4.0 DECIDING ON ENFORCEMENT ACTION TO BE TAKEN**

- 4.1 For less serious infringements the case officer will decide upon the most appropriate course of action. This will include enforcement action up to and including the service notices.

- 4.2 The case officer's decision will be based upon professional judgement, legal guidelines, statutory codes of practice, guidance. Advice and confirmation can be obtained from colleagues and the Team Leader.

- 4.3 For more serious enforcement action consultation with the Team Leader must be obtained. This would include service of Hygiene Emergency Prohibition Notices (food), Prohibition Notices (health and safety), refusal / revocation of licences / approvals. Where the is unavailable, the Environmental Health Manager or other senior manager will be consulted.

- 4.4 For simple caution and prosecution sign off for the case file by the Head of Service will be required

- 4.5 In the case of service of Hygiene Emergency Prohibition Notices (food) and Prohibition Notice (health and safety), agreement of the Food and Safety Team Leader may not be possible where there is an imminent and serious risk to safety or health.

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- 4.6 In the case of a work related death, the case officer must inform and liaise with Kent Police in accordance with the protocol 'Work Related Deaths: A protocol for liaison'. This may result in a joint investigation. Where Kent Police/Crown Prosecution Service decides not to pursue a manslaughter case, consideration will be given to a health and safety prosecution, in-line with this policy.

## 5.0 Authorisation of Officers

- 5.1 Only officers who are competent by training, qualification and/or experience will be authorised to take enforcement action. A list of authorisations and delegated responsibility is held by each Team Leader and reviewed through the appraisal process. Officers will also have sufficient training and understanding of this enforcement policy to ensure a consistent approach to their duties. Officers are required to show their authorisations on demand.
- 5.2 Officers dealing with the public will identify which service area they represent.

## 6.0 REVIEW OF POLICY

- 6.1 This policy will be reviewed bi-annually or when changes in legislation or guidance make this necessary.

Date of issue (draft): August 2015

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### **Stage 1: Equality Impact Assessment**

<b>1. What are the main aims purpose and outcomes of the Policy and how do these fit with the wider aims of the organization?</b>
To ensure that officer's within the Environmental Health Service are provided with guidance to act in a consistent way when proposing any formal enforcement action.
<b>2. How do these aims affect our duty to:</b> <ul style="list-style-type: none"><li>• <b>Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.</b></li><li>• <b>Advance equality of opportunity between people who share a protected characteristic and those who do not.</b></li><li>• <b>Foster good relations between people who share a protected characteristic and those who do not.</b></li></ul>
<p>The aims support the duties identified by focusing on the evidence associated with the contraventions; any action taken by the service should be proportionate to the offense. Action taken by the service has to follow national guidance and relevant codes of practice. Managers are required to confirm that these processes have been followed.</p> <p>The policy should ensure that formal enforcement actions follow good practice, are transparent and open to scrutiny by managers, Head of Service, and Legal Services.</p>
<b>3. What aspects of the policy including how it is delivered or accessed could contribute to inequality?</b>
None
<b>4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?</b>

The policy should have a positive impact. It ensures that businesses compliant with the regulations and laws are protected, that serious non compliance is dealt with in a proportion way irrespective of the individual background of the person running the business or activity.

The policy relates to the protection of public health and environmental health.

If the answer to the second question has identified potential impacts and you have answered yes to any of the remaining questions then you should carry out a full EQIA set out as stage 2 below.

### **Stage 2: Equality Impact Assessment**

<b>Name of Policy/Service/Function</b>
<b>Purpose</b>
What are you trying to achieve with the policy / service / function?
Who defines and manages it?
Who do you intend to benefit from it and how?

What could prevent people from getting the most out of the policy / service / function?
How will you get your customers involved in the analysis and how will you tell people about it?
<b>Evidence</b>
How will you know if the policy delivers its intended outcome / benefits?
How satisfied are your customers and how do you know?
What existing data do you have on the people that use the service and the wider population?

What other information would it be useful to have? How could you get this?
Are you breaking down data by equality groups where relevant (such as by gender, age, disability, ethnicity, sexual orientation, marital status, religion and belief, pregnancy and maternity)?
Are you using partners, stakeholders, and councillors to get information and feedback?
<b>Impact</b>
Are some people benefiting more – or less - than others? If so, why might this be?

<b>Actions</b>
If the evidence suggests that the policy / service / function benefits a particular group – or disadvantages another - is there a justifiable reason for this and if so, what is it?
Is it discriminatory in any way?
Is there a possible impact in relationships or perceptions between different parts of the community?
What measures can you put in place to reduce disadvantages?
Do you need to consult further?

Have you identified any potential improvements to customer service?
Who should you tell about the outcomes of this analysis?
Have you built the actions into your Service Plan or Policy Implementation Plan with a clear timescale?
When will this assessment need to be repeated?

## COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE

**15 September  
2015**

Is the final decision on the recommendations in this report to be made at this meeting?

**Yes**

## Greenhouse Gas Emissions Reports

<b>Final Decision-Maker</b>	Communities, Housing & Environment Committee
<b>Lead Director or Head of Service</b>	John Littlemore Head of Housing & Community Services
<b>Lead Officer and Report Author</b>	Dr Stuart Maxwell
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

### **This report makes the following recommendations to the final decision-maker:**

1. The Committee agrees that the Greenhouse Gas Emissions Reports attached as Appendix A and Appendix B can be published on the Maidstone Borough Council website, and a hyperlink to the Report can be sent to the Department for Energy and Climate Change.

### **This report relates to the following corporate priorities:**

- Keeping Maidstone an attractive place for all

### **Timetable**

<b><i>Meeting</i></b>	<b><i>Date</i></b>
Corporate Leadership Team	
Policy and Resources Committee	
Council	
Other Committee	

# Greenhouse Gas Emissions Report

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 All Local Authorities are requested by Central Government to publish details of the greenhouse gas emissions from their estate and operations. Reports detailing the Council's greenhouse gas emissions have been produced for the 2013/14 and 2014/15 financial years.
  - 1.2 The main sources of Greenhouse Gases are the use of gas and electricity at the Council's property, business transport and travel on the Council's behalf
  - 1.3 The committee is asked to approve the reports and agree that they can be published on the Council's website and that a link to the relevant webpage will be sent to the Department of Energy and Climate Change.
- 

## 2. INTRODUCTION AND BACKGROUND

- 2.1 This report concerns Maidstone Borough Council's greenhouse gas emissions for the 2013/14 and the 2014/15 financial years.
- 2.2 Central Government recognises the pivotal role that Local Councils have in tackling climate change. In 2011, Greg Barker MP, the then Minister for Climate Change, wrote to the Chief Executives of all Local Councils in England requesting that they measure and report their Greenhouse Gas emissions, from their own estate and operations (previously NI185). In June 2013, the Minister wrote again to all Local Authority Chief Executives, requesting them to publish their data for 2013/14.
- 2.4 Since 2009/10, Local Authorities have been asked to publish the information about their emissions on their website, and send a hyperlink to the data to the Department of Energy and Climate Change.
- 2.5 In 2009, MBC produced a Carbon Management Plan, which set the target of reducing the greenhouse gas emissions associated with its estate and operations by 20% by 2014/15, from the 2008/09 baseline level. The 2008/09 baseline level was 5872 tonnes CO<sub>2</sub>e, therefore the target level to be achieved by 2014/15 was 4698 tonnes CO<sub>2</sub> equivalent.
- 2.6 The Carbon Management Plan also set a target of saving a cumulative total of 5,295 tonnes CO<sub>2</sub>e, during its lifetime, (2008/09 to 2014/15). This target, however, assumes that there if nothing were done, the CO<sub>2</sub> emissions would not remain constant, but would in fact increase. The projected increase is 1075 tonnes CO<sub>2</sub>e, based on an assumed annual increase of 0.7% in demand for Council services.



- 2.7 In 2013/14 MBC's carbon emissions were reduced to 4791 tonnes per annum of CO<sub>2</sub>e which was an 18.4% reduction from baseline. The cumulative reduction since 2008/09 was 3239 tonnes CO<sub>2</sub>e.
- 2.8 In 2014/15 MBC's carbon emissions increased from 4791 tonnes to 4998 tonnes, which was a 4.3% increase on the 2013/14 year, and represented a reduction from the baseline year of 14.9%. The primary cause of this unexpected increase it thought to be a break down of the Combined Heat and Power (CHP) plant at Mote Park Leisure Centre which resulted in a large increase in electricity consumption. This fault is now rectified.
- 2.9 This means that CO<sub>2</sub> emissions have been reduced by a cumulative total of 4081 tonnes since the 2008/09 baseline year. If the assumed increase described in 2.6 is factored in, the cumulative reduction becomes 5056 tonnes CO<sub>2</sub>e, compared with the target of 5295 tonnes CO<sub>2</sub>e.
- 3.0 In future years Carbon emissions will be managed as part of the Council's Low Emissions Strategy which is currently being developed.
- 

### **3. AVAILABLE OPTIONS**

- 3.1 The Council could publish the attached reports via its website and send a link to the reports to DECC in compliance with the requests of the Minister for Climate Change in June 2013.
- 3.2 The Council could disregard the Minister's request and not publish the attached reports.
- 

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

- 4.1 The preferred option is for the Council to choose publish the attached reports on its website and send a link to the report to DECC.
- 4.2 Producing and publishing a GHG report is not a statutory requirement, but it does form part of the Department of Communities and Local Government (DCLG) single data list which sets out all of the data requirements that central government has of local government, and so is expected to be reported.
- 4.3 Any sanction for not providing data requested on the DCLG single data list is likely to be reputational as DECC's collation of Local Authority data into one place will clearly show which Local Authorities have not complied with the requirement.
- 

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

5.1 No consultation has been undertaken, and no consultation is required. The report is factual in nature and does not form part of any policy change.

5.2 The report has not previously been submitted to the committee.

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## 6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 The following timetable is proposed:

Action	Start	End
The CH& E Committee approves the draft themes for consultation		16/06/2015
Consultation period commences	22/06/2015	25/09/2015
Report back to CH&E Committee with consultation response incorporated into draft Strategy		13/10/2015
Strategy approved, implementation commences	January 2016	March 2021

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## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	Great Place. Demonstrates that MBC is taking practical steps to reduce its own carbon emissions.	John Littlemore
<b>Risk Management</b>	There is small reputational risk of publishing the report as it shows that MBC has not completely reached its own carbon reduction target. However there is a greater risk in being identified as having not complied with the minister's request.	John Littlemore
<b>Financial</b>	Reducing carbon emissions results in lower expenditure on energy.	Paul Riley
<b>Staffing</b>	<u>None</u>	John Littlemore
<b>Legal</b>	<u>None</u>	Estelle Culligan, Deputy Head of Legal Partnership

<b>Equality Impact Needs Assessment</b>	<u>Not required.</u>	Clare Wood, Policy & Information Officer
<b>Environmental/Sustainable Development</b>	Demonstrates the council's commitment to taking practical steps to reduce its own carbon emissions. Also highlights that more work could be done in this area although most factors contributing to missing the target are beyond MBC direct control.	Head of Housing & Community Services
<b>Community Safety</b>	None	John Littlemore
<b>Human Rights Act</b>	None	John Littlemore
<b>Procurement</b>	Potential to highlight need to give greater emphasis to carbon emissions in procurement of services and equipment.	John Littlemore/Paul Riley
<b>Asset Management</b>	Main cause of missed target was broken CHP unit in leisure centre. Highlights that prompt action in such cases is important in meeting carbon emission targets.	John Littlemore

## 8. REPORT APPENDICES

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

- Appendix A Maidstone Borough Council Greenhouse Gas Emissions Report 2013-14
- Appendix B Maidstone Borough Council Greenhouse Gas Emissions Report 2014-15

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## 9. BACKGROUND PAPERS

Maidstone Borough Council Carbon Management Plan

<http://dynamic.maidstone.gov.uk/pdf/MBC%20Carbon%20Management%20Plan.pdf>

# GREENHOUSE GAS EMISSIONS REPORT

**2014 -15**

## 1.0 Summary

This report has been compiled in response to the request of the Department of Energy and Climate Change (DECC) to publish information about the Greenhouse Gas (GHG) emissions for Maidstone Borough Council's estate and operations.

The report uses data collated by MBC as part of its Carbon Management Programme, and covers the period of 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015.

The report includes direct emissions from gas and fuel consumption in MBC owned and operated buildings and vehicles (classified as Scope 1) indirect emissions from the consumption of purchased electricity (classified as Scope 2) and indirect emissions related to business travel, which are classified as scope 3.

The Council has set itself a target to reduce emissions of CO<sub>2</sub> by 20% by 2014/15 from a level of 5840 tonnes CO<sub>2</sub> in the baseline year of 2008/09. The data presented in this report show that the level of CO<sub>2</sub> emissions in 2014/15 was 4998 tonnes, which is an **increase** of 207 tonnes on the 2013/14 year. This represents a reduction of 14.9% from the baseline year, with the largest reduction achieved in Scope 1. The reduction in 2013/14 was 18.4%, and therefore, it seemed likely that the overall target of a 20% reduction in CO<sub>2</sub> emissions would be met. However, 2014/15 included some anomalous results, particularly, a large increase in electricity consumption at Mote Park Leisure Centre, which meant that the reduction of 18.4% achieved in 2013/14 has been reduced.

The cumulative total amount of CO<sub>2</sub> emissions saved since the baseline year is now 4081 tonnes.

The Carbon Management Plan sets a target for the cumulative total saving of 5295 tonnes, however this figure assumes that emissions would increase if nothing were done, based on an assumed 0.7% annual increase in demand. If this assumption is factored into the actual savings, the cumulative reduction in CO<sub>2</sub> since 2008/09 would be 5056 tonnes, compared to the target of 5295 tonnes.

## **2.0 Greenhouse Gas Emissions from our Estate and Operations**

Scope1, Scope 2 and significant Scope 3 emissions have been measured.

Scope 1 includes all natural gas use by Council owned buildings and those operated by the Council. It also includes all emissions from owned or controlled vehicles including the Waste Collection Service and Park and Ride Service.

Scope 2 includes the consumption of all purchased electricity associated with Council operations.

Scope 3 includes all emissions associated with water supply, the transportation of purchased fuels (the Scope 3 emissions associated with Scope 1 emissions), employee business travel by non-owned means, electricity related activities (the Scope 3 emissions associated with the Scope 2 emissions) and the Scope 3 emissions associated with the Biomass Boiler.

## 2.1 GHG Emissions Summary

Table 1 shows a summary of the Greenhouse Gas emissions for the estate and operations of Maidstone Borough Council for the reporting period 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015.

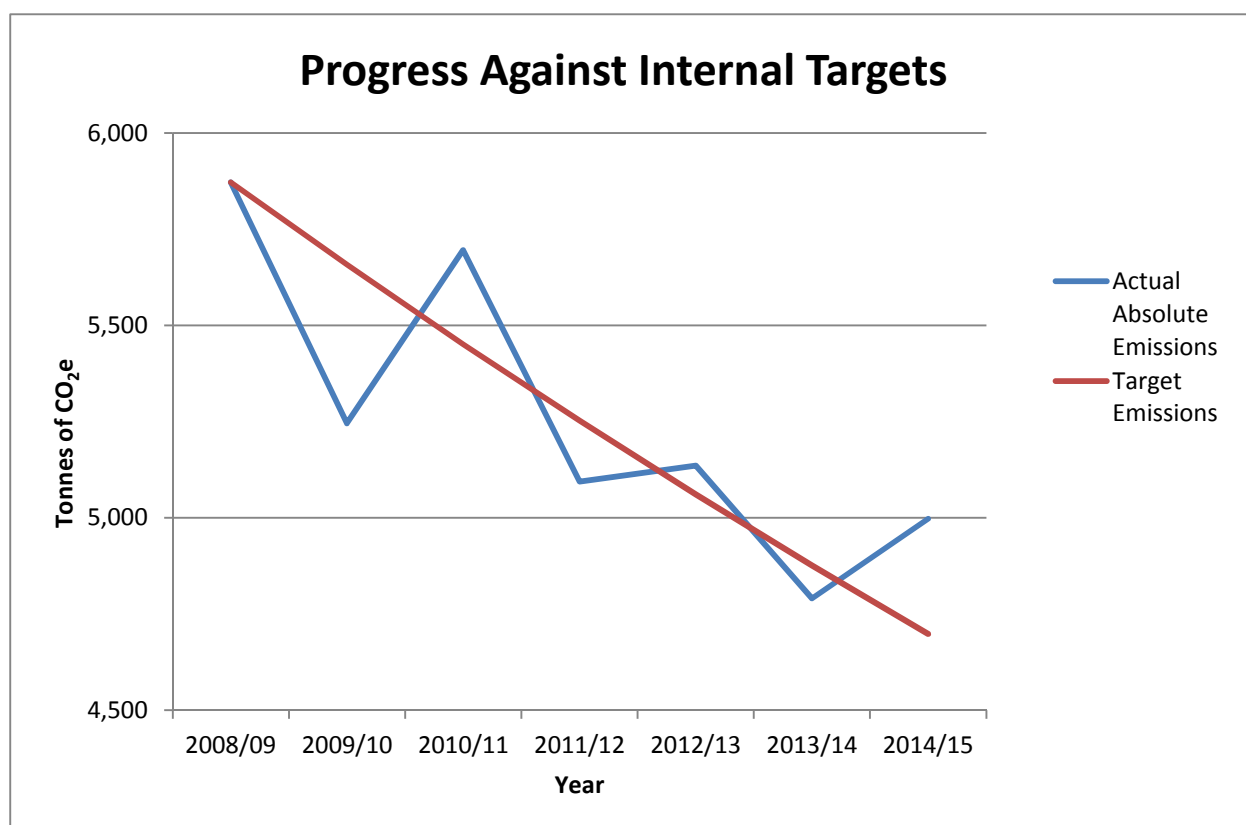
**Table 1: Greenhouse Gas Emissions Data for the period 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015**

<b>Maidstone Borough Council – Carbon Emissions</b>								
GHG Emissions for 1 <sup>st</sup> April 2014 to 31 <sup>st</sup> March 2015								
Tonnes CO <sub>2</sub> e								
	2014/15	% Change from Baseline	2013/14	2012/13	2011/12	2010/11	2009/10	2008/09 Baseline Year
Scope 1	2611	24.6	2776	2923	2747	3290	2867	3463
Scope 2	1738	+3.2	1372	1556	1694	1690	1703	1682
Scope 3	649	10.9	643	657	653	715	675	728
Outside of Scope (not included in gross emissions)	107		107	314	99	34	9	7
Total Gross Emissions	4998	14.9	4791	5136	5094	5695	5245	5872
Carbon Offset /Green Tariff	0			0	0	0	0	0
Total Net Emissions	4998	14.9	4791	5136	5094	5695	5245	5872
Intensity Measure (Tonnes of CO <sub>2</sub> e per employee)	10.3		9.6	10.4	10.1	10.5	9.1	10.1

## 2.2 Changes in Emissions

MBC's net Total GHG emissions in 2014/15 were 4998 tonnes CO<sub>2</sub>e which represents an increase of 4.3% on 2013/14 and a 14.9% reduction on the 2008/09 baseline year. This is an increase on the 18.4% reduction achieved in 2013/14, which was mainly caused by a large increase in electricity consumption at Mote Park Leisure Centre, which was due to the CHP plant being out of action for several months.

**Figure 1. Reduction in Actual CO<sub>2</sub>e Emissions, Compared to Target**



### 2.2.1 Greenhouse Gas Reduction Activities

Maidstone Borough Council's Greenhouse Gas reduction activities have been undertaken in accordance with MBC's Carbon Management Plan produced in 2009. The stated aim of the Carbon Management Plan was to reduce MBC's carbon footprint by 3% per year, and to achieve a 20% reduction on the 2008/09 baseline year by 2015. The plan contained 44 actions or projects aimed at reducing CO<sub>2</sub> emissions, most of which were intended to be carried out in the short to medium term, with the remainder being more aspirational or speculative.

The majority of the actions have been completed, and of those which have not been completed, most have been investigated and found not to be presently cost-effective, or otherwise not viable for some reason. Some of these may be revisited in the future.



Some of the most significant actions included demolition of the King Street Multi Storey Car Park and renewal of the waste collection contract to a new service using split bodied vehicles. There has also been an ongoing programme of improvements at the Mote Park Leisure Centre, which has included:-

- A quarterly review of the strategy programming on all environmental controls of the Building Management System in order to optimise consumption.
- Staff training on programming of variable speed drives for Air Handling Units (AHUs) and a review of each unit's programme with a view to reducing electrical consumption without compromising quality of service.
- AHU3 (Leisure Pool) upgraded controls from a standalone unit and integrated into the Building Energy Management System giving a more cohesive approach to balancing air movement plant and reducing waste.
- Installation of pool covers over main fitness pool and 2x Teaching pools.
- Installation of LED lighting through large majority of the centre.

### 2.2.2 Weather corrections

One of the major reasons for the change in emission totals year on year is the weather. If the weather is especially cold, more heating will be required, which can mask the effect of the improvements which would have been achieved.

A correction can be applied which makes possible better comparisons between periods of different temperature. The correction uses the concept of heating degree days.

The concept of degree days is based on the assumption that when the temperature reaches 15.5°C, a building will not require any supplementary heating. If the temperature falls to 14.5 °C on a given day, there is one degree day for that day. If the temperature falls to 13.5 °C for a day, then there are two degree days for that day. If the temperature remains at 13.5 °C for a week, then there are 14 degree days for that week. For a given year, the number of degree days can be compared with a reference period, usually a long term average, and a correction factor can be calculated as

***Weather correction factor = degree days (reference period)/degree days (reporting period)***

Table 2 below shows the number of degree days each year from the baseline year to 2014-15.

It can be seen that the number of degree days in 2014/15 was 1781, and the twenty year average was 2048. The number of degree days in 2013/14 was 1873. Therefore, 2014/15 was milder than average, and slightly milder than the previous year, which was

also milder than average. Using the twenty year average as the reference period, the weather correction factor for 2014/15 would be calculated by

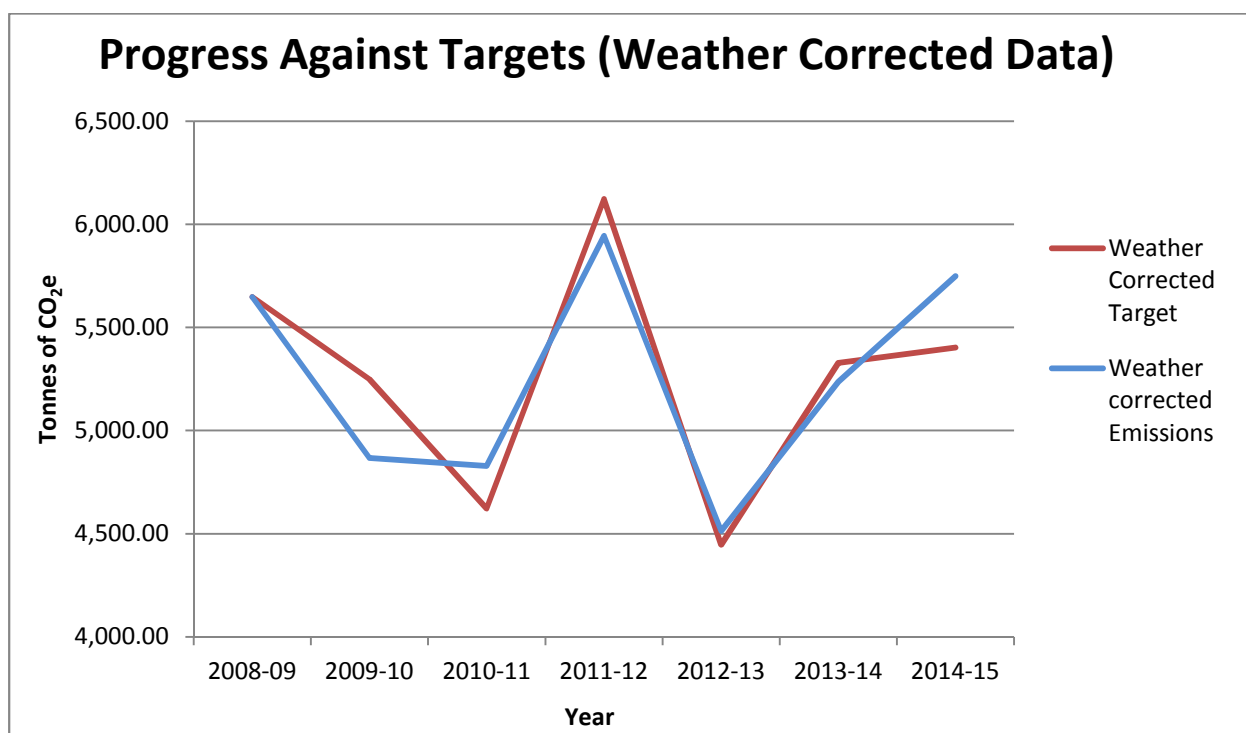
$$\text{Weather correction factor} = 2048/1781 = 1.150$$

Table 2 shows the weather correction factors for all years from 2008-09 to 2014-15

**Table 2 Number of Degree Days and Weather Correction Factors for 2008/09 to 2014/15**

Year	Degree Days	Twenty Year Average	Weather Correction Factor
2008/09	2130	2048	0.962
2009/10	2206	2048	0.928
2010/11	2414	2048	0.848
2011/12	1751	2048	1.167
2012/13	2329	2048	0.879
2013/14	1873	2048	1.093
2014/15	1781	2048	1.150

**Figure 2, Reduction in Weather Corrected CO2 Emissions Compared to Target**



## 2.3 Future Greenhouse Gas Reduction Activities

The majority of actions in the Carbon Management Plan have been completed, and the Plan is due for renewal in 2015. At present, the Council is drafting a Low Emission Strategy aimed primarily at tackling air quality issues within the Borough, however, it is proposed that this will also be the vehicle for managing GHG emissions in future. Thus a new Carbon Management Plan will be developed in 2015 as part of the new Low Emission Strategy.

In support of this new Plan the Council will embark on a series of projects to install renewable energy technology on various buildings within its estate. The Council will also bring forward a policy which enables tenants on its estate, and residents and businesses within the wider borough to take up the environmental and financial benefits of this technology.

The execution of these projects will realise savings for the Council and they will therefore be funded from the allocation for commercial projects within the capital programme. The projects currently completed or approved within this financial year are predicted to reduce carbon emissions >90 tonnes and generate savings >£28,000. Future projects on the Council's estate will be assessed on a case-by-case basis and will be subject to approval by the Policy and Resources Committee.

Table 3: Proposed Renewable Energy Projects

Site	Array size	Annual CO <sub>2</sub> emission reduction
MBC Depot	50kw	21.5 tonnes
Lockmeadow Market	50kw	21.5 tonnes
Vinter's Park Crematorium	14kw	6 tonnes
	4kw	1.7 tonnes
Magnolia House	24kw	10.3 tonnes

### 3.0 Statement of Greenhouse Gas Emissions 2014-15

		Tonnes CO <sub>2</sub> e	Tonnes CO <sub>2</sub> e (weather corrected)
<b>Scope 1</b>	Gas Consumption	1006	1157
	Transport	1605	1845
<b>Total Scope1</b>		<b>2611</b>	<b>3003</b>
<b>Scope 2</b>	Purchased Electricity	1738	1500
<b>Total Scope 2</b>		<b>1738</b>	<b>1500</b>
<b>Scope 3</b>	Water	14.5	13
	Business Mileage	79.3	78.4
	Transportation of Purchased Fuels	437.8	482.8
	Extraction, Production and Transportation	117.3	128.2
<b>Total Scope 3</b>		<b>649</b>	<b>702.4</b>
<b>Grand Total</b>		<b>4998</b>	<b>5236.4</b>

## **Appendix 1: Explanatory notes**

### **1: Greenhouse Gases.**

Greenhouse gas (GHG) emissions are reported in tonnes of carbon dioxide equivalent (CO<sub>2</sub>e). All of the greenhouse gases covered by the Kyoto Protocol are included, namely carbon dioxide (CO<sub>2</sub>), methane CH<sub>4</sub>, nitrous oxide (N<sub>2</sub>O) perfluorocarbons (PFCs) hydrofluorocarbons (HFCs), and sulphur hexafluoride (SF<sub>6</sub>)

Different gases have different abilities to trap heat in the atmosphere, otherwise known as their global warming potential. In order to present greenhouse gas emissions as a simple single number, the global warming potentials of the other gases are used to calculate the mass of CO<sub>2</sub> which would trap the same amount of heat, which is known as its CO<sub>2</sub> equivalent (CO<sub>2</sub>e).

The CO<sub>2</sub> equivalents for all the gases are totalled up to give a single CO<sub>2</sub> equivalent. The most significant gases in the Council's operations are carbon dioxide, methane and nitrous oxides from the burning of fossil fuels.

### **2: Classifying Greenhouse Gas Emissions**

#### **Scope 1 (Direct emissions)**

Activities owned **or** controlled by the council that release emissions straight into the atmosphere (e.g. combustion in owned or controlled boilers and vehicles).

#### **Scope 2 (Energy indirect)**

Emissions being released into the atmosphere associated with the consumption of purchased electricity. These are indirect emissions that are a consequence of the council's activities but which occur at sources we do not own or control.

#### **Scope 3 (Other indirect)**

Emissions that are a consequence of the council's actions, which occur at sources we do not own or control and which are not classed as scope 2 emissions (e.g. business travel in vehicles not owned or controlled by the council). Transmission and distribution losses associated with purchased electricity are also included under this scope.

### **3: Inclusions**

Direct GHG emissions and indirect GHG emissions (from electricity consumption) have been reported from council-owned buildings and vehicles. This includes council-owned buildings that are leased to other organisations or are under the operational control of outsourced services (e.g. leisure centres).

Scope 3 emissions currently include business travel by private car and rail travel.

#### 4: Current exclusions

Emissions from the following sources have not been reported:

- Fugitive emissions (e.g. air conditioning and refrigeration leaks) (Scope 1)
- Waste disposal (Scope 3)

Appropriate data is not currently available for the above emissions sources. Emissions from air conditioning and refrigeration units in office buildings were excluded due to the cost of data collection. These are not considered to be material as they will account for less than 0.5% of total scope 1 and 2 emissions. Work is ongoing to include business travel by all modes, waste disposal and employee commuting in future reporting, the latter represents a significant source of scope 3 emissions.

#### 5: Conversion Factors

The greenhouse gas emissions associated with stationary and transport sources are then calculated by converting this activity data using documented conversion factors.

Activity data (e.g. total kWh) x Emission factor = GHG emissions

The conversion factors that relate to 'Total kg CO<sub>2</sub>e' are those used to calculate greenhouse gas emissions for this report.

#### 6: Baseline Year

Greenhouse gases have been reported with reference to a baseline year, which makes it easier to compare emissions over time. The baseline year is 2008/09 which is consistent with the Carbon Management Plan To track performance over time the base year emissions may need to be recalculated to enable a meaningful comparison of current and historic emissions. The baseline emissions will be recalculated as new (additional) datasets become available for the base year, where there is a discovery of significant or collectively significant errors, or as required by updates to emissions factors.

# GREENHOUSE GAS EMISSIONS REPORT

2013-14

## 1.0 Summary

This report has been compiled in response to the request of the Department of Energy and Climate Change (DECC) to publish information about the Greenhouse Gas (GHG) emissions for Maidstone Borough Council's estate and operations.

The report uses data collated by MBC as part of its Carbon Management Programme, and covers the period of 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014.

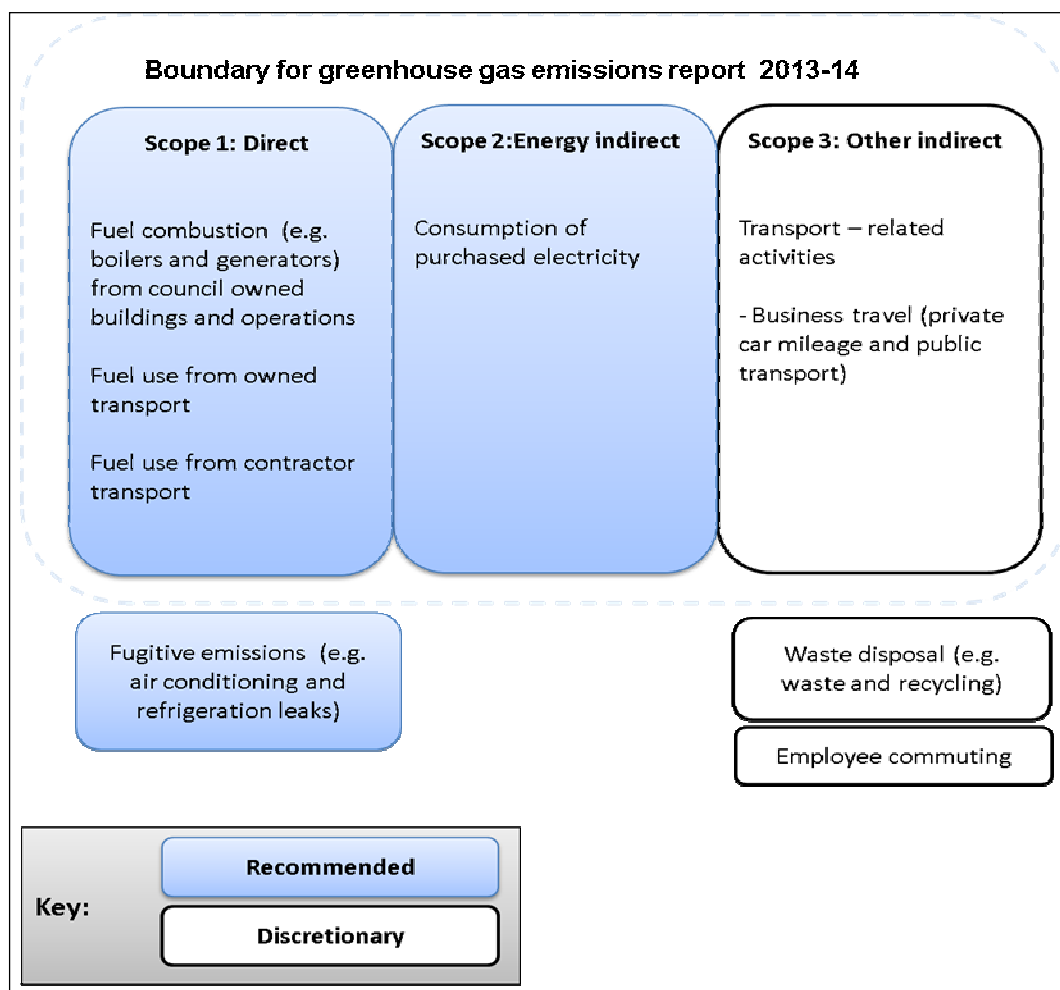
The report includes direct emissions from gas and fuel consumption in MBC owned and operated buildings and vehicles (classified as Scope 1) indirect emissions from the consumption of purchased electricity (classified as Scope 2) and indirect emissions related to business travel, which are classified as scope 3.

The Council has set itself a target to reduce emissions of CO<sub>2</sub> by 20% by 2014/15 from a level of 5840 tonnes CO<sub>2</sub>e in the baseline year of 2008/09. The data presented in this report show that the level of CO<sub>2</sub>e emitted in 2013/14 was 4791 tonnes, a reduction of 18.4% from baseline. The largest reduction has occurred in Scope 1.

The total amount of CO<sub>2</sub> emissions saved since the baseline year is now 3239 tonnes. The target for cumulative CO<sub>2</sub> reduction over the life of the plan was 5295 tonnes, which assumed that there would have been an increase of 0.7% in demand, had no action been taken.



## 2.0 Greenhouse Gas Emissions from our Estate and Operations



## 2.1 GHG Emissions Summary

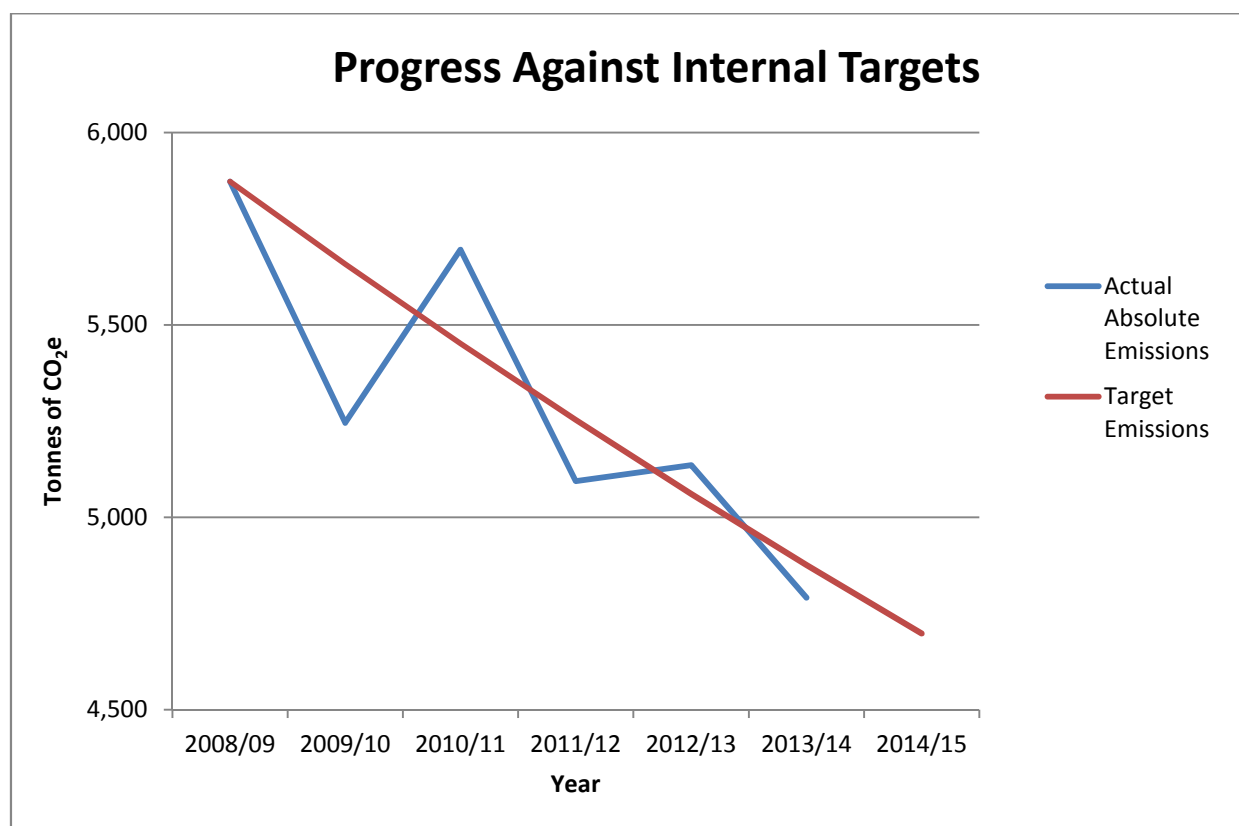
Table 1 shows a summary of the Greenhouse Gas emissions for the estate and operations of Maidstone Borough Council for the reporting period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014.

**Table 1: Greenhouse Gas Emissions Data for the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014**

<b>Maidstone Borough Council – Carbon Emissions</b>							
GHG Emissions for 1 <sup>st</sup> April 2013 to 31 <sup>st</sup> March 2014							
	Tonnes CO <sub>2</sub> e						
	2013/14	% Change from Baseline	2012/13	2011/12	2010/11	2009/10	2008/09 Baseline Year
Scope 1	2776	19.8	2923	2747	3290	2867	3463
Scope2	1372	18.4	1556	1694	1690	1703	1682
Scope3	643	11.7	657	653	715	675	728
Outside of Scope (not included in gross emissions)	107		314	99	34	9	7
Total Gross Emissions	4791	18.4	5136	5094	5695	5245	5872
Carbon Offset /Green Tariff	0		0	0	0	0	0
Total Net Emissions	4791	18.4	5136	5094	5695	5245	5872
Intensity Measure (Tonnes CO <sub>2</sub> e of per employee)	9.6		10.4	10.1	10.5	9.1	10.1

## 2.2 Changes in Emissions

MBC's net Total GHG emissions in 2013/14 were 4791 tonnes CO<sub>2</sub>e which represents a decrease of 6.7% on 2012/13 and an 18.4% reduction on the 2008/09 baseline year



### 2.2.1 Greenhouse Gas Reduction Activities

Maidstone Borough Council's Greenhouse Gas reduction activities have been undertaken in accordance with MBC's Carbon Management Plan produced in 2009. The stated aim of the Carbon Management Plan was to reduce MBC's carbon footprint by 3% per year, and to achieve a 20% reduction on the 2008/09 baseline year by 2015. The plan contained 44 actions or projects aimed at reducing CO<sub>2</sub> emissions, most of which were intended to be carried out in the short to medium term, with the remainder being more aspirational or speculative.

The majority of the actions have been completed, and of those which have not been completed, most have been investigated and found not to be presently cost-effective, or otherwise not viable for some reason. Some of these may be revisited in the future.

Some of the most significant actions included demolition of the King Street Multi Storey Car Park and renewal of the waste collection contract to a new service using split bodied vehicles. There has also been an ongoing programme of improvements at the Mote Park Leisure Centre, which has included:-

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- Staff training on programming of variable speed drives for Air Handling Units (AHUs) and a review of each unit's programme with a view to reducing electrical consumption without compromising quality of service.
- AHU3 (Leisure Pool) upgraded controls from a standalone unit and integrated into the Building Energy Management System giving a more cohesive approach to balancing air movement plant and reducing waste.
- Installation of pool covers over main fitness pool and 2x Teaching pools.
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### 2.2.2 Weather corrections

One of the major reasons for the change in emission totals year on year is the weather. If the weather is especially cold, more heating will be required, which can mask the effect of the improvements which would have been achieved.

A correction can be applied which makes possible better comparisons between periods of different temperature. The correction uses the concept of heating degree days.

The concept of degree days is based on the assumption that when the temperature reaches 15.5°C, a building will not require any supplementary heating. If the temperature falls to 14.5 °C on a given day, there is one degree day for that day. If the temperature falls to 13.5 °C for a day, then there are two degree days for that day. If the temperature remains at 13.5 °C for a week, then there are 14 degree days for that week. For a given year, the number of degree days can be compared with a reference period, usually a long term average, and a correction factor can be calculated as

***Weather correction factor = degree days (reference period)/degree days (reporting period)***

Table 2 below shows the number of degree days each year from the baseline year to 2014-15.

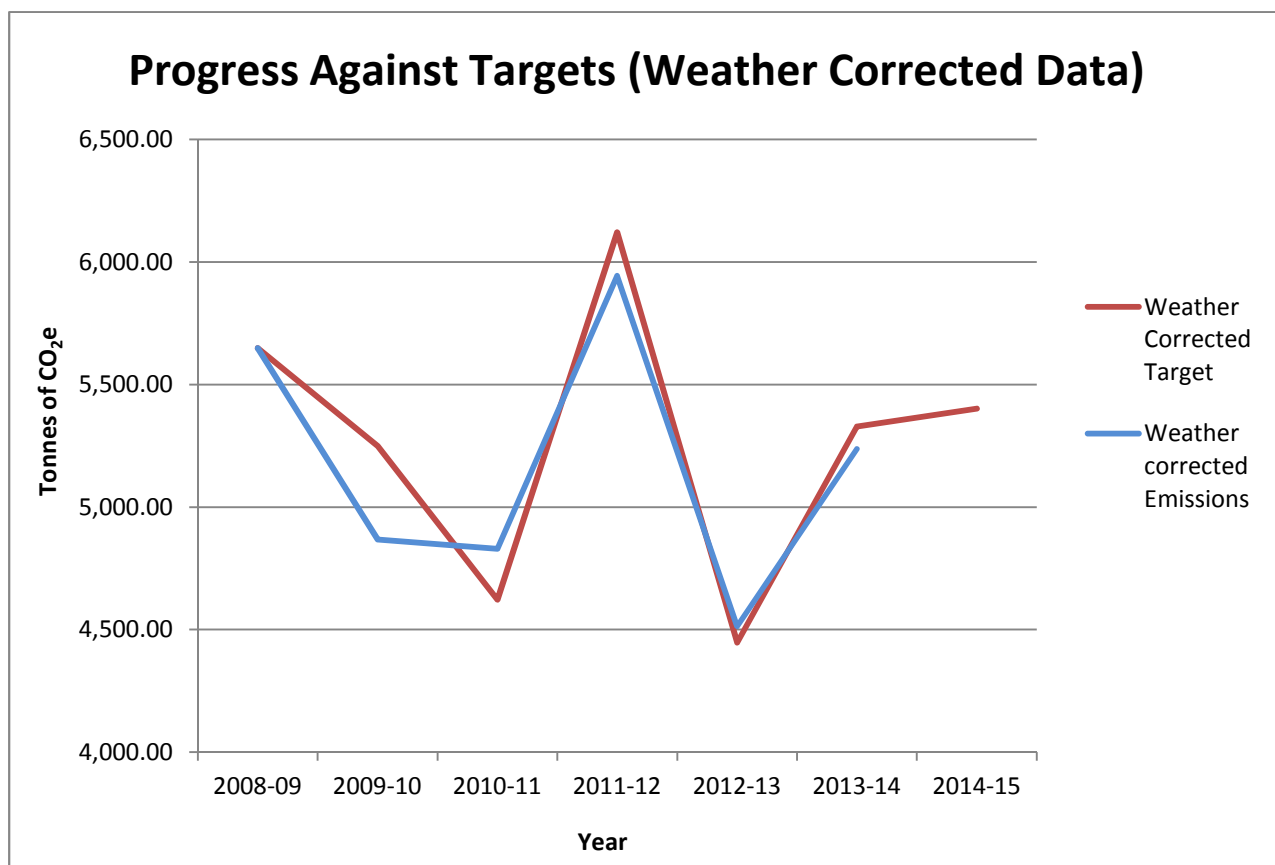
It can be seen that the number of degree days in 2013/14 was 1873, and the twenty year average was 2048. The number of degree days in 2012/13 was 2329. Therefore, 2013/14 was milder than average, and significantly milder than the previous year, which was colder than average. Using the twenty year average as the reference period, the weather correction factor for 2013/14 would be calculated by

***Weather correction factor = 2048/1873 = 1.093***

Table 2 shows the weather correction factors for all years from 2008-09 to 2014-15

**Table 2 Number of Degree Days and Weather Correction Factors for 2008/09 to 2014/15**

Year	Degree Days	Twenty Year Average	Weather Correction Factor
2008/09	2130	2048	0.962
2009/10	2206	2048	0.928
2010/11	2414	2048	0.848
2011/12	1751	2048	1.167
2012/13	2329	2048	0.879
2013/14	1873	2048	1.093
2014/15	1781	2048	1.150



## 2.3 Future Greenhouse Gas Reduction Activities

The majority of actions in the Carbon Management Plan have been completed, and the Plan is due to be completed in 2015, when a new Plan will be introduced. The Council is proposing to produce a Low Emission Strategy aimed primarily at tackling air quality issues within the Borough, however, it is thought likely that this will also be the vehicle for managing GHG emissions in future. Thus a new Carbon Management Plan is planned for development in 2015 as part of the proposed Low Emission Strategy.

One of the main activities to be included in the new plan will be the introduction of more photovoltaic panels onto the rooves of a number of the MBC's buildings. Other measures are still to be agreed, but are likely to include a consideration of other ways to reduce MBC's vehicle fleet emissions.

## 3.0 Statement of Greenhouse Gas Emissions 2013-14

		<b>Tonnes CO<sub>2</sub>e</b>	<b>Tonnes CO<sub>2</sub>e (weather corrected)</b>
<b>Scope 1</b>	Gas Consumption	1270	1388
	Transport	1506	1646
<b>Total Scope1</b>		<b>2776</b>	<b>3034</b>
<b>Scope 2</b>	Purchased Electricity	1372	1500
<b>Total Scope 2</b>		<b>1372</b>	<b>1500</b>
<b>Scope 3</b>	Water	11.9	13
	Business Mileage	71.7	78.4
	Transportation of Purchased Fuels	441.7	482.8
	Extraction, Production and Transportation	117.3	128.2
<b>Total Scope 3</b>		<b>642.6</b>	<b>702.4</b>
<b>Grand Total</b>		<b>4790.6</b>	<b>5236.4</b>

## **Appendix 1: Explanatory notes**

### **1: Greenhouse Gases.**

Greenhouse gas (GHG) emissions are reported in tonnes of carbon dioxide equivalent (CO<sub>2</sub>e). All of the greenhouse gases covered by the Kyoto Protocol are included, namely carbon dioxide (CO<sub>2</sub>), methane CH<sub>4</sub>, nitrous oxide (N<sub>2</sub>O) perfluorocarbons (PFCs) hydrofluorocarbons (HFCs), and sulphur hexafluoride (SF<sub>6</sub>)

Different gases have different abilities to trap heat in the atmosphere, otherwise known as their global warming potential. In order to present greenhouse gas emissions as a simple single number, the global warming potentials of the other gases are used to calculate the mass of CO<sub>2</sub> which would trap the same amount of heat, which is known as its CO<sub>2</sub> equivalent.

The CO<sub>2</sub> equivalents for all the gases are totalled up to give a single CO<sub>2</sub> equivalent (CO<sub>2</sub>e). The most significant gases in the Council's operations are carbon dioxide, methane and nitrous oxides from the burning of fossil fuels.

### **2: Classifying Greenhouse Gas Emissions**

#### **Scope 1 (Direct emissions)**

Activities owned **or** controlled by the council that release emissions straight into the atmosphere (e.g. combustion in owned or controlled boilers and vehicles).

#### **Scope 2 (Energy indirect)**

Emissions being released into the atmosphere associated with the consumption of purchased electricity. These are indirect emissions that are a consequence of the council's activities but which occur at sources we do not own or control.

#### **Scope 3 (Other indirect)**

Emissions that are a consequence of the council's actions, which occur at sources we do not own or control and which are not classed as scope 2 emissions (e.g. business travel in vehicles not owned or controlled by the council). Transmission and distribution losses associated with purchased electricity are also included under this scope.

### **3: Inclusions**

Direct GHG emissions and indirect GHG emissions (from electricity consumption) have been reported from council-owned buildings and vehicles. This includes council-owned buildings that are leased to other organisations or are under the operational control of outsourced services (e.g. leisure centres).

Scope 3 emissions currently include business travel by private car and rail travel.

#### **4: Current exclusions**

Emissions from the following sources have not been reported:

- Fugitive emissions (e.g. air conditioning and refrigeration leaks) (Scope 1)
- Waste disposal (Scope 3)

Appropriate data is not currently available for the above emissions sources. Emissions from air conditioning and refrigeration units in office buildings were excluded due to the cost of data collection. These are not considered to be material as they will account for less than 0.5% of total scope 1 and 2 emissions. Work is ongoing to include business travel by all modes, waste disposal and employee commuting in future reporting, the latter represents a significant source of scope 3 emissions.

#### **5: Conversion Factors**

The greenhouse gas emissions associated with stationary and transport sources are then calculated by converting this activity data using documented conversion factors.

Activity data (e.g. total kWh) x Emission factor = GHG emissions

The conversion factors that relate to 'Total kg CO<sub>2</sub>e' are those used to calculate greenhouse gas emissions for this report.

#### **6: Baseline Year**

Greenhouse gases have been reported with reference to a baseline year, which makes it easier to compare emissions over time. The baseline year is 2008/09 which is consistent with the Carbon Management Plan To track performance over time the base year emissions may need to be recalculated to enable a meaningful comparison of current and historic emissions. The baseline emissions will be recalculated as new (additional) datasets become available for the base year, where there is a discovery of significant or collectively significant errors, or as required by updates to emissions factors.



## COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE

**15 September  
2015**

Is the final decision on the recommendations in this report to be made at this meeting?

**N/A**

## Carbon Management Plan Outcomes

<b>Final Decision-Maker</b>	Communities, Housing & Environment Committee
<b>Lead Director or Head of Service</b>	John Littlemore Head of Housing & Community Services
<b>Lead Officer and Report Author</b>	Dr Stuart Maxwell
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

**This report makes the following recommendations to the final decision-maker:**

1. That the Committee is aware of the outcomes of the Carbon Management Plan

**This report relates to the following corporate priorities:**

- 

Keeping Maidstone an attractive place for all

### Timetable

<b><i>Meeting</i></b>	<b><i>Date</i></b>
Corporate Leadership Team	1 September 2015
Policy and Resources Committee	
Council	
Other Committee	15 <sup>th</sup> September 2015

# Carbon Management Plan Outcomes

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Maidstone Borough Council introduced a Carbon Management plan in 2009, covering the period from 2009 to 2015.
- 1.2 This period has now finished, and therefore the purpose of this report is to inform the committee about the outcomes of the Carbon Management Plan and what has been achieved.

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## 2. INTRODUCTION AND BACKGROUND

- 2.1 In 2009, Maidstone Borough Council, in partnership with the Carbon Trust, introduced a Carbon Management Plan, setting out how the Council would reduce the carbon emissions associated with its estate and operations.
- 2.2 The Plan defines the scope of the Council's baseline carbon emissions, which include:-
  - Energy used in council owned buildings
  - Building energy use for outsourced council functions, eg Maidstone Leisure Centre
  - Council owned fleet use
  - Council owned business travel
  - Fleet fuel use for outsourced council functions, eg, the waste collection service.
  - Business Travel for outsourced council functions
  - Water used in Council buildings and operations.

These items were previously included in the Council's NI185 return, and now form part of the Greenhouse Gas returns submitted to the Department for Energy and Climate Change (DECC)

- 2.3 The Plan contains 43 actions and projects aimed at reducing carbon emissions. These fall into four categories, namely:-
  - **Existing projects**, which were already underway in 2008/09
  - **Planned and funded projects**, which were due to be implemented and for which funding was in place.
  - **Near and medium term projects**, which are due to be implemented during the timeframe of the Plan but require more work before they can be finalised.
  - **Long term projects**, which were in the early stages of consideration, and were deemed to be aspirational.

- 2.4 The Plan committed the Council to a target of reducing its CO<sub>2</sub> emissions by 20% from the 2008/09 level, by the end of the 2014/15 financial year.
- 2.5 The 20% reduction would result in a decrease of CO<sub>2</sub> emissions from the 2008/09 baseline level of 5840 tonnes per annum to 4672 tonnes per annum in 2014/15. The Plan also set a target for the cumulative total of the reduction in carbon emissions over the life of the Plan of 5295 tonnes CO<sub>2</sub>. This was based on the assumption that there would have been a cumulative increase of 1075 tonnes of CO<sub>2</sub> increase over the period of the plan, based on the 'business as usual' scenario. This assumption is based on a 0.7% annual increase in demand.
- 2.6 The Table given as Appendix 1 shows which of the projects have been completed, and which have not. A summary is presented below. Of the 43 projects in the plan, 19 have been completed and a further 4 mostly or partially completed. 6 more projects have been investigated but found not to be cost effective, or otherwise not viable. A further 8 have not been done, but are still planned or under consideration, or may be revisited in the future. Owing to various staff changes, there are 6 projects for which no up to date information could be found at the time of writing.

<b>Outcome</b>	
Complete	19
Partially complete	4
No longer considered viable	6
Not complete but still under consideration	8
No up-to-date information could be found	6

- 2.7 Broadly speaking, the planned, funded and short term projects have been completed, whilst the projects which have not been completed are the more long term or aspirational ones.
- 2.8 In 2013/14 MBC's carbon emissions were reduced from the baseline of 5840 CO<sub>2</sub> tonnes to 4791 tonnes CO<sub>2</sub> which was an 18.4% reduction from baseline. The cumulative reduction since 2008/09 was 3239 tonnes CO<sub>2</sub>e.
- 2.9 In 2014/15 MBC's carbon emissions increased from 4791 tonnes to 4998 tonnes, which was a 4.3% increase on the 2013/14 year, and represented a reduction from the baseline year of 14.9%. The primary cause of this unexpected increase is thought to be a break down of the Combined Heat and Power (CHP) plant at Mote Park Leisure Centre which resulted in a large increase in electricity consumption
- 2.10 This means that CO<sub>2</sub> emissions have been reduced by a cumulative total of 4081 tonnes since the 2008/09 baseline year. The Plan's target of 5295 tonnes cumulative reduction is based on the assumption that, there would be a cumulative increase of 1075 if nothing were done. When this assumption is factored in, the total cumulative saving from over the life of the plan is 5056 tonnes CO<sub>2</sub>. Compared with the 5295 tonnes CO<sub>2</sub> target, this cumulative saving represents 95.5% of the target.

### 3. AVAILABLE OPTIONS

3.1 This report is for information only and no decision is required.

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### 4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

N/A

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### 5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 No consultation has been undertaken, and no consultation is required. The report is factual in nature and does not form part of any policy change.

5.2 The report has not previously been submitted to the committee.

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### 6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

No next step

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### 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	Great Place. Demonstrates that MBC is taking practical steps to reduce its own carbon emissions.	John Littlemore
<b>Risk Management</b>	None	John Littlemore
<b>Financial</b>	Reducing carbon emissions results in lower expenditure on energy.	Paul Riley
<b>Staffing</b>	<u>None</u>	John Littlemore
<b>Legal</b>	<u>None</u>	Legal Team
<b>Equality Impact Needs Assessment</b>	<u>None identified.</u>	Clare Wood, Policy & Information Officer
<b>Environmental/Sustainable Development</b>	Demonstrates the council's commitment to taking practical steps to reduce its own carbon emissions. Also highlights that more work could be done in this area	John Littlemore

	although most factors contributing to missing the target are beyond MBC direct control.	
<b>Community Safety</b>	None	John Littlemore
<b>Human Rights Act</b>	None	John Littlemore
<b>Procurement</b>	Potential to highlight need to give greater emphasis to carbon emissions in procurement of services and equipment.	John Littlemore
<b>Asset Management</b>	Main cause of missed target was broken CHP unit in leisure centre. Highlights that prompt action in such cases is important in meeting carbon emission targets.	John Littlemore

## 8. REPORT APPENDICES

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

- Appendix A Carbon Management Plan Project Update Table

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## 9. BACKGROUND PAPERS

Maidstone Borough Council Carbon Management Plan

<http://dynamic.maidstone.gov.uk/pdf/MBC%20Carbon%20Management%20Plan.pdf>

## APPENDIX A: CARBON MANAGEMENT PLAN PROJECTS UPDATE MAY 2015

Ref	Project	Lead	Capital	Operational	Financial	CO <sub>2</sub>	Pay Back	% of Target	Year	Status
P1a	Stationary Source reduction achieved between 2008/9 and 2009/10	EMS Project Manager	Already completed	Already completed	£14087	82.1	Already Completed	7	2009	COMPLETE
P1b	Transport reduction achieved between 2008/9 and 2009/10	EMS Project Manager	Already completed	Already completed	£73,304	169.3	Already completed	14.5	2009	COMPLETE
P2	Transfer of Senacre Hall	Projects Assistant	N/A	N/A	£4,034	20.3	Immediate	1.7	2010	COMPLETE
P3	Transfer of Public Conveniences	Projects Assistant	N/A	N/A	£4,223	13.5	Immediate	1.2	2010	COMPLETE
P4	Recommissioning the Biomass Boiler	Property and Procurement Manager	£5,000	£16,662 p/a and £750 maintenance	£5,250	52.2	Immediate	4.5	2010	COMPLETE
P5	Landlord Electricity dispute	Projects Assistant	N/A	N/A	£9,884	53.8	Immediate	4.6	2010	COMPLETE
P6	Maidstone Museum East Wing Extension	EMS Project Manager	£211,109	£4,716 pa	£7,201	14.0	29 years	1.2	2010	COMPLETE
P7	King Street Multi Storey Car Park	Property and Procurement Manager	N/A	N/A	£27,000	146.7	Immediate	12.6	2013	COMPLETE (demolished)
P8	Introduction of	Environm	N/A		£8,500	20.1		1.7	2011	COMPLETE (but now

	compostible bags	ent Manager								superseded by introduction of wheelie bins)
P9	Reduction in Weekend Freighter service	Environm ent Manager	N/A		£2,000	4.8		0.4	2011	PARTIALLY COMPLETE (more may be done)
P10	Fleet Reduction and Improvement	Environm ent Manager			£21,500	50.0		4.3	2010	PARTIALLY COMPLETE (more to be done)
P11	Annual Leisure Centre Efficiency Improvements		N/A		£15,616	99.5 (total, over all years)		8.5	2009 to 2014	COMPLETE (t CO <sub>2</sub> e reduced from 1186 in 2008/09 to 946 in 20013/14)
P12	Staff awareness and training and energy policy	EMS Project Manager	N/A	N/A	£14,749	83.7		7.2	2011	
P13	Water Heaters	Property and Procurem ent Manager	N/A	N/A	£430	4.7		0.4		COMPLETE (investigated but not cost effective)
P14	Monitorig, targetting and reducing the electrical base load.	Property and Procurem ent Manager / EMS Project Manager	N/A	N/A	£6,312	34.5		3.0	2011	COMPLETE as far as possible
P15	Improvement in BMS controls	Property and Procurem ent	N/A	N/A	£580	3.1		0.3	2011	COMPLETE as far as possible

		Manager								
P16	Magnets on gas pipes at Hazlitt	Property and Procurement Manager	£1,300	N/A	£871	5.3	1.5	0.5	2011	COMPLETE Ownership of Hazlitt now transferred to Parkwood Leisure
P17	Water Saving Devices	Property and Procurement Manager	£2,000	N/A	£3000	1.1	0.7	0.1	2011	COMPLETE Investigated but not viable
P18	Crematorium Heat Recovery	EMS Project Manager								Not done. Technically fairly straightforward but the business case has not been proven, Relies on the availability of a suitable use for the waste heat.
P19 a, b c and d	Voltage optimisation projects.	Property and Procurement Manager	£7,337 £12,165 £9,019 £7,337		£1,141 £1,635 £1,109 £861	9.3 12.1 8.0 6.6	6.4 7.4 8.2 8.5	0.8 1.0 1.7 0.6	2011 2011 2011 2011	COMPLETE Investigated but found not to be cost effective.
P20	Installation of Solar film	Property and Procurement Manager	£8,145		£11,307	61.5	0.72	5.3	2011	COMPLETE
P22, P23, P24	Hazlitt Theatre Projects	Property and Procurement	£3,000 £3,125 £6,000		£1,159 £816 £1,531					COMPLETE done, but ownership of Hazlitt theatre has been



		ent Manager								transferred to Parkwood Leisure
P25	Waste collection contract renewal	Environm ent Manager			£20,827	48.2		4.1	2013	<b>COMPLETE.</b> New service uses split bodied collection vehicles, which has reduced the need for additional food waste vehicles. Recycling rate has increased to 50%
P26	Crematorium Holding Policy	EMS Project Manager								Not done. This is sensitive and would require a big commitment from the crematorium, possibly changes in shift patterns etc, when the financial and environmental benefits are not proven. Also is fundamentally at odds with the high standards of service incorporated into Council's customer care policy, which undertakes to cremate people in 24 hours, in line with the relevant guidance. Also gives

										rise to potential storage issues.
P27	Solar Photovoltaics at Maidstone Leisure Centre	EMS Project Manager	c£199,000		£16,731	23.4	11.9	N/A	N/A	Not started, but still intended to be done.
P28	Solar Photovoltaics at Cobtree Golf Course	EMS Project Manager	c£98,000		£8,507	11.9	11.4	N/A	N/A	Not started, but still intended to be done.
P29	Solar Photovoltaics at Vinters Park Crematorium	EMS Project Manager	C41,000		£3,301	4.1	12.4	N/A	N/A	Not started, but still intended to be done.
P30	Fuel Additive Technology	Senior Pollution Officer/Environment Manager				c214.1		N/A	N/A	<b>COMPLETE</b> No longer considered viable. Consider replacing Fuel Additives with (eg) Lightfoot and eco driving aid.
P45	Anaerobic Digestion Plant	Senior Pollution Officer						N/A	N/A	NOT DONE, potentially still under consideration
P31	Climate Change Framework	EMS Project Manager							2011	
P32	Climate Change Officers Working Group	EMS Project Manager							2011	
P33	Service Area/Directorate Business Plans								2012	
P34	Environmental Management System (EMS)	EMS Project Manager							2013	<b>COMPLETE</b> Not done, and no longer planned

[illegible]

	Management/Climate Change in Council Reports									
P44	Working with Serco								2011	COMPLETE (more than 1% reduction achieved)

## Communities, Housing and Environment

**15 Sept 2015**

Is the final decision on the recommendations in this report to be made at this meeting?

**No**  
(at Policy and Resources Cttee)

## Refresh of the Maidstone Parish Charter

<b>Final Decision-Maker</b>	Chair of the Communities, Housing and Environment
<b>Lead Director or Head of Service</b>	John Littlemore, Head of Housing and Communities Services
<b>Lead Officer and Report Author</b>	Sarah Robson, Housing and Communities Manager
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All Parishes/Parish Councils

### This report makes the following recommendations to the final decision-maker:

1. It is recommended that Committee agrees for the Maidstone Parish Charter - a framework to support effective relationships and partnership working between Maidstone Borough Council and Maidstone's Parishes and Parish Councils within its administrative area – to be presented to Policy and Resources Committee for final endorsement.

### This report relates to the following corporate priorities:

- Great People
- **Great Place:** Parishes and Parish Councils play a valuable and essential role in the fabric of local life, representing half of the population of the Borough. Parish Councillors and their Clerks possess a unique local knowledge that can help the community planning and decision-making process.
- Great Opportunity

### Timetable

<b>Meeting</b>	<b>Date</b>
Corporate Leadership Team	To be advised
Policy and Resources Committee	21 October 2015
Council	
Other Committee	

# Refresh of the Maidstone Parish Charter

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This Parish Charter describes the terms for an effective and productive relationship between Maidstone Borough Council (the Borough Council) and all Parish Councils in Maidstone Borough and recognises the role of the Maidstone Committee of the Kent Association of Local Councils (Maidstone KALC) on behalf of Parishes within Maidstone Borough.
- 1.2 Its purpose is to:
- Provide a sound basis for close co-operation in the development and provision of excellent services for local people, both in Parishes and in non-Parished areas within the Borough.
  - Support the evolution of the local Parish as an environment within which Parishioners wish to live, being compatible with the Localism Act 2011, which has provided a new impetus for all tiers of local government to seek a more collaborative approach to decision-making.

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## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Council is pursuing a number of policies and initiatives aimed at empowering local communities and providing local residents with the opportunity to shape the way in which public services are being designed and delivered. This has become even more important as financial resources are squeezed and the Council faces changes which will inevitably result in greater demands upon its services unless it changes the way it relates to local communities and partner agencies. Democratically elected Parish Councils – the most local tier of local government – can play a key role in helping meet these challenges.
- 2.2 The Council established a Parish Liaison Group in 2014 with the aim of promoting better working and more effective relationships between Maidstone Borough Council and Maidstone KALC. The Parish Liaison Group established a working group to produce a draft Charter which has been informed by best practice elsewhere. The key elements of the charter are:
- A focus upon shared goals and partnership working to improve the well-being of local communities
  - Information exchange and sharing, liaison and consultation, and the provision of services by the body best placed to do so;
  - Practical and not over-ambitious arrangements, with the emphasis being upon a two-way relationship between equals;
  - It is intended to be a working document which will be reviewed annually and adapted to meet changing circumstances.

### **3. AVAILABLE OPTIONS**

- 3.1 There is no statutory requirement to put in place a Parish Charter. It is a voluntary agreement for both the Borough Council and Parishes and Parish Councils, with the main purpose of further enhancing joint working between the parties involved.
- 

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

- 4.1 Although there is no statutory requirement to put in place a Parish Charter, there are benefits from adopting a charter – for the Borough Council, Parish Councils and for local residents – as stronger partnership working enables public services to be designed and delivered in a way that meets residents' needs and reflects the changing landscape within which local government now operates.
- 

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

- 5.1 A draft Charter was first considered by the Parish Charter Working Group and then discussed at the Annual Parish Conference of Town and Parish Councillors in March 2015. The Conference made a number of suggestions and the final draft was then circulated to all Clerks with a request that discussion of the Charter be included on each Parish Council agenda. A further presentation was made at the April meeting of the Maidstone Committee of KALC.
- 5.2 Consultation responses have been circulated, with the Maidstone Committee of KALC welcoming the draft Charter as submitted, but drew attention to some minor amendments and the need to establish a Task and Finish Group to identify improvements to procedures, processes and working practices in key service areas. These points have all been incorporated.
- 

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

- 6.1 The Charter has been subject to widespread consultation with parishes and Parish Councils. The Charter was approved by the Maidstone Committee of KALC in July 2015. As a result of the consultation undertaken, all feedback has been reflected in the Charter or, where relevant to Service delivery (e.g. Planning), via the proposed establishment of a Task and Finish Group. The Committee is therefore asked to recommend for the Charter to be submitted for final endorsement at Policy and Resources Committee.
-

## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<b>Keeping Maidstone Borough an attractive place for all:</b> The Charter respects the character of our Borough, recognising that Parishes and Parish Councils play a vital part of democratic local government, representing communities at the most local level.	Head of Housing and Community Services
<b>Risk Management</b>	None.	Head of Housing and Community Services
<b>Financial</b>	None. There are no direct financial implications from the Charter. Whilst the Charter sets out general principles and protocols, there are no legal or financial consequences (except where the Borough Council is bound by other statutory requirements, such as in the case of planning applications).	Chief Accountant
<b>Staffing</b>	None.	
<b>Legal</b>	None. The Charter is not a legally binding document.	
<b>Equality Impact Needs Assessment</b>	The Charter can positively assist the Council in discharging its obligations under the Equality Act 2010 to promote equality of opportunity and good relations between people from different backgrounds.	[Policy & Information Manager]
<b>Environmental/Sustainable Development</b>	None.	Head of Housing and Community Services
<b>Community Safety</b>	None.	Head of Housing and Community Services
<b>Human Rights Act</b>	None.	Head of Housing and Community Services
<b>Procurement</b>	None.	Head of Housing and Community Services
<b>Asset Management</b>	None.	Head of Housing and Community



		Services
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## **8. REPORT APPENDICES**

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

- Appendix I: Draft Parish Charter
- Appendix II: Consultation Responses
- Appendix III: Letter to KALC (Maidstone Committee)
- Appendix IV: Proposed Terms of Reference: Task and Finish Group

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## **9. BACKGROUND PAPERS**

None.

# **DRAFT Maidstone Parish Charter**

**28 July 2015**

***A collaborative approach to decision-making by Maidstone Borough Council and its Parish Councils***

## **Foreword**

Welcome to the refresh of the Maidstone Parish Charter which was originally first published in April 2000.

There are 41 Parishes within Maidstone Borough, 37 of them having a Parish Council and 4 with just a Parish Meeting. Within this document, reference to Parish Councils includes all 41 Parishes.

Within Maidstone Borough, Parish Councils form part of the three tiers of local government, the Principal Authorities being Kent County Council and Maidstone Borough Council. Securing good communication and liaison between the Parish tier and the Principal Authorities involves communication at the most strategic level from the sharing of each other's aims down to careful liaison on specific local projects and issues.

Parishes and Parish Councils play a valuable and essential role in the fabric of local life, representing half of the population of the Borough. Parish Councillors and their Clerks possess a unique local knowledge that can help the community planning and decision-making process.

We feel that now, more than ever, it is important that both Maidstone Borough Council and Parish Councils work closely together in partnership for the benefit of local residents. Maidstone Borough Council and Maidstone's Parish Councils have developed this Parish Charter, which represents a mutual agreement between them. This Charter acknowledges the role of both the Borough Council and Parish Councils in providing a framework which enables us all to understand, develop and promote local needs and aspirations.

This Charter is a 'living' document and its relevance and effectiveness will continue to be jointly monitored by the Borough Council and Parish Councils with a view to making further amendments, as necessary, to ensure it remains of value to those it serves.

## **Our commitment**

Successful partnership working at the Parish and non-Parished level can only be achieved if the partners, Maidstone Borough Council and Parish Councils, understand and respect each other's roles and work to complement those roles in serving the community.

### **Maidstone Borough Council recognises that Parish Councils are:**

- a. comprised of voluntary, elected Parish Councillors (its Members) and employed Clerks;
- b. focused upon the interests of their residents;
- c. a vital part of democratic local government, representing communities at the most local level;
- d. an important primary source of information about community history, aspirations and opinions;
- e. providing an opportunity to foster greater community empowerment;
- f. to be respected, treated equally and recognised as diverse in their size and in the resources available to them;
- g. affected by the financial and political decisions of other tiers of government and have to work within certain constraints when fulfilling their responsibilities; and
- h. directly, locally and accessible to their residents and are readily accountable at all times.

### **Parish Councils recognise that Maidstone Borough Council:**

- a. is comprised of elected Borough Councillors (its Members) and a full-time body of professional staff;
- b. has a political basis for its elected Borough Councillors and the pressures of organisational continuity for its professional staff;
- c. represents the interests of the local community at the Borough level and directly represents the immediately local interests of the community in non-Parished areas;
- d. has to take into account community interests wider than the Parished areas; and
- e. is affected by the financial and political decisions of central government and has to work within certain constraints when fulfilling its strategic role and responsibilities.

## **Signatories of the Maidstone Parish Charter**

**Cllr Fran Wilson**

Leader  
Maidstone Borough Council

**Alison Broom**

Chief Executive  
Maidstone Borough Council

**Cllr Geraldine Brown**

Chairman  
Maidstone Committee,  
Kent Association of Local Councils

**Cllr John Perry**

Parish Champion  
Maidstone Borough Council  
Communities, Housing &  
Environment Committee  
Maidstone Borough Council

**Cllr Marion Ring**

Chairman  
Communities, Housing &  
Environment Committee  
Maidstone Borough Council

**Cllr Derek Mortimer**

Vice-Chairman  
Communities, Housing &  
Environment Committee  
Maidstone Borough Council

**Cllr Annabelle Blackmore**

Leader of the Conservative Group  
Maidstone Borough Council

**Cllr Fay Gooch**

Leader of the Independent Group  
Maidstone Borough Council

**Cllr Malcolm McKay**

Leader of the Labour Group  
Maidstone Borough Council

**Cllr Dave Sergeant**

Leader of the UKIP Group  
Maidstone Borough Council

## **Introduction**

This Parish Charter describes the terms for an effective and productive relationship between Maidstone Borough Council (the Borough Council) and all Parish Councils in Maidstone Borough and recognises the role of the Maidstone Committee of the Kent Association of Local Councils (Maidstone KALC) on behalf of Parishes within Maidstone Borough.

Its purpose is to provide a sound basis for close co-operation in the development and provision of excellent services for local people, both in Parishes and in non-Parished areas within the Borough. It supports the evolution of the local Parish as an environment within which Parishioners wish to live, being compatible with the Localism Act 2011, which has provided a new impetus for all tiers of local government to seek a more collaborative approach to decision-making.

In our Borough the Parish Charter will facilitate that approach by providing a framework within which the Borough Council and Parish Councils make a formal commitment to closer partnership-working.

The effectiveness of the Parish Charter will be kept under review to highlight what is working well and to identify areas for further improvement.

## **Key principles**

This Parish Charter is structured around the following key principles:

### **1. Key Principle: Leadership**

Both sets of Members will work together to promote the interests of those whose lives they affect directly within the Borough.

### **2. Key Principle: Consultation and Engagement**

This is the foundation of the approach to partnership working that will underpin the relationship between the Borough Council and Parish Councils.

### **3. Key Principle: Standards and Governance**

This is an on-going promotion and monitoring of exemplary practice in the conduct of public administration.

### **4. Key Principle: Financial Arrangements**

This ensures a commitment by the Borough Council and Parish Councils to demonstrate value-for-money when commissioning or delivering services across the Borough, non-Parished and Parished areas, on a comparable and fair basis.

### **5. Key Principle: Information-Sharing**

Information is an essential resource to ensure effective day-to-day consultation and engagement to enable effective delivery against respective responsibilities and accountabilities.

## **6. Key Principle: Policy and Service Delivery**

This recognises the shared roles and responsibilities, and sets out the approach for greater partnership working, in delivering and maintaining a local Parish, and, indeed, the wider Borough, as an environment within which Parishioners wish to live and, day-to-day, in delivering excellent services.

## **7. Key Principle: Learning and Development**

This is a commitment to sharing training opportunities to develop the skills, knowledge and expertise that is essential to partnership working and more-effective engagement.

## **Priority Working Areas**

The key principles are recognised and embedded as a guide to supporting three priority working areas. They are in no particular order.

### **1. Economic Development**

### **2. Planning, Development and Environmental Protection**

- a. Planning
- b. NPPF, Duty to Cooperate and Neighbourhood Planning
- c. Affordable Housing Development
- d. Environmental Protection

### **3. Leisure, Recreation and Culture**

Key Principles and Priority Working Areas are described in later sections.

## **Monitoring, Review and Complaints**

It is important that this document is maintained as an up-to-date statement of the partnership arrangements between the Borough Council and Parish Councils. Any Charter will also need a system in place to deal with complaints so that relations and communications are always strong.

The following arrangements will be followed:

- a. Parish Councils are encouraged to express their views on the contents and effectiveness of this Charter. Any questions or comments on the Parish Charter should be directed to the Head of Housing and Community Services by email to [johnlittlemore@maidstone.gov.uk](mailto:johnlittlemore@maidstone.gov.uk). Opportunities to discuss the contents of the Parish Charter will also be available at the annual Parish conference and at the regular meetings of Maidstone KALC. This Parish Charter for Maidstone will be reviewed annually.
- b. Any complaints relating to the operation or effectiveness of this Charter from either Parish Councils or from Borough Council members and Officers should be sent to the Chief Executive of the Borough Council and the Chairman of Maidstone KALC in the first instance. Within the Borough Council, complaints will then be handled in accordance with its complaints procedure. Further details can be found at <http://www.maidstone.gov.uk/find-and-contact-us/complaints-policy>.

- c. Any Parish specific issues and/or day-to-day matters should be directed towards the Borough Council's Head of Housing and Community Services or the relevant Borough Council Head of Service concerned (see Appendix 1).

## **Key Principles**

### **1. Key Principle: Leadership**

- 1.1 Members of the Borough Council and Parish Councils will share the responsibilities as leaders of their local communities. In each Parish the relevant Members of both tiers will seek to work collaboratively to tackle the issues that are important to their communities. Where appropriate, the relevant Borough Council Member(s) will act on behalf of Parish Councils to facilitate more effective relations between Parishes and Borough Council.

#### **1.2 The Borough Council will:**

- a. Host at least four liaison meetings per year (the Parish Liaison meetings) between Officers of the Borough Council and Maidstone KALC to discuss corporate aims and other matters of mutual interest;
- b. Provide an appropriate Parish contact Officer within the Communities team to promote partnership working;
- c. Encourage the attendance of Borough Councillors, including the Parish Champion, at Parish Council meetings to communicate and discuss relevant issues;
- d. Provide links to Parish Councils' websites on the Parish Council web pages of the Borough Council website; and
- e. Maintain the efficiency of use of its IT and electronic communication methods (where made available to Parish Councils).

#### **1.3 Parish Councils will:**

- a. Be represented at Parish Liaison meetings convened by the Borough Council and Maidstone KALC;
- b. Provide the Parish Champion with copies of Parish Agendas and papers by email, if requested; and
- c. Make efficient and effective use of IT and electronic communication methods (where available to Parish Councils), particularly where this will increase efficiency and improve value-for-money.

### **2. Key Principle - Consultation and Engagement**

- 2.1 The principal forum for engagement between the Borough Council and Parish Councils will be the Parish Liaison meeting. This will take place on a quarterly basis and will be facilitated by the Borough Council, in consultation with Maidstone KALC. It will be jointly-organised by the Parish Champion and Maidstone KALC. The meeting will be chaired by the Parish Champion and supported by the Director of Shared Services.

#### **2.2 The Borough Council will:**

- a. Ensure that the relevant Parish Council(s) are informed through the Borough Council's existing consultation processes, about open consultations on development and services in or directly affecting their area and, as far as

is practicable, consult with Parish Councils on aspects of the development, implementation and review of its services;

- b. Allow a minimum period of six weeks, and a maximum of twelve weeks, for all consultations, except those relating to planning, or other issues, where statutory deadlines apply. Where the minimum timescale cannot be met, notification will be sent to the relevant Parish Councils setting out the reasons for reducing the time period;  
*(For planning applications the legal requirement is a minimum of fourteen days. However, the Borough Council shall allow twenty-one days for consultation, and a further fourteen days where there are significant amendments to applications).*
- c. With mutual agreement, attend meetings of Maidstone KALC to discuss key issues and answer queries;
- d. Ensure Parish Clerks and Chairs are notified when matters relating to the Borough Council may affect a particular Parish or Parish Council;
- e. As appropriate and relevant to the consultation process, allow Officers to attend Parish Council meetings to explain and discuss policies and plans when particularly contentious issues cannot be resolved in any other way; and
- f. Post-consultation, Parish Councils that have made a detailed response to the consultation will be notified of the decision and the reasons for the decision. This will be done within two weeks of the decision being made, except in exceptional circumstances, or in line with existing statutory procedures in relation to Planning.

### 2.3 **Parish Councils will:**

- a. Wherever possible, use electronic forms of communication to respond to consultations, and use the consultation portal when responding to Local Plan issues and as a preferred method when dealing with the Borough Council;
- b. Give priority to submitting consultation responses on issues being considered by the Borough Council's ultimate decision-making body to help promote engagement in the decision-making process;
- c. Respond to all relevant consultations, within the agreed timescale, even if it is a 'nil' reply. Where circumstances do not allow a Parish Council to meet the deadline, an extension may be sought. However, the Borough Council will reserve the right not to agree to an extension if that would delay the matters under consideration; and
- d. Work with the Borough Council to seek mutually acceptable solutions to contentious issues.

## 3. **Key Principle: Standards and Governance**

- 3.1 There will be an on-going commitment to promoting high standards in the conduct of public administration in all authorities. Both the Borough Council and Parish Councils have adopted Codes of Conduct. Parish Councils will work with Maidstone Borough Council to promote and maintain high standards of conduct.

### 3.2 **The Borough Council will:**

- a. Liaise with Maidstone KALC to appoint two Parish Council representatives to its Audit, Governance and Standards Committee;



- b. Advise, train or arrange to train members and co-opted members of the Audit, Governance and Standards Committee on matters relating to the Codes of Conduct;
- c. Advise Parish Councils of revisions to the Borough Council's Code of Conduct;
- d. If appropriate for the particular Parish Council's Code of Conduct, work with the Audit, Governance and Standards Committee to deal with the assessment of any complaint that a Parish Councillor has breached the terms of that Code of Conduct; and
- e. Ensure that its Members and Officers observe its Code of Conduct and ensure it has a valid Code of Conduct in place.

### 3.3 **Parish Councils will:**

- a. Work with Maidstone Borough Council to promote and maintain high standards of conduct;
- b. Nominate two Parish Councillors (who are not also Borough Councillors) to sit on the Borough Council's Audit, Governance and Standards Committee, facilitated by Maidstone KALC;
- c. Facilitated by Maidstone KALC, ensure at least one of these representatives is present at the Borough Council's Audit, Governance and Standards Committee when a decision relating to Parishes is made; and
- d. Observe the relevant Code of Conduct and Maidstone KALC will encourage all Parishes to have a valid Code of Conduct in place.

## 4. **Key Principle: Financial Arrangements**

- 4.1 The Borough Council and Parish Councils are under unprecedented financial pressures, a situation likely to remain for several years. Both Maidstone Borough Council and Parish Councils must be mindful of the need to be able to demonstrate value-for-money when delivering services throughout the Borough of Maidstone.
- 4.2 The Parish Services Scheme (PSS) has been introduced to enable a Parish to apply and receive funding from Maidstone Borough Council for specific services that are provided by a Parish Council on the Borough Council's behalf and are linked to the Borough Council's priorities. The funding is subject to meeting agreed criteria set out in PSS, as agreed between Maidstone KALC and Maidstone Borough Council. A contribution towards the cost of agreed services carried out by the Parish Council is provided to the following services; grounds (including hedge and tree) maintenance, allotments, war memorials, notice boards, play areas and Parish administrative costs. Further details of the scheme can be found at:  
<http://services.maidstone.gov.uk/meetings/mgParishCouncilDetails.aspx?bcr=1&SLS=3>. The funding does not restrict a Parish Council from making an application to other Council or external funding schemes available to support external bodies and projects for other purposes. For example, a Parish Council may wish to provide additional services such as, inter alia, the provision security cameras, street cleaning, provision of bus shelters and real time traffic information.

#### **4.3 The Borough Council will:**

- a. Operate and keep under review the financial arrangements with Parish Councils with respect to PSS;
- b. Ensure applications under PSS are processed and administered in an appropriate and timely manner;
- c. Review specific examples of 'double taxation' raised by Parish Councils and address, as appropriate;
- d. Provide its best indication of any adjustments to PSS to allow Parish Councils to set their precept at the earliest opportunity;
- e. Pass-through to Parishes an in-good-faith assessment of Local Council Tax Support (LCTS) that is included, explicitly or implicitly, in central government funding received by Maidstone Borough Council; and
- f. At all times treat Parishes and non-Parished areas of Maidstone Borough on an equal basis in terms of funding.
- g. The Borough Council will ensure that funds from S106 agreements and the Community Infrastructure Levy are appropriately distributed.

#### **4.4 Parish Councils will:**

- a. Ensure applications for PSS are received in accordance to timescales required by the Borough Council;
- b. Monitor and make efficient and effective use of funding offered by the Borough Council as part of PSS;
- c. Set their precept based on the Borough Council's best indication of funding to be provided via PSS, LCTS pass-through and any other monies to be provided to Parishes by the Borough Council;
- d. Provide the Borough Council with access to all records relating to the provision of the services funded by PSS as part of any review MBC may undertake; and
- e. Provide at least one month's prior notice of any intention to cease the provision of a funded service.

### **5. Key Principle: Information-Sharing**

5.1 Information is an essential resource to ensure effective day-to-day engagement between Maidstone Borough Council and the Parishes and for supporting effective decision-making, service development and delivery.

#### **5.2 The Borough Council will:**

- a. Provide up-to-date information on key aspects of its structure and organisation, including the name, title, responsibilities and contact details of each member of the Borough Council's ultimate decision-making body, boards and committees, and senior Officers. This will be done annually, at the start of the financial year, or as circumstances require. (Appendix 1 refers);
- b. Provide a method of priority and timely access to Officers for use by Parish Council Clerks;
- c. Send by email to each Parish Council a copy of relevant media releases and announcements. It will also seek to promote Parish Council initiatives through its communication channels;
- d. Provide, as requested and preferably digitally, other such information that is essential for closer engagement with Parish Councils, such as the agendas and minutes of all its meetings, government circulars, reports of its

partnership working activities and the notice of intent to make key decisions; and

- e. In order to share information and intelligence, schedule meetings between senior Officers and Parish Council Clerks and Members on a rotational basis, to share information and intelligence. These will take place no less than twice per year and will facilitate an effective approach to partnership working between the two tiers. The Borough Council will provide accommodation and facilities.

### **5.3 Parish Councils will:**

- a. Provide the contact details of relevant personnel, together with details of their roles and responsibilities. This will be done annually, at the start of the financial year, or as circumstances require;
- b. As they wish, except in circumstances where the information provided is marked confidential by the Borough Council, disseminate information provided by the Borough Council to Parishioners and others that Parish Councils deal with, using the most appropriate means available to them (typically electronically), and will seek to promote Borough Council initiatives that they support through their communication channels; and
- c. Be responsible for organising attendance at the scheduled meetings between Parish Council Clerks and Borough Council Officers and Members.

## **6. Key Principle: Policy and Service Delivery**

- 6.1 Effective partnership working will be one of the cornerstones of this Parish Charter. The driving force for this will be a strong commitment to the principles of localism and the specific provisions and opportunities in the Localism Act 2011. This Parish Charter recognises the shared roles and responsibilities for delivering excellent services and the Borough Council and Parish Councils will work together to identify areas of service delivery that might be devolved to more local levels, together with appropriate funding. The focus will be on those discretionary services that may not otherwise be deliverable, ensuring that communities can continue to benefit from a diverse range of high-quality provision.

### **6.2 The Borough Council will:**

- a. Provide advice to Parish Councils that seek to utilise the Community Right to Bid and the Community Right to Challenge powers;
- b. Act as a consultee on the design and delivery of services devolved to Parish Councils; and
- c. Attend Parish Council meetings where appropriate.

### **6.3 Parish Councils will:**

- a. Work in partnership and consult with the Borough Council on the design and delivery of appropriate services devolved to Parish Councils.

## **7. Key Principle: Learning and Development**

- 7.1 Where appropriate, Parish Council Members and Clerks will be offered places on training and development courses provided by the Borough Council. The Borough Council will work with Maidstone KALC to identify particular learning and development needs, and consider the best way to meet those needs in collaboration.

## **7.2 The Borough Council will:**

- a. Provide training events for Parish Councils on topics that relate to the Borough's statutory functions, notably Code(s) of Conduct and Town and Country planning (as resources permit) and Finance;
- b. Accept approaches from Parish Councillors and Clerks for the Borough Council to provide training sessions on issues where the Borough Council has a professional knowledge that would be beneficial to Parish Councils e.g. human resources;
- c. Offer Parish Councils practical support, access to professional services and specialist knowledge held by the Borough Council; and
- d. Familiarise their staff on the role, responsibilities and functions of the Parish tier.

## **7.3 Parish Councils will:**

- a. Identify relevant training needs and participate, where appropriate and relevant, in training courses offered by Maidstone KALC and the Borough Council.

# **Priority Working Areas**

## **1. Priority Working Area: Economic Development**

The Borough Council and Parish Councils will work together to create the right conditions to enable sustainable economic growth and the promotion of tourism to maintain a thriving and diverse town and rural economy.

### **1.1 The Borough Council will:**

- a. Share information with Parish Councils on businesses in their areas from the Borough Council's new Economic Development Business database;
- b. Work with Parish Councils on the design and delivery of a programme of businesses events in their areas; and
- c. Ensure Parishes receive timely information on issues affecting or impacting on businesses in their areas.

### **1.2 Parish Councils will:**

- a. Work with the Council's Economic Development unit to ensure businesses in their areas have input into a programme of business events in their areas; and
- b. Help ensure communications from the Economic Development Unit are circulated in a timely fashion to businesses in their areas.

## **2. Priority Working Area: Planning, Development and Environmental Protection**

- a. Planning
- b. NPPF, Duty to Cooperate and Neighbourhood Planning
- c. Affordable Housing Development
- d. Environmental Protection

### **2a. Planning**

2a.1 Planning is a pivotal area of activity and partnership within and across all tiers of government and where co-operation should be closest, given the landscape quality of the Borough. The Borough Council recognises a need for continual

improvement on existing opportunities for Parish Councils to get involved in the planning process in order to improve the effectiveness of plan making and development management. The Borough Council's Statement of Community Involvement (SCI) sets out how and when stakeholders and the local community can participate in the preparation of local planning policy documents and planning applications (visit [http://www.maidstone.gov.uk/\\_\\_data/assets/pdf\\_file/0007/12112/Statement-of-Community-Involvement-2013.pdf](http://www.maidstone.gov.uk/__data/assets/pdf_file/0007/12112/Statement-of-Community-Involvement-2013.pdf) to read the SCI in full).

2a.2 Under the Borough Council's Constitution, the Chief Executive and Head of Planning have delegated power to undertake all the functions relating to planning and conservation, except where the intended delegated decision on a planning or related application would be contrary to the written view of any Parish Council and the Parish Council has requested that the application is determined by the Planning Committee. However, the Chief Executive and Head of Planning have delegated power to undertake all functions relating to planning enforcement. To view the Constitution visit;  
[http://www.maidstone.gov.uk/\\_\\_data/assets/pdf\\_file/0007/9538/Constitution-2-July-2015.pdf](http://www.maidstone.gov.uk/__data/assets/pdf_file/0007/9538/Constitution-2-July-2015.pdf)

**2a.3 The Borough Council will:**

- a. In line with statutory consultation requirements, involve, where appropriate, Parish Councils, including Maidstone KALC, in the review of the Local Plan and its associated policy documents in accordance with the adopted Statement of Community Involvement and Constitution;
- b. Review with members and, if appropriate, produce supplementary planning guidelines on issues raised by Parishes and in consultation with Maidstone KALC;
- c. Consult Parish Councils on major town and country planning application matters relevant to their areas;
- d. Make available to Parish Councils on-line decisions taken on planning applications;
- e. Where such relevant Parish Council response requests that a decision be made by the Planning Committee, refer it to the Planning Committee and notify the relevant Parish Council of such (refer to 2a.2 for further details);
- f. Provide guidance and support to Parish Councils on the production of Neighbourhood Plans (refer to 2b. for further details);
- g. Within reason, provide Borough Council Officers to assist elected Parish Councillors and their Parish Clerks with enquiries relating to specific planning applications, planning history (e.g. enforcement) or relevant policy considerations;
- h. Encourage the developer of any major development scheme to involve the affected community, including affected Parish Councils, at an early stage in their plans (refer to 2a.1);
- i. Ensure Parish Councils have access to online copies of the weekly list of planning applications, agendas and minutes of Planning Committee meetings; and
- j. Ensure Parish Councils are consulted on proposals to amend conservation area appraisals and provided with the opportunity to input into the process.

#### 2a.4 **Parish Councils will**

- a. Respond to all consultations in relation to the Local Plan within the Borough Council's deadlines in accordance with the adopted Statement of Community Involvement and Constitution;
- b. Actively engage in the process of site allocations through close working with the Borough Council and through the Neighbourhood Plan process;
- c. Adopt procedures that enable Parish Councils to respond to applications and the Local Plan within the Borough Council's deadlines;
- d. Comment on planning applications on planning grounds and specify, as fully and as meaningfully as possible, the reason for objecting to or supporting a particular application;
- e. Communicate with the Borough Council on applications at the earliest possible stage to minimise 'call-ins'; and
- f. Acknowledge that the Borough Council will not always grant or refuse planning permission in line with the decision of the Parish Council.

#### **2b. NPPF, Duty to Cooperate and Neighbourhood Planning**

2b.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and Neighbourhood Plans, which reflect the needs and priorities of their communities.

2b.2 The National Planning Policy Framework must be taken into account in the preparation of local and Neighbourhood Plans, and is a material consideration in planning decisions. It is recognised that the plans within Maidstone Borough Council's Local Plan will have a direct impact on the future of all communities within the Borough of Maidstone. Neighbourhood Plans must be in general conformity with Maidstone Borough Council's Local Plan and, as appropriate, *vice versa*. Neighbourhood planning can help to provide details about the local context which can help to ensure the aims and ambitions of the Local Plan are met. Therefore, to ensure that the best possible outcomes are achieved, non-Parished communities and Parish Councils must be fully involved in the process.

2b.3 The 'duty to cooperate' is set out in the Localism Act (2011) and requires local planning authorities, county councils and other public organisations to engage with one another and consider joint approaches to plan making.

2b.4 Neighbourhood planning was introduced through the Localism Act 2011 to enable greater community involvement in the planning process, so that people can shape their local areas and have a greater say in planning decisions. The Borough Council will take into account the Neighbourhood Planning Guidance Note published by the Department for Communities and Local Government in November 2012 which states: "With a Neighbourhood Plan, communities are able to establish general planning policies for the development and use of land in a neighbourhood. They will be able to say, for example, where new homes and offices should be built, and what they should look like."



2b.5 It is important that Neighbourhood Plans are in general conformity with the Borough's Local Plan. This issue is best considered and where possible resolved as part of joint discussions between Parish Councils and the Borough Council, even if the final opinion regarding conformity with the Local Plan rests with the Borough.

2b.6 Parish Councils will give the Borough Council and other agencies the opportunity to contribute to the process of preparing and implementing their Neighbourhood Plan.

**2b.7 The Borough Council will:**

- a. Provide technical advice, support and assistance to those preparing Neighbourhood Plans in accordance with Neighbourhood Plan Regulations;
- b. Check that the plans meet all the technical and legal requirements;
- c. Formally screen the plans for the need for a Strategic Environmental Assessment (SEA) which includes consulting the statutory bodies;
- d. Take decisions at key stages in the process;
- e. Publish the plans at the Regulation 16 stage, and receive representations;
- f. Organise and provide funds for the independent examination, including appointing an Inspector;
- g. Organise and provide funds for the referendum; and
- h. Recognise the status of Emerging Neighbourhood Plans and take into account relevant developing case law.

**2b.8 Parish Councils will:**

- a. Make a decision and if appropriate apply to the Borough Council to be put forward as the qualifying neighbourhood planning body;
- b. Take the lead and overall responsibility in the neighbourhood planning process;
- c. Work closely with the Borough Council and members of the community who are interested in, or affected by, the neighbourhood planning proposals; and
- d. Make the relationship between any interested party and the formal functions of the Parish Council transparent to the wider public.

**2c Affordable Housing Development**

2c.1 Maidstone Borough has an affordable housing need. The Strategic Housing Market Assessment (SHMA) and Local Plan supports the approach of seeking a proportion of dwellings to be provided on-site for affordable housing needs. The cost, including the high levels of deposit required, is putting home ownership out of reach for many households. Residents who are without adequate housing and who cannot afford to buy or rent suitable housing in the open market are in need of affordable housing. As the Strategic Housing Authority and the Planning Authority, the Borough Council is committed to meeting this housing need.

2c.2 The Borough Council will work with Parish Councils and local stakeholders to bring forward sustainably-located local needs housing in its communities, where this has been proven necessary by a local needs housing survey undertaken by or on behalf (at their request) of the Parish Councils concerned.

### 2c.3 **The Borough Council will:**

- a. Produce an Affordable and Local Needs Housing Supplementary Planning Document to expand on how the proposals in Local Needs Housing within the Local Plan will be implemented;
- b. Enable the delivery of affordable homes on identified sites to meet affordable housing need, including rural exception sites;
- c. When assessing the need for affordable homes (especially in rural areas), take into account specific factors such as access to public transport, availability of and access to jobs and the sustainability of the site.
- d. Lobby the Homes and Communities Agency for grant-funding to support particular housing schemes comprising of affordable housing;
- e. Continue to work on a programme of Parish local housing need surveys in partnership with Action With Communities in Rural Kent, or such similar approved organisation, but only after relevant Parishes have been informed and agreed terms of reference;
- f. Assess each candidate development site for its suitability in planning terms, including consultation with relevant Parishes and taking full account of their input;
- g. Consult with relevant Parish Councils and registered providers of social housing (RPSH) to determine the number, size, type and tenure of homes to be developed after assessing the results of any survey and also using the Borough Council's housing register to determine where there may be unmet housing needs;
- h. Ensure that affordable homes are allocated to people most in need, including giving priority to people meeting the relevant occupation criteria for Local Needs Housing, in accordance with the Borough Council's housing allocation scheme;
- i. Work in consultation and partnership with Parish Councils and the RPSH to ensure the timely and appropriate letting or re-letting of affordable local needs homes;
- j. Endeavour to ensure that local needs housing remains available in perpetuity to meet the need for which it was permitted, using planning conditions and/or legal agreements, as appropriate; and
- k. Determine the appropriate mix for affordable housing depending on the evidence base.

### 2c.4 **Parish Councils will:**

- a. Endeavour to identify any potential rural local housing need when undertaking Parish appraisals, Neighbourhood Plans or similar exercises;
- b. As appropriate, engage with the Maidstone Borough Council's Housing Department on proposals for affordable housing within local Neighbourhood Plans;
- b. When aware of local people in housing need, inform them of the need to apply to Maidstone Borough Council's Housing Register and make them aware of the services of the Borough Council; and
- d. Advise the Borough Council of any concerns they may have about rural local needs housing or its occupiers.



## **2d. Environmental Protection**

The Maidstone Borough Council will work alongside Parish Councils to provide or promote a range of services to the local community focusing on developing, and supporting environmental opportunities.

### **2d.1 The Borough Council will:**

- a. Promote the importance and value of a quality environment and its contribution to quality of life for local communities;
- b. Seek to reduce negative environmental impacts from its own activities, through the work of contractors it may employ and others with whom it works;
- c. Communicate environmental performance improvements to interested parties and organisations and to engage them in environmental practices wherever possible; and
- d. Comply with, and where possible exceed, all environmental legislation or other requirements.

### **2d.2 Parish Councils will:**

- a. Support local communities in their enjoyment of the local environment;
- b. Maximise the positive environmental impacts of operations through awareness raising and encouraging environmentally positive behavioural changes;
- c. Carry out work in an efficient way that minimises or eliminates its adverse impact on the environment; and
- d. Seek to purchase goods and services locally, wherever possible, wherever this does not conflict with the objective of securing value for money and behaving transparently.

## **3. Priority Working Area: Leisure, Recreation and Culture**

The Borough Council and Parish Councils will work together to devolve the delivery of appropriate services to support the Borough's leisure, recreation and culture provision.

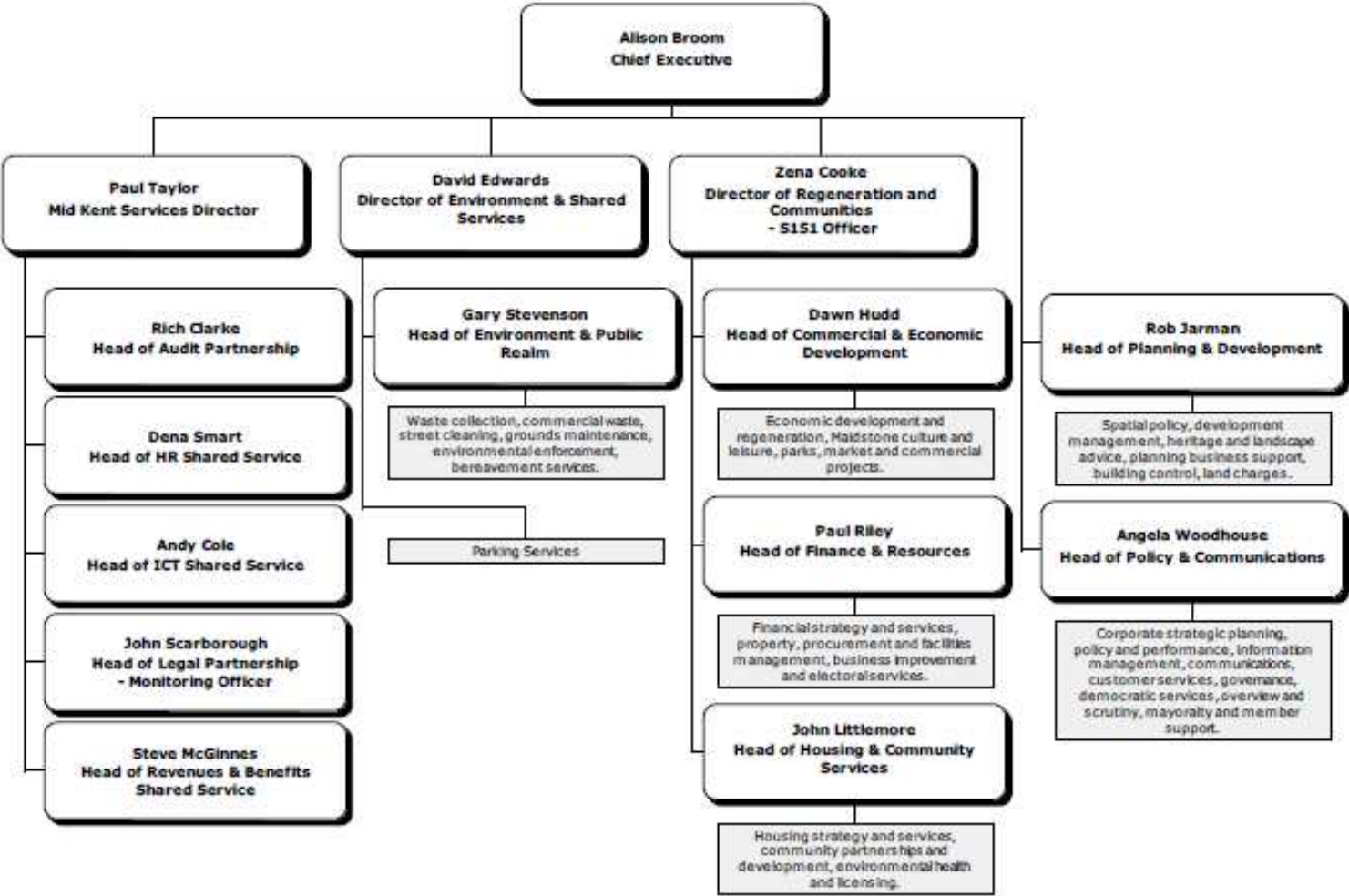
### **3.1 The Borough Council will:**

- a. Involve, where appropriate, Parish Councils in any consultation on leisure, recreation and cultural provision within or affecting their area;
- b. Work in partnership with Parish Councils to promote leisure facilities and green spaces within local communities;
- c. Promote sustainable recreation and tourism to support the local environment and economy; and
- d. Promote joint working with Parish Councils to help culture and leisure activity by sharing its knowledge, information and expertise.

### **3.2 Parish Councils will:**

- a. Share information with the Borough Council on any developments in their Parishes within the leisure, recreation and/or cultural sector to ensure they have a full overview of the sector within the Maidstone Borough;
- b. Ensure that any requests for information or in response to consultation is responded to within the time periods issued; and
- c. Assist Officers in communicating to their areas on matters relating to the above.

Appendix 1: Maidstone Borough Council Organisation Structure



November 2014

## **Draft Maidstone Parish Charter responses**

### **As at 3 July 2015**

<b>Parish Council or MBC Department</b>	<b>Consultation Response</b>	<b>Noted</b>
Ms Pauline Bowdery Clerk <b>Boxley Parish Council</b>	<p><b>Our Commitment.</b></p> <p>(a) Non-political. whilst this may be the current situation this can change and this sentence should reflect this.</p> <p>(b) Comprised of voluntary, elected Parish Councillors... Comment – this should read elected or co-opted Parish Councillors.</p> <p><b>Parish Councils recognise that MBC...</b></p> <p>(e) Inclusion of Kent County Council into .... is affected by the financial and political decisions of central government and Kent County Council and has to work within certain constraints.....</p> <p>Overall it was felt to be fairly balanced and the parish council welcomed that there would be an annual review.</p>	<p><b>Noted. It should always be non-political - to be removed.</b></p> <p><b>Agreed co-opted not to be used.</b></p> <p><b>Agreed this document should focus on MBC/PC</b></p>
Ms Gail Gosden Parish Clerk & RFO <b>Broomfield &amp; Kingswood Parish Council</b>	<p><b>Comments to Cllr Perry</b></p> <p>Councillors wish me to extend their thanks for your input regarding the Parish Charter. Councillors agree that many of the points you raise will help Parishes quite significantly and if that helps to improve relationships between the Borough and</p>	

	the Parished that would be tremendously useful. Please let me know if Councillors can help in any way with progressing the Parish Charter.	
Mr Terry Ketley Clerk to <b>Coxheath Parish Council</b>	<p><b>APPENDIX 'A'</b></p> <p><b>Page 1 – Foreword</b></p> <p>Paragraph 3 recognises the “essential role” that Parish Councils play in the “fabric of local life” affecting over half the population of the Borough of Maidstone. Possessing unique local knowledge, the Parish Councils are recognised here as a key player in community planning and decision making in the rural areas of the Borough. Careful liaison with regard to specific local projects is mentioned and yet in the very first paragraph this document refers only to the “Parish Tier”. This seems to suggest that the Borough Council will in future only liaise with one body and not individual Parishes, whose knowledge must be the key to a truly democratic decision making process. A much closer partnership between County, Borough and Parish Councils is to be welcomed. In the past each has appeared to follow its own route, often at loggerheads with the other tiers. This has led to a serious lack of public trust in the present system, which can be evidenced by the low turnout at local elections.</p> <p><b>Page 2 – Our Commitment</b></p> <p>“Serving the community” is the role that any elected member should always place first. Item I states that it is recognised that Parish members are immediately accessible and always held accountable by their residents, often for decisions taken elsewhere that they have not supported. Parish Councils often feel that this is not appreciated or supported in practice by officers.</p>	<p><b>Noted. Updated to include Parishes and Parish Councils</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p>

	<p><b>Page 4 – Introduction</b> It seems to be implied that KALC can represent all Parish Council views on all matters. This cannot be the case with particular local issues since different groups of Parishes have very different issues. This has been clearly demonstrated in the past in the context of the Parish Services Scheme and discussions on housing and transport issues in the South Maidstone Parishes.</p> <p>Paragraph 2 is welcomed and in particular the recognition of the importance of the Localism Act 2011. Unfortunately Maidstone Borough Council has a demonstrably poor record in adhering to both the spirit and the letter of this act, particularly when dealing with Neighbourhood Plans. Again 'local' must mean each Parish and not just an overall view from KALC.</p> <p><b>Page 4 – Key Principles 2</b> This is agreed in general terms. However, in 'delivering and maintaining a local Parish service' the Borough Council need to recognise that the economies of scale differ widely from those of the urban area. For example, in the past it was suggested that grass cutting and landscape maintenance should be benchmarked against the costs of running Mote Park. This is clearly unrealistic and discriminates against rural parishes. The recognition of the use of local businesses for local maintenance also needs to be highlighted as does the cost of administering such contracts each year. There is also a need to take into account some form of inflation index linking. Coxheath Parish Council sees these as key failings which need to be addressed sooner rather than later.</p> <p><b>Page 5 – Priority Working Areas</b> In our opinion 'Finance' should be added as a priority area, for the reasons already stated.</p>	<p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Finance is a key principle, which forms part of the main,</b></p>
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	<p>Neither the Borough Council nor Parish Councils should lose sight of the fact that there are other key areas, which may not be under our joint jurisdiction but which can have a major impact on priorities. These include health, education, transport, public safety, community services and the provision of utilities, all of which have been highlighted in consultations on the Local Plan and Neighbourhood Plans.</p> <p><b>Pages 6 to 11 – Key Principles</b></p> <p><b>1.1</b> We are not sure what is envisaged by the last paragraph. It could be that “relevant Borough Council members” are guided by party political objectives and that these could be at odds with local (Parish) views. The wording “where appropriate” is delightfully vague and we question the point of the inclusion of this sentence.</p> <p><b>1.2</b> Coxheath Parish Council would not wish to see Parish Liaison meetings with KALC obviate the need for meetings between officers and representatives of individual Parish Councils.</p> <p><b>1.3</b> We have articulated our concerns over the blanket use of IT and electronic communications in all instances in the main body of the letter.</p> <p><b>2.1</b> Our comments at 1.2 above apply. There is a danger that the whole process will become over-centralised with the inevitable disadvantages to individual Parishes.</p> <p><b>2.2</b> Again, as we have stated in the main body of the letter, a six week consultation period is the minimum requirement for Parish Councils since the opportunities to meet and discuss important issues are more limited than those applicable to the Borough Council. It has to be borne in mind that the only paid resource is the Clerk (who is often employed on a part time basis) and this can be a limiting factor when dealing with complicated and important issues such as the Local Plan. It is</p>	<p><b>static document, rather than priorities, which will be reviewed annually.</b></p> <p><b>Not all cases will be appropriate; therefore, it needs to be fair and equal.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Noted.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p>
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	<p>also essential that key public consultations are, wherever possible, not held over peak holiday periods.</p> <p><b>2.3a</b> Whilst Coxheath Parish Council seeks to embrace electronic forms of communication, the use of the consultation portal on such issues as the Local Plan is both limiting and prescriptive. We have found from experience that it is almost impossible to get across the significance of our comments within the prescribed format. Systems of communication on these issues must be flexible and not constrained.</p> <p><b>2.3d</b> We wish to see the wording 'Work with Parish Councils to seek mutually acceptable solutions to contentious issues' added as an additional item to the Borough Council's commitment at 2.2g.</p> <p><b>4.3c</b> The words 'probably via KALC' should be deleted.</p> <p><b>4.3f</b> Please see our comments under Page 4 – Key Principles.</p> <p><b>5.3b</b> Electronic communication with all residents remains an unachievable goal at the present time. The dissemination of information, on behalf of the Borough Council, can be a significant commitment for Parish Councils and any such service will need to be reflected both financially and by ensuring information is disseminated in advance of need. For example, it is unrealistic to despatch election notices expecting them to be displayed immediately, since there are often logistical limitations in displaying posters on Parish notice boards.</p> <p><b>6.1</b> The Borough Council must move beyond the point of 'paying lip service' to the Localism Act. In our opinion, Parish Councils are very committed to both the spirit and actuality of Localism. Neighbourhood Plans must be given the opportunity to progress and must not be blocked by the local authority, as is happening at the moment.</p> <p><b>Pages 11 to 16 – Priority Working Areas</b></p>	<p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Noted. Updated.</b></p> <p><b>Noted. Updated.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p>
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	<p><b>2a.3a</b> We do not agree that statutory consultations should be conducted with Parish Councils, via Maidstone KALC. This section should be redrafted to read 'In line with statutory consultation requirements, involve, where appropriate, Parish Councils in the preparation and review of the Local Plan and its associated policy documents.</p> <p><b>2a.3b</b> Again, we wish the wording to be amended to 'Review with Members and, if appropriate, produce supplementary planning guidelines on issues raised by Parishes and in consultation with Maidstone KALC'.</p> <p><b>2a.3d</b> Add the words 'plus planning documents and correspondence' to the end of the sentence.</p> <p><b>2a3f</b> To be amended to read 'Provide co-operation, guidance and support to Parish Councils on the production of Neighbourhood Plans'.</p> <p><b>2a.3g</b> Add the words 'and enforcement' between 'planning' and 'history'.</p> <p><b>2a3j</b> Add the words 'and other planning related documents' after 'appraisals'</p> <p><b>2a4b</b> Add the words 'early and' between 'through' and 'close'.</p> <p><b>2b2</b> The paragraph indicates that Neighbourhood Plans must be in general conformity with Maidstone Borough Council's Local Plan. If the Parish Charter is to be agreed imminently, then this reference is factually inaccurate since there is no Maidstone Local Plan at the present time. The words Local Plan should, we contend, be replaced by the 2000 Development Plan plus saved policies and subsequent DPDs.</p> <p><b>2b5</b> See comments above at 2b2.</p> <p><b>2b6</b> Add a further sentence to the effect that 'There will be co-operation and integration, wherever possible, between Parish Councils, the Borough Council and other agencies as part of the process of formulating the Local Plan and Neighbourhood Plans'.</p> <p><b>2b7a</b> Add the word 'co-operation' after 'Provide technical</p>	<p><b>Noted. Updated. Changed via to including.</b></p> <p><b>Noted. Updated.</b></p> <p><b>Wording will remain.</b></p> <p><b>Guidance and support encapsulate co-operation.</b></p> <p><b>Noted. Updated.</b></p> <p><b>Sentence unchanged.</b></p> <p><b>Covered by existing bullet points.</b></p> <p><b>As above.</b></p>
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	<p>advice, support’.</p> <p><b>2b7d</b> To read ‘Take timely decisions at key stages in the process’.</p> <p><b>2b8d</b> The Parish Council is not sure what is meant by this phrase but in any event it is equally applicable to the Borough Council and should be added as Para 2b7i.</p> <p><b>3.1c</b> To read ‘Promote sustainable recreation and tourism to support the local environment and economy’.</p>	<p><b>Key stages will refer to timely.</b></p> <p><b>Noted. Updated.</b></p>
<p>Ms Anne-Marie Butler</p> <p><b>Downswood Parish Council</b></p>	<ul style="list-style-type: none"> <li>Planning enforcement is not mentioned in the document and this is an area where we have had problems in the past. We would like to see some emphasis on this as to what we can expect from MBC.</li> <li>The document is very specific about Parish Councils and does mention non-Parished areas but it is not clear how MBC will keep its side of the bargain in areas such as keeping the public informed. Might additional resources need to be put into this as it is unfair that different people should experience different levels of service simply because of where they live.</li> <li>It is not clear what will happen if either side ‘break’ their terms – if a Parish has not attended a KALC meeting and does not sign the document can they still be expected to serve by its terms? Should MBC expect different standards from different Parish Councils?</li> </ul> <p>Apart from that, we think the document is sound and is a good step forward for both ‘sides’. Lots of hard work has gone into it and this has not gone unnoticed – thank you!</p>	<p><b>Planning enforcement is a discretionary service. This is a service issue that should be picked up outside the charter. Noted. Updated. Non-parished included.</b></p> <p><b>This is not a legally binding document. It is a memorandum of understanding. Operational - Task and Finish Group to be established.</b></p>
<p>Cllr Dennis Clifton / Mrs A Broadhurst</p>	<p>Key Principles</p> <p>1. Leadership</p> <p>This section, detailing the Borough Council and the Parish</p>	

<p>Clerk to <b>Harriestham Parish Council</b></p>	<p>Council working together in partnership, broadly speaking is already happening, with Borough Councillors attending Parish Council meetings and communicating electronically etc. The Parish Council would welcome the new initiative, which is highlighted in 1.2.b – Provide an appropriate Parish Contact Officer within the Communities team to promote partnership working.</p> <p>2. Consultation and Engagement Again, most of this is already in place. However, there were areas that Councillors did discuss further: The Borough Council will...</p> <p>2.2.d – Ensure Parish Clerks and Chairs are notified when matters relating to the Borough Council may affect a particular Parish Council</p> <p>2.2.e – As appropriate and relevant to the consultation process, allow officers to attend Parish Council meetings to explain and discuss policies and plans when a particularly contentious issues cannot be resolved in any other way</p> <p>2.2.f – Post-consultation, Parish Councils that have made a detailed response to the consultation will be notified of the decision and the reasons for the decision. This will be done within two weeks of the decisions being made, except in exceptional circumstances, or in line with existing statutory procedures in relation to Planning The Parish Council will....</p> <p>2.3.d –Work with the Borough Council to seek mutually acceptable solutions to contentious issues</p> <p>The Parish Council does not feel that the points highlighted above are achievable as, in recent months, there have been large scale planning applications submitted in the village, however, there has been no discussion between the Borough</p>	<p>Noted.</p> <p><b>Operational - Task and Finish Group to be established.</b></p>
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	<p>and Parish on these. Several of the proposed developments have been extremely controversial; however, Officers have not contacted the Parish Council to discuss issues. Even when the Parish Clerk has tried to make contact with the Officer, they generally will not return calls or respond to emails.</p> <p>3. Standards and Governance The Parish Council supports this section in its entirety.</p> <p>4. Financial Arrangements The Parish Council supports this section and is pleased that the Borough Council passes on the Local Council Tax Support Grant to Parishes.</p> <p>5. Information-Sharing This was an interesting section as, from Harrietsham Parish Council's view, information sharing has not been very good where Maidstone Borough Council is concerned in recent years. Examples of this would be:</p> <p>5.2.b Provide a method of priority and timely access to Officers for use by Parish Council Clerks Since the new Planning system was implemented, it is virtually impossible to actually speak to a Planning Officer, many do not even bother to respond to email queries before making decisions. Concerning the Neighbourhood Planning Team, historically they do not appear to want to assist unless you send letters to the Chief Executive, this has improved in recent months, however, support for Parishes is extremely limited.</p> <p>5.2.e – In order to share information and intelligence, schedule meetings between senior Officers and Parish Council Clerks and Members on a rotational basis, to share information and intelligence. These will take place no less than twice per year and will facilitate an effective approach to partnership working</p>	<p><b>Noted.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p>
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	<p>between the two tiers. The Borough Council will provide accommodation and facilities</p> <p>The Parish Council does not believe that it should only be the Clerk who is given the opportunity to attend meetings. Many Clerks already work over and above the hours that they are employed for and so their available time can be quite limited. If meetings are related to a particular topic i.e. Planning, then members of the Parish Council Planning Committee should also have the opportunity to attend.</p> <p>6. Policy and Service Delivery</p> <p>This section tackles 'effective partnership working' with 'a strong commitment to the principles of Localism', these are positive statements, however the Parish Council would question whether they are actually achievable.</p> <p>7. Learning and Development</p> <p>It is acknowledged that Maidstone Borough Council already arranges some planning and enforcement training which Parish Council representatives are invited to and we would assume that Parishes could request other areas/topics be covered if there was a need.</p> <p>There is one part, which could cause Parishes a problem though:</p> <p>7.2.c – Offer Parish Councils practical support, access to professional services and specialist knowledge held by the Borough Council at a mutually agreed price.</p> <p>This could be a problem if the money available in the Parish Council budget is tight and does not really go hand in hand with working in partnership and co-operating the Borough Council is going to charge us for requesting information and conflicts with 5.2.b (above) where they are offering access to Officers.</p>	
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	<p>Priority Working Areas</p> <p>1. Economic Development</p> <p>This section discusses how Parishes and MBC can work together regarding the businesses in villages as the Borough Council is creating a new Economic Development Business database.</p> <p>1.2.a Share information with the Borough Council on businesses in their areas to help keep the Borough Council's new Economic Development database up to date and relevant</p> <p>This could be difficult as the Parish Council is aware of larger businesses in the village, however, no information is held and it would be difficult to find out about any smaller businesses that work from residential properties. This would probably work better if this database were to be advertised around the villages for businesses to get involved directly or through any business forums.</p> <p>2. Planning, Development and Environmental Protection</p> <p>This is probably the most controversial section of the Parish Charter for Harrietsham and the areas listed below are of concern to the Parish Council.</p> <p>2a Planning</p> <p>2.a.3.f - Provide guidance and support to Parish Councils on the production of Neighbourhood Plans.</p> <p>2.a.4.b – Actively engage in the process of site allocations through close working with the Borough Council and through the Neighbourhood Plan process</p> <p>2.a.3.g - Within reason, provide Borough Council Officers to assist elected Parish Councillors and their Parish Clerks with enquiries relating to specific planning applications, planning history or relevant policy considerations.</p>	
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	<p>Harrietsham has been working on a Neighbourhood Plan since March 2012. To date, the assistance offered by the Borough Council has been negligible. Maidstone Borough Council received a grant for £7,000 to assist the Parish Council with Officer time and administration work. On the one occasion that the Parish Council made an administrative request, we were informed that the Borough Council would only supply two maps for use at our Consultation meetings. To date, the Neighbourhood Plan, which was submitted for Regulation 16 in June 2014, has been disregarded by the Borough Council. In addition, Officers have not actively engaged with the Parish Council to discuss amend</p> <p>Since the Borough Council has implemented the new planning system and changed their telephone switchboard over, it is impossible to contact a Planning Officer directly by phone. You go through to the Planning helpline and they usually cannot answer any query, as they have no knowledge of potential issues with live applications. When you leave a message on the telephone of a Planning Officer they rarely return your call and the same can be said about emails. The newer Planning Officers clearly have no regard to Parish Councils so this makes this section unworkable.</p> <p>It also states that Parish Councils should actively engage in the process of site allocations through close working with the Borough Council and through the Neighbourhood Plan process. This simply is not happening and the Parish Council feels that this is not achievable, as the Borough Council has no regard for our views.</p> <p>2b NPPF, Duty to Cooperate and Neighbourhood Planning</p>	
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	<p>The first part of this deals with the National Planning Policy Framework (NPPF). This section is of concern, as it appears that people who are not actively involved in trying to produce a Neighbourhood Plan within the Borough of Maidstone have created the Parish Charter.</p> <p>2b.4 – Neighbourhood planning was introduced through the Localism Act 2011 to enable greater community involvement in the planning process, so that people can shape their local areas and have a greater say in planning decisions. The Borough Council will take into account the Neighbourhood Planning Guidance Note published by DCLG in November 2012 which states: "With a Neighbourhood Plan, communities are able to establish general planning policies for the development and use of land in a neighbourhood. They will be able to say, for example, where new homes and offices should be built, and what they should look like."</p> <p>2b.5 – It is important that Neighbourhood Plans are in general conformity with the Borough's Local Plan. This issue is best considered and where possible resolved as part of joint discussion between Parish Council and the Borough Council, even if the final opinion regarding conformity with the Local Plan rests with the Borough.</p> <p>2b.7.a – The Borough Council will provide technical advice, support and assistance to those preparing Neighbourhood Plans in accordance with Neighbourhood Plan Regulations. The Parish Council does not feel that the Parish Charter is a strong enough document to force any change to the current views of the Officers. With the incredible amount of work, which the Parish Council has completed over the past three years, this Charter tries to show a positive 'partnership working' between the Borough and Parish Councils; however, this simply is not happening.</p> <p>It is also disappointing to see that, in section 2b.8.d, it is only</p>	
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	<p>the Parish Council who needs to be transparent to the public.</p> <p>2c Affordable Housing Development Councillors feel that not enough is done to link Local Needs Housing with Affordable Housing. For villages, the Local Needs connection is vital but the Parish Council has to constantly request that this valuable connection is included within housing developments.</p> <p>2d Environmental Protection 2d.2.d – The Parish Council will seek to purchase goods and services locally, wherever possible, wherever this does not conflict with the objective of securing value for money and behaving transparently.</p> <p>Again, why does the word transparent appear again? The repeated use of this word when referring to Parish Councils almost implies that there is an issue with transparency.</p> <p>3. Leisure, Recreation and Culture 3.1.b – The Borough Council will work in partnership with Parish Councils to promote and strengthen the cultural richness, leisure facilities and green spaces within local communities.</p> <p>This whole section sounds fantastic, however, in practice this probably relates more to activities within the town centre rather than out in rural areas. This draft document does not set out what the escalation process would be if any of the parties involved do not fulfil the content of the Parish Charter, when it is finally adopted. This is something that the Parish Council believes requires further discussion. Whilst there are many positive ideas included, realistically the Parish Council can not see how Maidstone Borough Council intends to actually put</p>	
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	these new processes into practise.	
Mrs Alison Hooker Clerk to <b>Marden Parish Council</b>	<p><b>Page 2 – Our Commitment:</b>            (a) <i>Are all PCs non-political?</i>            (b) <i>This gives the wrong impression – many PCs have a number of staff who are professionally competent</i>            (c) <i>Primarily – but not totally – PCs are aware of the wider world!</i></p> <p><b>Page 3 – Signatories of the Maidstone Parish Charter</b>  <i>Should each PC sign individually</i></p> <p><b>Page 4 – Introduction</b>  <i>Paragraph 1 – KALC must not be the only means of contact – individual PCs must be directly contacted</i></p> <p><b>Page 4 – Key Principles</b>  <i>This must include the sharing of mapped GIS information. Planning enforcement issues?</i></p> <p><b>Page 6 – Key Principles</b>  <i>Item 1.2(a) – Meetings need to take place with individual parishes not just KALC</i>  <i>Item 2.1 – This is not enough. Needs to be on an individual parish basis if appropriate</i></p> <p><b>Page 7 – Key Principles (contd)</b>  <i>Item 2.2(b) – All planning applications? Reserved details applications? These can be a significant impact – must consult PCs if so.</i>  <i>Item 2.2(e) – “encourage” officers – not “allow”</i>  <i>Item 2.2(f) – How is this done now – does this include all</i></p>	<p><b>Noted. Updated.</b></p> <p><b>Agreed. Noted.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p>

	<p><i>planning applications?</i>  Item 3.1 – <i>Both MBC and PCs will work together to promote ....</i></p> <p><b>Page 8 – Key Principles (contd)</b>  Item 3.3(d) – <i>"Ensure" not "encourage"</i>  Item 4.3(c) second line – <i>probably, but not exclusively, via Maidstone KALC</i></p> <p><b>Page 9 – Key Principles (contd)</b>  Item 5.1(e) – <i>It may be appropriate for the Parish to provide on occasion</i></p> <p><b>Page 10 – Key Principles (contd)</b>  Item 5.3(b) – <i>where special arrangements are previously agreed eg planning enforcement issues</i></p> <p><b>Page 12 – Priority Working Areas</b>  Item 2a.3(a) – <i>after Maidstone KALC – and directly ....</i>  Item 2a.3(b) – <i>after on behalf of parishes – and individual parishes</i>  Additional paragraph – <i>Engage with PCs on the drawing up of S106 agreements to ensure that any gain is appropriate and relevant and to ensure best value to the local community.</i></p> <p><b>Page 15 – Priority Working Areas (contd)</b>  Item 2c.3(h) – <i>and promote local needs housing where people with proven links to the local area are given priority</i></p>	<p><b>Noted.</b></p> <p><b>Noted.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p> <p><b>Operational - Task and Finish Group to be established.</b></p>
<p>Cllr John Perry  <b>Staplehurst PC</b></p>	<p>I would suggest CIL could be covered in the following general statement of intent which could be a new paragraph  4.4: <b>Parish Councils and the Borough Council will work together to ensure that funds from S106 agreements and the Community Infrastructure Levy are appropriately</b></p>	<p><b>Noted. Updated</b></p>

	<p><b>distributed.</b></p> <p>I would also suggest that we incorporate a new paragraph 4.3 which would start with the opening words of the penultimate sentence currently in paragraph 4.2. The new paragraph 4.3 would read as follows: <b>The funding does not restrict a Parish Council from making an application to any other Maidstone Borough Council fund available to support external bodies and projects for other purposes and such applications will be considered on their merits. For example, a Parish Council may wish to provide additional services such as, inter alia, the provision security cameras, street cleaning, provision of bus shelters and real time traffic information. Further details of the scheme can be found at <a href="http://services.maidstone.gov.uk/meetings/mgParishCouncilDetails.aspx?bcr=1&amp;SLS=3">http://services.maidstone.gov.uk/meetings/mgParishCouncilDetails.aspx?bcr=1&amp;SLS=3</a></b></p>	<b>Noted. Updated</b>
<p>Mrs Michelle Tatton Clerk to <b>Teston Parish Council</b></p>	<ul style="list-style-type: none"> <li>• Paragraph 2a.3a should not be restricted to statutory requirements and should include preparation and modification, as well as review of the plan.</li> <li>• Paragraph 2a.3b should state that the guidelines should be produced in a timely manner.</li> <li>• Paragraph 2a.3d should place a time requirement on that consultation e.g. within five days.</li> <li>• Paragraph 2a.3g should not be restricted to existing procedures (unless they are shown to be acceptable to Parishes), but should be an obligation to consult before taking any decision on how to respond.</li> <li>• (New) paragraph 2c.3l should be an obligation to work with Parish Councils in helping developers to shape their plans for housing mix where affordable housing is proposed.</li> </ul>	<b>Operational - Task and Finish Group to be established.</b>

<p>Mrs Amanda Broadhurst, Clerk of <b>West Farleigh Parish Council</b></p>	<p><b>Consultation and Engagement</b></p> <p><i>2.2.f – Post-consultation, Parish Councils that have made a detailed will be notified of the decision and the reasons for the decision. This of the decisions being made, except in exceptional circumstances, or procedures in relation to Planning</i></p> <p>This is an interesting addition to the Parish Charter as Cllr En that this is already happening in Maidstone Borough Council, i planning decisions as he regularly receives an update at his particular planning decisions are made. West Farleigh Parish any such update from Planning Officers when decisions are ignoring the views of the Parish Council. This is disappointing who may have local knowledge which appears to be completely Therefore, if this is Parish Charter is approved, it will be a posit achieve ‘cooperation and close partnership working’.</p>	<p><b>Operational - Task and Finish Group to be established.</b></p>
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	<p>2.3.d – <i>Work with the Borough Council to seek mutually acceptable solutions</i></p> <p>Over the past 18 months the Parish Council has repeatedly tried to get the Borough Council to find solutions to several extremely contentious issues. The Parish Councillors have found that the Borough Council simply will not listen to the information which is given to them, even if the Parish Council has been providing supporting documentation. This can be extremely frustrating as it implies that the Council's views are irrelevant, even though we are the tier of government closest to the residents directly with residents affected by the issues raised. It is also difficult to have a meeting with staff who clearly have no respect for Parish Council views in a manner which implies that we are simply an inconvenience. The fact that the new arrangement within the Parish Charter is seen as a positive step forward, implies that some officers will need to change their mind set when working with the Parish Council.</p> <p><b>Financial Arrangements</b></p> <p>4.2 – discussing the Parish Service Scheme – <i>A contribution towards the costs of services carried out by the Parish Council is provided to the following services (including the (grass and trees) maintenance, allotments, war memorials, noticeboards, and administration costs.</i></p> <p>'Administration costs' used to be a heading within the Concurrent Expenditure but was removed when the service moved over to the new Financial Scheme. There is a thought to including money towards these costs, though it is not clear when it will come this, as the Clerk's workload is forever increasing and so it is becoming harder each year to fund the work required.</p>	
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	<p><b>Information-Sharing</b></p> <p>5.2.b <i>Provide a method of priority and timely access to Officers for</i>  West Farleigh Parish Council would be very interested to und  Council intends to put this into practice. The parish Council ap  Borough Councillors alike are extremely busy; however, on oc  repeatedly ignored when queries are raised or telephone calls a  new telephone system has been introduced it is impossible to  Planning Officer. All calls are redirected to the Planning Helpde  extremely helpful, they generally are unable to answer the que  cations.</p> <p><b>Priority Working Areas - Economic Development</b></p> <p>1.2.a <i>Share information with the Borough Council on businesses in</i>  Borough Council's new Economic Development database up to date a  Having discussed this whole section with Councillors, we are u  sist greatly with this. Businesses in the village do not tend to lia  and so, whilst we would be happy to assist with limited knowled  sist the Borough Council with their Economic Development Busi</p> <p><b>Planning, Development and Environmental Protection</b></p> <p>Whilst the Parish Council welcomes working in partnership wit  area, as a small Parish, we do not feel any comment can be  Neighbourhood Planning process.</p>	
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	<p><b>Affordable Housing Development</b></p> <p>The Parish Council acknowledges that affordable housing particularly in West Farleigh. The Parish Council has requested a Needs Housing Survey historically, although there did not progress with this survey. The Parish Council has now contacted Kent County Council in Rural Kent to see whether they can assist the Parish Council to see what are available for the village.</p> <p><i>2.c.4 Parish Councils will identify any potential rural local housing needs through Appraisals, Neighbourhood Plans or similar exercises</i></p> <p>Whilst the Parish Council would try to identify a need, we believe with the support of Officers to undertake this work, this would involve a significant amount of time to Parishes to actually assist them.</p> <p>A couple of further observations: The word ‘transparency’ has been mentioned several times, should apply to <u>all</u> parties and not just the Parish Council. The Parish Council would like to understand what the procedure made against the Chief Executive of the Borough Council. Any information that can be supplied on this point would be much appreciated.</p> <p>In summary, whilst the Parish Council views this Parish Charter as a move to partnership working, Members of West Farleigh Parish Council will consider whether it is actually achievable.</p>	
Sue Whiteside <b>MBC Spatial Policy</b>	<p>Page 12 para 2a.3 The Borough Council will:</p> <p>a. In line with statutory consultation requirements, involve, where appropriate, Parish Councils, via Maidstone KALC, in the review of the Local Plan and its associated policy</p>	<b>Noted. Updated</b>

	<p>documents <b><u>in accordance with the adopted Statement of Community Involvement and the Constitution</u></b>;</p> <p>Page 12 para 2a.4 Parish Councils will:</p> <p>a. Respond to all consultations in relation to the Local Plan within the Borough Council's deadlines <b><u>in accordance with the adopted Statement of Community Involvement and the Constitution</u></b>;</p>	
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28 July 2015

Dear Geraldine,

**Re: Consultation – Maidstone Borough Council's Parish Charter refresh**

Following the consultation on Maidstone Borough Council's Parish Charter undertaken in April and May this year, the consultation responses have now been collated and reviewed.

The Borough Council was pleased to receive responses from Boxley, Broomfield and Kingswood, Coxheath, Downswood, Harrietsham, Marden, Staplehurst, Teston and West Farleigh Parish Councils.

Many responses had already been received and included in the draft through the work of the Parish Charter working group, involving members from KALC, Teston and Staplehurst Parish Councils. Discussions between Cllr John Perry, council officer Sarah Robson and Parish Councils through their individual parish meetings, have also been fed into the draft.

Having reviewed the consultation feedback, many comments have been included into the latest draft version of the Charter, which I have attached for your attention. However, many comments related to service and operational issues, highlighting communication between parish councils with both the Borough Council and KALC, with a focus on improvement.

Whilst I feel the Charter is now at a stage where it can be presented to Committee and Full Council for endorsement, I would like to capture and address the feedback received regarding communication (for example, planning, but also other areas such as finance, environment and consultation) between partners. Therefore, I would like to propose the establishment of a Partnership Task and Finish Group to bring together key stakeholders. This would enable effective dialogue between the Borough Council, KALC and those Parish Councils keen to be involved; in particular, those who specifically responded to the consultation raising the issue of communication. I hope you feel this is a positive step forward.

In terms of feedback to parish councils, it would be helpful if KALC could lead on communicating the latest draft and next steps to the parishes, including the establishment of a Task and Finish group to discuss the wider issues raised by the recent consultation.

My colleague, Paul Taylor, Director of Shared Services, has agreed to ensure this work is taken forward following my departure from the Borough Council this week and will arrange a meeting in the next few weeks to discuss this further.

Yours sincerely

Zena Cooke  
Director of Regeneration and Communities

**DRAFT**

## **Terms of Reference**

### **Maidstone Borough Council and Maidstone Parish Council Partnership Task and Finish Group**

#### ***Purpose of the Group***

The purpose of the group is to bring together key stakeholders to enable effective dialogue and efficient working practices between:

- Maidstone Borough Council (Executive, Heads of Service, Members and Officers)
- Kent Association for Local Councils (Maidstone Committee)
- Parish Councils

#### **Core Business and Responsibilities**

The Task and Finish Group will:

- Review the consultation responses relating to operational issues as part of the recently refresh Maidstone Parish Charter.
- Develop an understanding of organisational roles and statutory responsibilities.
- Identify improvements to procedures, processes and working practices in key service areas.
- Refer issues of local concern to the relevant organisation / partnerships, in order for them to enable the resolution of issues.
- Provide expectation management.

The Task and Finish Group will not have any direct decision making powers

#### ***Membership of the Group***

##### **Representatives of:**

- Paul Taylor, Mid Kent Services Director (Chair)
- Sarah Robson, Housing and Community Manager, Maidstone Borough Council
- Cllr Geraldine Brown, Chairman, Kent Association for Local Councils (Maidstone Committee)
- Cllr John Perry, Parish Champion, Maidstone Borough Council
- Plus x2 Parish Council representatives (to be nominated by KALC)

The group may co-opt members onto the group as it deems fit for any particular purpose.

#### ***Meeting Arrangements***

- Meetings will be chaired by the Borough Council's Mid Kent Services Director
- Meetings will take place every two months for a period of 12 months (to be reviewed)
- All discussions at the meeting will take place through the Chair.
- An action plan will be updated and shared with members of the Task and Finish group.
- Members of the group are welcome to add to the agenda and are asked to notify the Chair at least two weeks in advance should they wish to do so.