

MAIDSTONE BOROUGH COUNCIL

POLICY AND RESOURCES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 24 MARCH 2021

Present: Councillors Brice, Clark, Cox (Chairman), English, Garten, Mrs Gooch, Harvey, Joy, McKay, Mortimer, Newton, Perry, Round and Springett

Also Present: Councillors Kimmance and Parfitt-Reid

167. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors M Burton, Chappell-Tay and de Wiggondene-Sheppard.

168. **NOTIFICATION OF SUBSTITUTE MEMBERS**

Councillor Joy was present as Substitute Member for Councillor de Wiggondene-Sheppard.

Councillor Garten was present as Substitute Member for Councillor Chappell-Tay.

169. **URGENT ITEMS**

There were no urgent items.

170. **NOTIFICATION OF VISITING MEMBERS**

Councillors Kimmance and Parfitt-Reid were present as Visiting Members for Item 15 – Flood Risk Alleviation.

As Councillors J and T Sams could not access the meeting due to technical difficulties, their statement for Item 17 – Council-Led Garden Community Update, was read out by Councillor Mrs Gooch.

171. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

172. **DISCLOSURES OF LOBBYING**

Councillors Brice, McKay and Round had been lobbied on Item 15 – Flood Risk Alleviation.

Councillors Brice, Clark, English, Garten, Mrs Gooch, Harvey, McKay, Mortimer, Perry and Round had been lobbied on Item 16 – Local Plan Review Budget.

Councillors Brice, Garten, Mrs Gooch, Harvey, McKay, Mortimer, Newton, Round and Springett had been lobbied on Item 17 – Council-Led Garden Community Update.

Councillors Harvey, McKay, Mortimer, Round and Springett had been lobbied on Item 18 – Exempt Appendix 2 – Council-Led Garden Community Update, Proposed CA.

173. EXEMPT ITEMS

RESOLVED: That

1. The Minutes (Part II) of the meeting held on 10 February 2021, be taken alongside the Part I Minutes under Item 9 – Minutes of the Meeting held on 10 February 2021, without going into Part II.
2. Item 18 – Exempt Appendix 2, Council-Led Garden Community Update, Proposed CA would only be discussed in private if any Member of the Committee wished to specifically discuss any of the item's contents.
3. Item 19 – Disposal of Land at Staceys Street Maidstone, be taken in private due to the possible disclosure of exempt information.

174. MINUTES OF THE MEETING HELD ON 3 FEBRUARY 2021

RESOLVED: That the Minutes of the Meeting held on 3 February 2021 be agreed as a correct record and signed at a later date.

175. MINUTES OF THE MEETING HELD ON 10 FEBRUARY 2021

RESOLVED: That the Minutes of the Meeting (Parts I and II) held on 10 February 2021 be agreed as a correct record and signed at a later date.

176. PRESENTATION OF PETITIONS

There were no petitions.

177. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There was one question from a Member of the Public.

Question from Susan Gullet to the Chairman of the Policy and Resources Committee

'It is likely that many high street shops will not reopen after the pandemic. Will the committee give thought to how this disaster can be

turned into opportunity? It offers the chance to reshape our urban environment in a way that is better for people and for the planet. My suggestion is that MBC use any powers, influence, and incentives at its disposal to encourage and enable empty commercial premises to be repurposed as residential units for young people and the elderly, using the highest standards of sustainability. This will provide much needed town centre housing, provide green jobs in the short term, reduce pressure on the roads & on the countryside, and give a long-term boost to the town centre, thus helping to improving the environment for all'.

The Chairman responded to the question.

Ms Gullet asked the following supplementary question:

'Do you feel that MBC has any power or willingness, should there be empty properties in the town centre, that perhaps some consideration will be given to those becoming residential so that the town centre doesn't die out as regards as a place that people live where they don't need to jump in their cars for everything?'

The Chairman responded to the supplementary question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website.

To access the webcast recording, please use the link below:
<https://www.youtube.com/watch?v=GIKqCTerzQ4>

178. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

179. COMMITTEE WORK PROGRAMME

In response to questions on the use of cycle-lanes, the Director of Regeneration and Place stated that a report on Cycling Infrastructure Alternatives would be presented to the Strategic Planning and Infrastructure Committee in June 2021.

The Committee requested an update on the item also.

RESOLVED: That the Committee Work Programme be noted.

Note: Councillor Brice joined the meeting at 6.42 p.m. during the item's consideration.

180. KENT AND MEDWAY ENERGY AND LOW EMISSIONS STRATEGY

The Kent Environment Strategy Programme Manager from Kent County Council (KCC) addressed the Committee to provide an overview of the Kent and Medway Energy and Low Emissions Strategy (KMELES).

The four aims of the policy were briefly outlined as Evidence, Policy and Strategy, Leadership and Action. A series of workshops had occurred in the Summer of 2018, with evidence base building and cross-sector engagement conducted in 2019. KCC had adopted the Central Government target of net zero carbon emissions by 2050, and this had been included in the KMELES. During 2019, all Kent Local Authorities had made carbon emission-based commitments to be achieved by either 2030 or 2050, with nine authorities having endorsed or adopted the KMELES. It was hoped that support would be given from other public sector bodies.

Following approval from Kent Chiefs and Kent Leaders, a public consultation on the KMELES occurred in 2019. The responses were generally positive with some concerns expressed that the 2050 deadline was too far away. The strategy was amended to produce the ten priorities which were then outlined to the Committee. Despite the delays caused by the Covid-19 pandemic, additional elements on green infrastructure had been included in the KMELES.

The Overview and Scrutiny Officer, Biodiversity and Climate Change introduced the report and referenced the Council's Biodiversity and Climate Change Action Plan (BDCCAP) that was agreed by the Committee in October 2020. The BDCCAP and KMELES were very similar except for priority 1 of the latter, whereby Kent County aimed to be carbon neutral by 2050. The BDCCAP included that the Council would be carbon neutral by 2030 if technology and national policy allowed. By endorsing the KMELES the Council would not be committed to adhering to the strategy but would reinforce partnership working across the County.

In response to questions, the Kent Environment Strategy Programme Manager confirmed that Kent County's grid limitations were being considered by Central Government and UK Power Networks, with limited options for Local Authorities. Endorsement of the KMELES would not impact or supersede the previously agreed BDCCAP. Off-gas grid homes referred to homes that were not connected to the gas network and likely relied on oil heating or bottled gas.

Air quality measures had been included within the KMELES as the actions that could be taken to improve air quality and reduce greenhouse gases were often mutually beneficial.

The Committee expressed support for the KMELES.

RESOLVED: That the Kent and Medway Energy and Low Emissions Strategy be endorsed.

181. FLOOD RISK ALLEVIATION

The Director of Finance and Business Improvement introduced the report and stated that the Medway Flood Partnership (MFP) had operated since 2017 and included the Local Authorities (LAs) in the Medway area, the

Environment Agency and other public bodies. The MFP's third year report was shown in Appendix A to the report.

The initiatives relating to the Borough were outlined as the Medway Flood Resilience Scheme, the works to the Bridge Gyratory Scheme, the works to reservoir safety in Mote Park and ongoing general maintenance works.

Following the 2013/14 flooding experience, large scale technical solutions were investigated but were found to be infeasible. The South East Rivers Trust (SERT) were proposing to complete three additional Natural Flood Measures (NFM) on behalf of the Council, in addition to the NFM's that had been carried out on the Hogg Stream, Headcorn. A £50,000 contribution from the Council would be matched by £180,000 in funding accessible by the SERT.

The importance of Community resilience was highlighted given the flooding experienced in December 2020 and January 2021.

In response to questions, the SERT confirmed that approximately 40 leaky woody dams had been installed in the Hogg Stream, with a further 20-30 structures to be installed to increase the cumulative effect. The Environment Agency (EA) confirmed that flood maps were updated once the flooding events had been logged. The Committee highlighted the importance of local geographical knowledge.

The Director of Finance and Business Improvement confirmed that the £30,000 per annum allocated by the Council for ongoing maintenance works allowed for the completion of works that would normally be the landowner's responsibility but were not being carried out. These works were carried out by Kent County Council (KCC) on behalf of the Council. If further funding was required, this could be assessed through the budget process.

In response to further questions, the Environment Agency confirmed that the flooding seen in Mallards Way and Mote Park was as a result of the insufficient bridge capacity. This could be increased, however the flood risk prioritisation to properties before footpaths was reiterated. In response to a separate question, the EA's jurisdiction was restricted to main rivers, which made it difficult to enforce landowner responsibilities. Finally, in response to a question about removal of structures in the River Beult, the removal of any pre-existing measures would only take place if there was no additional flooding risk from doing so.

In response to a question about flood plains, the SERT stated that historically they had always absorbed excess water from overflowing rivers and streams, hence their name. The use of unoccupied flood plains to hold water benefitted the land by carrying nutrients.

The Committee requested that there be increased engagement between Local Ward Members and the relevant authorities moving forward.

RESOLVED: That

1. The progress on flood management initiatives delivered by Maidstone Borough Council as part of the Medway Flood Partnership be noted; and
2. The £50,000 be allocated for the Natural Flood Management scheme as described in both paragraph 2.17 and Appendix B to the report, subject to confirmation of match funding.

Note: Councillor Newton requested that his dissent be noted.

182. **LOCAL PLAN REVIEW BUDGET**

The Director of Finance and Business Improvement introduced the report which had been produced following consultation with the Finance teams, Head of Planning and Development and the Interim Local Plan Review (LPR) Director. Appendix A to the report detailed the projected LPR expenditure up until 2023.

The Committee were informed that the projections included a £30,000 contingency fund for both 2021/22 and 2022/23. The proposed work relating to the Town Centre Plan could be funded separately from the General Fund Local Plan Review Revenue Budget through Section 106 monies. The additional £200,000 required for 2021/22 would be funded through the Corporate Contingency Fund. This would be partly supported through the sub-lease of office space within Maidstone House. The £135,000 required for 2022/23 would be considered as part of the annual review of the Council's budget proposals.

The Committee expressed support for the measures proposed.

RESOLVED: That

1. The programme for the Local Plan Review and related projects be noted;
2. Arrangements for funding this work, in line with the Council's agreed budget and policy framework, be noted; and
3. The process for monitoring actual expenditure and reporting this to the Strategic Planning and Infrastructure Committee and this Committee, be noted.

183. **COUNCIL-LED GARDEN COMMUNITY UPDATE**

Prior to the report's introduction, Ms Gail Duff addressed the Committee on behalf of the Save Our Heathlands Action Group.

The Director of Regeneration and Place introduced the report and referenced the decision taken by the Committee in December 2020 on the preferred approach to the collaboration agreement with Homes England.

The collaboration agreement allowed for maximum input from the Council up until the fifth year of the project, with Homes England to take the lead upon confirmation of planning permission. The Council would retain its influence on all matters and remain instrumental in the stewardship of the proposed garden community and had secured rights of first refusal for the purchase or affordable and/or commercial properties within the development. Homes England had secured approval to enter into the collaboration agreement with the Council.

The third stage submission would be submitted by the end of the month, with the 18 landowners that had requested that their land be removed from the proposal to be obliged, due to the development's red line having been moved northwards. The options agreements would be between the Landowners and Homes England, which would likely be entered into by the end of the first quarter of the next financial year.

A representative of Pinsent Masons LLP addressed the Committee to summarise the information contained within Appendix 1 to the report.

In response to questions, the Director of Regeneration and Place confirmed that if the proposed development secured allocation, with planning permission then refused, the Council would have spent circa £1.5 million. It was unlikely however that planning permission would be refused if the site secured its allocation within the Local Plan.

The Director of Regeneration and Place confirmed that contact with some of the landowners and/or their agents had occurred within the last 3-6 months.

RESOLVED: That

1. The Committee agree to enter into the Collaboration Agreement as shown in Exempt Appendix 2 to the report and the Director of Regeneration and Place be granted delegated authority to make minor amendments to the collaboration agreement, prior to its signing, in consultation with the Monitoring Officer and the Chair and Vice-Chair of the Committee.

Note: Councillor Newton requested that his dissent with the resolution and the wider proposal, be noted.

184. EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED: That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reason specified, having applied the public interest test:

**Head of Schedule 12A and
Brief Description**

185. DISPOSAL OF LAND AT STACEYS STREET MAIDSTONE

The Interim Strategic Property Consultant introduced the report and stated that the Council had been approached to sell a portion of land.

The sale price was outlined.

RESOLVED: That consideration of the item be deferred, to enable officers to report back to the Committee with further information.

186. MINUTES (PART II) OF THE MEETING HELD ON 10 FEBRUARY 2021

RESOLVED: That the item be considered alongside Item 9 – Minutes of the Meeting held on 10 February 2021.

187. DURATION OF MEETING

6.30 p.m. to 9.55 p.m.

The meeting was adjourned from 9.02 p.m. to 9.07 p.m. for a short break.