

MAIDSTONE BOROUGH COUNCIL

POLICY AND RESOURCES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY
26 OCTOBER 2016

Present: Councillor Mrs Wilson (Chairman), and
Councillors Mrs Blackmore, Boughton, Brice, Cox,
English, Fermor, Garland, Mrs Gooch, Harper, Harvey,
McLoughlin, Pickett and Mrs Ring

Also Present: Councillors M Burton, Lewins and
D Mortimer and Newton

94. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from
Councillors Harwood, Powell and Round.

95. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor English for Councillor Harwood
Councillor Mrs Ring for Councillor Round

96. URGENT ITEMS

The Chairman advised that there were no urgent items. However, it was
understood that the Kent Association of Local Councils had sent an email
to all Committee Members of Policy and Resources Committee regarding
the precept. It was noted that although it was not considered an urgent
item, it could be included in the round of discussions on the budget. The
Director of Finance and Business Improvement was asked to circulate a
copy of the email to all the Substitute Members of the Committee for
completeness.

97. NOTIFICATION OF VISITING MEMBERS

It was noted that Councillors Lewins, D Mortimer and Newton indicated
their wish to speak on Agenda Item 12 – Councillor Referral from
Heritage, Culture and Leisure Committee.

Councillor M Burton advised that he was just observing the meeting.

98. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Harper disclosed an interest in Agenda Item 14 – Disposal of Land at Unicomes Lane, Fant as he was a Trustee of the Wildlife Trust. He advised that he would leave the room when this item was discussed.

There were no other disclosures by Members and Officers.

99. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

100. EXEMPT ITEMS

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

101. MINUTES OF THE MEETING HELD ON 28 SEPTEMBER 2016

RESOLVED: That the Minutes of the meeting held on 28 September 2016 be approved as a correct record subject to the following amendments being made:-

Minute 88 – Report of the Chief Executive – Enhanced Inter-Tier Working and Devolution

The word 'bank' in bullet point 5 on Page 5 should be changed to 'balance';

Page 7 , the sentence 'Councillors Mrs Blackmore, Boughton, Brice and Round asked that their general dissent be recorded' should be amended to 'Councillors Mrs Blackmore, Brice and Round asked that their dissent should be recorded in regard to Recommendations 3, 5 and 6 only.

102. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

103. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC (IF ANY)

There were no questions from members of the public.

104. COMMITTEE WORK PROGRAMME

Members considered the Committee Work Programme.

The Chairman advised that in terms of devolution no further meetings had taken place with Leaders and Chief Executives since the last meeting of the Committee so there was nothing further to report.

The Director of Finance and Business Improvement advised that he proposed to put an item on the agenda for January on the Flood

Prevention Measures as information would not be available for the Committee to consider until then.

105. COUNCILLOR REFERRAL FROM HERITAGE, CULTURE AND LEISURE COMMITTEE

Members considered the Councillor Referral from Heritage, Culture and Leisure Committee.

The Chairman set out the procedure for the Referral.

The Chairman advised that she had not agreed to take the Referral on the basis of the decision made, but having watched the webcast she did not feel that Members had been given all the information they required on the night, and that some of the questions Members asked were not answered which may or may not have affected the decision.

Councillor Rachel Gray from Otham Parish Council was asked to read out her statement. The comments made included:

- That the open space was used regularly by local residents walking their dogs and also for geo caching.
- If the strip of land was removed there would be nothing but a wide road between the playing field and Imperial Park homes. In essence Senacre and Imperial Park would coalesce.
- Gore Court Road is wide enough for 2 cars to pass each other safely.

Councillor Bill Greenhead from Downswood Parish Council read out his statement. The comments made included:-

- The facility is used by dog walkers and others wanting to exercise and was surrounded by an ancient hedgerow.
- Gore Court Road and Church Road would become dangerous for cyclists to use as the roads would be used by drivers trying to escape the gridlock of Sutton Road and Willington Street.

Councillor Gooch addressed the Committee as a signatory of the Referral. Her comments included:-

- That the strip of land was only 0.4 hectares and had no strategic value to the Council.
- The existing fence and hedgerow would be replaced like for like and be a condition of the disposal.
- That the loss of the land would be compensated by the provision of at least 5.8 hectares of open space and in addition the disposal

would generate a capital receipt.

- The Planning Officer had advised Members that the Arboricultural Officer did not consider that the hedgerow met the necessary criteria under the Hedgerows Regulations 1997.
- At the meeting the recommendations were put to the vote without any summing up of the pros and cons, without any discussion or presentation of the wider implications of the proposal and without any further reference to the information contained in the main body of the report.
- Specifically referring to paragraph 7 of the original report Councillor Mrs Gooch felt that the cross cutting issues and implications had not been adequately presented to Members and as a consequence not adequately considered. She emphasised that these were important elements in reaching a decision, hence the importance of referring this item to this Committee for reconsideration.

Councillor D Mortimer then set out the reasons why he had also been a signatory for the Referral:-

- He was concerned about the lack of information and detail being presented and did not feel the item received the debate it deserved.
- There was much emphasis on the previously approved planning application and local plan and little debate about the actual disposal of the land. He therefore felt that Members were going down the planning route rather than considering the actual recommendation on the papers.
- The actual issue for making the land surplus was not discussed but Members dwelled on the negative elements, rather than the major benefits of the new open space being proposed.

Councillor Lewins, also a signatory of the Referral, stated that she echoed the comments made by her fellow Councillors and felt that this was a very small slither of land and the loss of which would not be harmful to the community.

Councillor Newton, attending as a Visiting Member, addressed the Committee, he advised that in his opinion the item was thoroughly discussed by Members of the Heritage, Culture and Leisure Committee and that the Planning Officer had given Members a lot of information about the planning history to assist with the debate.

He advised that if the hedgerow was removed, it would take time to re-establish the presence of wildlife.

In the ensuing discussion, comments made by Members included:-

- The issue was whether the quality of land to be provided was adequate and how quickly the new fence and hedgerow could be planted and erected
- That alternative proposals should be sought to offset the ecological impact of the loss of this land
- Could the hedgerow be put in place before the old one is removed?
- Could football still be played on the new open space as it was on the old site prior to 2013?

In response to comments made by Members, the Planning Officer advised that:-

- The hedgerow and fence could be provided before the existing ones are removed to help with the re-establishment of wildlife
- A development agreement could be put in place to ensure that the new open space is managed in an ecologically bio-diverse way
- A football pitch could still be set up on the remaining open space
- Certain caveats could be included for when the land comes back to this Committee for disposal

RESOLVED: That the officer's original recommendations to the Heritage, Culture and Leisure Committee be agreed as follows:-

- 1) That the open space strip of land with a total area of 414 square metres to the west of Gore Court Road, outlined in red on the plan attached as Appendix I to the Referral be declared surplus; and
- 2) That authority be given to the placing of a Public Notice pursuant to Section 123 of the Local Government Act 1972.

Voting: For: 11 Against: 1 Abstentions: 2

106. REPORT OF THE DIRECTOR OF MID KENT SERVICES - COUNCIL TAX REDUCTION SCHEME 2017/2018

The Committee considered the report of the Director of Mid Kent Services relating to the Council Tax Reduction Scheme 2017/18.

Members were advised that in 2013 funding had changed when the scheme was localised. The position had changed in that the cost of the support had been met in full by the Department of Works and Pensions to a partly funded scheme where the cost was met through the revenue support grant which had seen year on year reductions and would be fully withdrawn from April 2017.

It was noted that the full cost of the scheme was £8.8m and would be met locally by the Council, Kent County Council and other preceptors. The cost to this Council would be around £1.3m.

Members noted that the changes outlined in the report were designed to help balance the cost of the scheme in view of the reduction in funding to ensure that we can provide support for those most in need whilst recognising the needs of the wider council tax payer who now meets the cost.

In June this year the Committee were asked to consider a wide range of options on how the scheme could be reformed. It was agreed that the Council should look to retain the current structure of the scheme and undertake a public consultation on the potential changes.

The consultation, which ran from 1 July to 24 August 2016, was completed predominantly on-line with details being sent to approximately 9,000 residents, as well as being publicised through the Gateway and other local stakeholders. The response was very positive, with a total of 1,471 people responding to the questionnaire, over 300 of which were from households in receipt of the Council Tax reduction.

The results of the consultation showed that residents valued the Council Tax Reduction Scheme and would like to see it continue but not at the cost to other services or an increase to council tax. The results therefore endorsed the Council's broader approach to retaining the scheme.

In response to questions raised by Members, the Director of Mid Kent Services advised that:-

- The average impact figure quoted in the report was a weekly figure
- Option 5 – there was no data available for this option so it could not be identified how many this would affect.
- Option 11 – This was to be removed anyway.
- All the figures had been rounded.

In the ensuing discussion Members raised a number of issues which included:-

- The figures were erroneous, could the actual figures be made available?
- What impact would it have on the average person/family and the impact on those who would be affected by more than one option?
- How are other authorities administering this?

In the light of the comments made Councillor Mrs Wilson proposed and Councillor Mrs Ring seconded that the report be deferred to enable the

Officer to come back with a revised report that addressed all the points raised in the debate, including:-

- Clarity needs to be given in terms of the figures
- What would the cumulative impact of the changes proposed be
- What would the practical impact of these changes be on individuals and whether there should be changes made in the light of the comments made by Members during the discussions
- What would the knock on effect be on the costs that the Council may have elsewhere, i.e. homelessness
- Can comparisons be given in relation to how other local authorities are administering the scheme

RESOLVED: That the report be deferred to enable the Officer to come back with a revised report addressing the comments made during the debate.

For: 14 Against: 0 Abstentions: 0

107. REPORT OF THE DIRECTOR OF FINANCE AND BUSINESS IMPROVEMENT - DISPOSAL OF LAND AT UNICUMES LANE, FANT WILDLIFE

The Committee considered the report of the Director of Finance and Business Improvement in regard to the disposal of land at Unicumes Lane, Fant.

Councillor Harper, having declared an interest as he was a Trustee of the Fant Wildlife Group, left the meeting for this item.

Members were advised that the Council owned an area of open space off Unicumes Lane in Fant, known as the Fant Wildlife Area, and had been working with a local volunteer group to manage it. It was noted that the Heritage, Culture and Leisure Committee had declared it surplus at their meeting on 3rd November 2015.

Members were advised that the volunteers of the Fant Wildlife Group had expressed a wish to take over the management and lease the site from the Council. It was noted that this would now require a disposal of the land on a leasehold basis.

In response to Members' enquiries, the Property Officer advised as follows:-

- That there was no particular reason why there had been a delay between declaring it surplus and the disposal
- The Wildlife Group had specifically asked for leasehold

RESOLVED: That the disposal of the open space land outlined in red on the plan attached to the report of the Director of Finance and Business Improvement be agreed.

Voting: For: 13 Against: 0 Abstentions: 0

Councillor Harper re-entered the room after the voting had taken place.

108. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - COMMUNICATION AND ENGAGEMENT STRATEGY, ACTION PLAN 2016-17

Members considered the report of the Head of Policy and Communications in regard to the Communication and Engagement Strategy 2016-20.

The Head of Policy and Communications advised Members that the new Communications Team had put together the Strategy which set out how we all communicate and engage.

Members suggested some changes to the strategy which it was agreed would be incorporated, these were as follows:-

Page 3 – First paragraph, first sentence – should read: The effectiveness of how our vision is perceived is determined to a significant extent by the quality of our communications and engagement.

Page 4 – Title changed to; Vision, Mission and Values

Under Responsibility: The first sentence should read: We work in an environment that encourages us to take ownership for our actions.

Page 5 – Second paragraph, second sentence should read: We must adapt and rise to the challenge of prioritising our finite resources to support the delivery of the council's priority outcomes.

Page 7 – Councillors' Role – first sentence should read: Councillors in their role as elected representatives engage with residents, groups and business on a wide range of issues.

Page 11 – Second paragraph, delete all words after Council.

Page 16 – Under Objective – People from different backgrounds get on well together – first box – delete the words 'such as the Mela'.

In response to questions raised by Members, the Head of Policy and Communications responded as follows:-

- The Communication and Engagement Strategy is aimed at everyone, to highlight the responsibilities of Councillors and Employees
- The Council's Digital Team would be taking over the administration of the intranet pages. Members were asked for their feedback on

what information they would like to see on the pages.

- The Strategy was prepared by the Communications Team following meetings with Members and feedback from the Residents Survey.
- A lot of the actions would be undertaken by the Council's own resources.
- A Sounding Board would be set up with Member involvement.

RESOLVED:

- 1) That the Communication and Engagement Strategy 2016-2020, as attached at Appendix A to the report of the Head of Policy and Communications, be approved subject to the amendments suggested by Members being incorporated; and
- 2) That the update on the 2015-16 Communication and Engagement Strategy Action Plan, as attached at Appendix B to the report of the Head of Policy and Communications, be noted.

Voting: For: 14 Against: 0 Abstentions: 0

109. REPORT OF THE DEPUTY HEAD OF AUDIT PARTNERSHIP - RISK MANAGEMENT UPDATE

The Committee considered the report of the Deputy Head of Audit Partnership which provided updates on the Council's risk management arrangements and an extract from the key risks identified on the risk register.

It included a summary of the corporate risks and the highest scored risks on the comprehensive risk register. The report included information on the mitigations and key controls against each risk.

Members noted the next stage to formulate a risk appetite statement and to update the corporate level risks to include re-assessment and further key controls to be updated.

Members were informed of a risk management briefing being held before the next Audit Committee meeting on 21st November. The briefing would be open to all Members.

RESOLVED: That the key risks facing the Council and the measures in place for their management be noted.

Voting: For: 14 Against: 0 Abstentions: 0

110. DURATION OF THE MEETING

6.30 p.m. to 10 p.m.