

MAIDSTONE BOROUGH COUNCIL

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 30 JUNE 2020

Present: Councillors M Burton, Joy, Khadka, Mortimer (Chairman), Powell, Purle, D Rose, M Rose and Young

Also Present: Councillors Grigg, McKay, Parfitt-Reid and Perry

14. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

15. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

16. **URGENT ITEMS**

An additional Outside Bodies report had been received after the publication of the agenda and would be taken as an urgent update to Item 13 – Reports of Outside Bodies.

It was agreed that Item 18 – Waste Services Update, be taken before Item 17 – Waste and Street Cleaning – Future Provision.

17. **NOTIFICATION OF VISITING MEMBERS**

It was noted that the following Councillors were present as Visiting Members:

- Councillor Grigg for Item 14 – Member Agenda Item Request from Cllr Jonathan Purle – Anti-Social Behaviour Powers and the Suppression of Nuisances
- Councillor McKay for Item 10 – Question and Answer Session from Members of the Public
- Councillor Parfitt-Reid for Item 14 – Member Agenda Item Request from Cllr Jonathan Purle – Anti-Social Behaviour Powers and the Suppression of Nuisances
- Councillor Perry for Item 14 – Member Agenda Item Request from Cllr Jonathan Purle – Anti-Social Behaviour Powers and the Suppression of Nuisances and Item 21 – Public Spaces Protection Order – Town Centre Renewal/Revision

18. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

19. DISCLOSURES OF LOBBYING

Councillor M Rose stated that she had been lobbied on Item 10 – Question and Answer session from Members of the Public.

20. EXEMPT ITEMS

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

21. MINUTES OF THE MEETING HELD ON 11 FEBRUARY 2020

RESOLVED: That the minutes of the meeting held on 11 February 2020 be approved as a correct record and signed at a later date.

22. PRESENTATION OF PETITIONS

There were no petitions.

23. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Question from Ms Dee Bonett to the Chairman of the Communities, Housing and Environment Committee

'I asked this Committee in November 2019 and February 2020 to review the current Pet Policy for those presenting as Homeless in Temporary Accommodation, due to the risk of being unable to keep their Pets, when moving on to Permanent Accommodation.

Could you please update me as to what stage Maidstone Borough Council and the CHE Panel have reached since I last attended, and what is stopping you from making those vital changes to your own Pet Policy?'

The Chairman responded to the question.

Ms Dee Bonett asked the following supplementary question:

'Do you not feel that with the clause as it stands, it is not safeguarding those at their most vulnerable under the panel's duty of care. The way it [the policy] is worded is actually placing them at risk of facing sanction, so helping them half-way up the ladder and then this could be taken away from them if a permanent offer is given with a no pet policy.'

The Chairman responded to the question.

Councillor Malcolm McKay, Leader of the Labour Group, responded to the question.

Councillor Eddie Powell, Leader of the Independent Maidstone Group, responded to the question.

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

To access the webcast recording, please use the below link:
<https://www.youtube.com/watch?v=g1dL4tz5qEk>

24. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

25. COMMITTEE WORK PROGRAMME

It was noted that the Access to Services Review would be included in the Committee Work Programme for the next meeting of the Committee. The Equalities and Corporate Policy officer confirmed that the Coronavirus Pandemic would likely have affected the workstreams that were being looked at for the task and finish group created. An update would be given at the next suitable opportunity.

RESOLVED: That the Committee Work Programme be noted.

26. REPORTS OF OUTSIDE BODIES

Councillors Clark, English, Joy, Mortimer, Round and Wilby presented the reports of the respective Outside Bodies for which they act as Council Representatives.

RESOLVED: That

1. The Reports of Outside Bodies be noted; and
2. Councillor Brindle be appointed to Age UK as a Council Representative.

27. MEMBER AGENDA ITEM REQUEST FROM CLLR JONATHAN PURLE - ANTI-SOCIAL BEHAVIOUR POWERS AND THE SUPPRESSION OF NUISANCES

The Democratic and Electoral Services Manager introduced the item noting that as per the Council's Constitution, a Member may submit an item for consideration by the Committee.

Councillor Jonathan Purle introduced his agenda item request with specific reference made to the Council's available statutory powers to address anti-social behaviour, nuisances and other low-level crimes. It was requested that a method through which increased initiation, consideration and decision making from Members in regard to those powers, be achieved.

Councillors Grigg, Parfitt-Reid and Perry spoke as visiting members and highlighted the desire for greater enforcement in tackling the issues mentioned.

The Community Protection Manager informed the Committee that many of the issues highlighted within the debate would be dealt with by the Environmental Health and Community Enforcement Policy, as agreed by the Committee in June 2019. Certain conditions that necessitated enforcement, such as proof beyond reasonable doubt, would need to be fulfilled before addressing any particular issue.

The officer undertook to revisit the offer of a rural working group, and an offer of a Member Briefing at a later date would be explored.

RESOLVED: That the Committee request an officer report on the item.

28. FOURTH QUARTER BUDGET & PERFORMANCE MONITORING

The Director of Finance and Business Improvement introduced the report and highlighted that the information covered the period up until 31 March 2020, so did not include the financial impact of Covid-19.

The Committee were informed that there was a Revenue underspend of £361,000 with Capital slippage at £2.6million. The slippage would be spent in the current or future financial years.

The Equalities and Corporate Policy Officer stated that five of the eight targeted indicators had achieved the quarter four target; with 70% of all indicators having achieved an improvement from the same quarter the previous year and a 60% improvement from the quarter three position.

Under the priority of Safe, Green and Clean, the percentage of household waste sent for reuse, recycling and composting missed the target by more than 10%. It was noted that the Council would continue working with Biffa to improve education concerning contamination.

Under the priority of Homes and Communities, two indicators achieved within 10% of the target and the number of households housed through the housing register missed the quarter four target by three households. This was due to a reduction in vacant properties from providers. It was noted that 55.77% of successful relief duty outcomes were achieved against a target of 60%.

Of the seven annual outturn indicators, five met the annual target, one achieved within 10% of the target and one missed by more than 10% of the target. Of the five targeted indicators for Homes and Communities, three met target and two achieved within 10%.

RESOLVED: That

1. The Revenue position as at the end of Quarter 4 for 2019/20, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. The Capital position at the end of Quarter 4 be noted; and
3. The Performance position as at Quarter 4 for 2019/20, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.

29. **KEY PERFORMANCE INDICATORS 2020-21**

The Equalities and Corporate Policy Officer introduced the draft Key Performance Indicators (KPIs) for 2020-21. The four new indicators were shown in paragraph 2.4 of the report and had been drafted in consultation with the relevant Heads of Service. A complete list of KPIs were contained within Appendix 1.

RESOLVED: That the draft Key Performance Indicators for 2020-21, attached as Appendix 1, be agreed.

30. **WASTE SERVICES UPDATE**

The Head of Environment and Public Realm introduced the report and highlighted that it focussed on the issues experienced in late 2019. High levels of missed bin collections and repeated service failures were experienced in October 2019 as Biffa endured vehicle breakdowns, staff absence and accessibility issues that had all affected service delivery. As a result, financial deductions were made and Biffa introduced a new management structure, including new operations and business managers, to enable greater oversight of the service.

The Head of Environment and Public Realm informed the Committee that during the Coronavirus pandemic all services were maintained. Kent County Council had loaned the Council a smaller vehicle run by an external provider, which temporarily relieved the accessibility issues, but that there were still six roads where parked vehicles presented an issue to the contractor.

The Committee were informed that the year's recycling rate was lower than expected at 49%, which resulted from a lower volume of garden waste being collected. There had been double the amount of garden waste subscriptions in March and April of this year, which indicated that a higher recycling rate could be achieved for the first quarter.

The Developers Guidance for Waste Services was shown in Appendix 1 and had been drafted as a result of insufficient bin provision and/or location which hampered collections. The Head of Environment and Public Realm notified Members of the aim for the guidance to be adopted as a

formal supplementary planning documents, in order that this issue be avoided in future developments.

In response to questions, the Head of Environment and Public Realm confirmed that alternative methods to prevent services being affected by parked vehicles were being considered.

RESOLVED: That

1. The improvement in performance of the waste collection contract be noted; and
2. The revised waste information for developers be noted.

31. WASTE AND STREET CLEANSING - FUTURE PROVISION

The Head of Environment and Public Realm introduced the report as the current Mid Kent Waste contract would expire in October 2023. Waste Consulting had been commissioned to carry out waste modelling to outline the options available to the Committee. The draft objectives and their respective weighting were outlined in paragraph 1.9 of the report and would need to be considered at each stage of the decision-making process.

Particular attention was drawn to the four key areas and draft timetable for the decisions that needed to be taken within the next 12 months. The four key areas were the future of the Mid Kent Partnership, whether to outsource all services, whether to outsource street cleansing and recycling ambitions with each area explained by the Head of Environment and Public Realm.

The offer of a member briefing was made to the Committee, which would likely take place in September 2020, which aimed to provide members with further information and explanation to the work carried out by Waste Consulting.

RESOLVED: That

1. The draft objectives, as set out in paragraph 1.9 of the report, to form the foundation of the future decision-making process, be agreed;
2. The four key areas for decision be noted; and
3. The draft timetable for decisions and implementation as set out in paragraph 1.27 of the report be noted.

32. WASTE CRIME TEAM UPDATE

The Head of Environment and Public Realm introduced the report as an update following the creation of the Waste Crime Team and in-house operation of litter enforcement. It was noted that litter enforcement was

brought in-house due to reputational damage that the Council had suffered when the service was contracted out.

The Head of Environment and Public Realm informed the Committee that there had been ongoing recruitment and retention issues with only one post filled within the last 12 months. To mitigate this, litter enforcement would focus on the use of vehicle rather than foot patrols to provide greater variance in the role. Further, it was possible that the Waste Crime Team assume the responsibility in carrying out enforcement activity in the future. This would include Section 36 Notices, Community Protection Warnings and the issue of Notices.

Particular attention was drawn to the 364 littering FPNs that had been issued, 75% of which were as a result of littering from vehicles, two fly-tipping prosecutions with additional pending cases, and 25 vehicle seizures. It was noted that the team's second to last social media post concerning the seizures reached 88,000 individuals and generated 5,500 responses, comments or reactions. Monthly joint operations had been conducted with Kent Police's rural task force.

RESOLVED: That the content of the report be noted, and that the Committee express their thanks to the Waste Crime Team for their efforts over the past year.

33. TEMPORARY ACCOMMODATION ACQUISITIONS PHASE 4

The Head of Housing and Community Services introduced the report and referenced a previous decision whereby the Committee agreed an extension to the number of housing units purchased. It was explained that greater scope in regard to property size was needed when such purchases were made.

RESOLVED: That the composition of temporary accommodation units acquired during phase 4 can differ from that as set out in the Mid-Term Financial Capital Programme within the same budget.

34. PUBLIC SPACES PROTECTION ORDER – TOWN CENTRE RENEWAL/REVISION

The Community Protection Manager introduced the report and reminded the Committee that the Public Spaces Protection Order (PSPO) in force had been introduced in 2017. Since then, the PSPO had operated successfully to discourage unwanted behaviour within its boundaries, which was in part due to the presence of enforcement officers. The Committee was reminded that Kent Police use the PSPO to encourage appropriate behaviour prior to the use of enforcement through fixed penalties and that the leverage that the PSPO provides should be noted.

The Community Protection Manager highlighted that a desk-top review of the PSPO had taken place alongside an ongoing public consultation process, of which most of the feedback received had been positive.

Several Members expressed unease with the review that had taken place and felt that as public representatives the Committee should be involved and consulted to a greater degree when any renewal and/or changes to the PSPO were considered.

RESOLVED: That

1. The authority to make, extend, vary or discharge any public spaces protection order (PSPO) should remain with this Committee;
 2. The Proper Officer be requested to move the meeting of this Committee due to be held on 1 September 2020 forward, e.g. by a week, to allow sufficient time for a report to be provided at that meeting summarising and evaluating the consultation responses and allowing this committee to make any decision required before the PSPO expires;
 3. Any proposed text to be brought back to the committee should rectify the technical errors in the existing draft; and
 4. In the report provided, consideration should be given in light of the consultation responses to the statutory recommendations of this Council's Crime and Disorder Committee meeting held on 24 September 2019.
35. DURATION OF MEETING
- 6.56 p.m. to 9.15 p.m.