

## **MAIDSTONE BOROUGH COUNCIL**

### **MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT COUNTY HALL, MAIDSTONE ON 8 DECEMBER 2021**

**Present:** Councillor Mrs Gooch (Mayor) and Councillors Bartlett, Mrs Blackmore, Brice, Brindle, Bryant, Burton, Cannon, Clark, Coates, Cooke, Cooper, Cox, Cuming, Daley, English, Eves, Fissenden, Forecast, Fort, Garten, Mrs Grigg, Harper, Harwood, Hastie, Hinder, Holmes, Joy, Khadka, Kimmance, McKay, McKenna, Mortimer, Munford, Naghi, Newton, Parfitt-Reid, Perry, Purle, Mrs Robertson, D Rose, M Rose, Round, Russell, J Sams, T Sams, Spooner, Springett, Trzebinski, S Webb, de Wiggondene-Sheppard and Young

105. **RECORDING OF PROCEEDINGS**

Councillor McKay reserved his right to record the proceedings.

106. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillors Mrs Ring, R Webb and Wilby.

107. **APPLICATIONS FOR DISPENSATIONS**

There were no applications for dispensations.

108. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

109. **DISCLOSURES OF LOBBYING**

All Members indicated that they had been lobbied on the notice of motion relating to the Local Plan Review Regulation 19 Consultation and Sustainability Appraisal of the Local Plan Review Regulation 19 Pre-Submission Consultation.

Councillors Brice, Clark, Cannon, Coates, English, Garten, Harper, Kimmance, Naghi and M Rose indicated that they had been lobbied on the notice of motion relating to the Garden Waste Bin Service.

110. **EXEMPT ITEMS**

**RESOLVED:** That the items on the agenda be taken in public as proposed.

111. MINUTES OF THE EXTRAORDINARY MEETING OF THE BOROUGH COUNCIL HELD ON 29 SEPTEMBER 2021

**RESOLVED:** That the Minutes of the extraordinary meeting of the Borough Council held on 29 September 2021 be approved as a correct record and signed.

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**RESOLVED:** That the Minutes of the meeting of the Borough Council held on 29 September 2021 be approved as a correct record and signed.

113. MINUTES OF THE EXTRAORDINARY MEETING OF THE BOROUGH COUNCIL HELD ON 6 OCTOBER 2021

**RESOLVED:** That the Minutes of the extraordinary meeting of the Borough Council held on 6 October 2021 be approved as a correct record and signed.

114. MAYOR'S ANNOUNCEMENTS

The Mayor updated Members on recent engagements and events, including the opening of the new food hall and play area at Lockmeadow, the Christmas lights switch-on in Jubilee Square, the gala opening of the pantomime at the Hazlitt Theatre, the opening of the new concourse at Maidstone East Railway Station, Valley Invicta Academies Trust's first Christmas concert, the Bower Grove School Christmas Fair, the opening of a hydrotherapy pool at Five Acre Wood School, the presentation of good conduct awards at Invicta Barracks, the opening of extensive new premises in the High Street for MADM (a charity based in Maidstone supporting the homeless, those in addiction, socially isolated, disadvantaged and in crisis) and a visit to a Christmas Arts Fair at the Maidstone Art Centre at Marlpit Farm, Boughton Monchelsea.

The Mayor said that it was inspiring and reassuring that the Borough had the support and benefit of such dedicated and committed people and she had enjoyed meeting with Mayors and Chairmen across the County.

The Mayor then thanked all those who had attended the Civic Service and the Remembrance Sunday Parade and wished everyone a Merry Christmas.

115. PETITIONS

There were no petitions.

116. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

**Question from Mr Steve Heeley to the Chairman of the Policy and Resources Committee**

*Mr Cornall informed the Policy and Resources Committee on 24 November that a preliminary business case for the proposed new rail station at Heathlands had been submitted to the Local Planning Authority and was in the public domain. Can you confirm where this business case is published?*

The Chairman of the Policy and Resources Committee responded to the question.

Mr Heeley asked the following supplementary question of the Chairman of the Policy and Resources Committee:

*How can residents make reasoned representations without this evidence available for the Local Plan Review?*

The Chairman of the Policy and Resources Committee responded to the question.

To listen to the answers to these questions, please follow this link:

<https://www.youtube.com/watch?v=rTBnQe6dOrw&t=3369s>

117. QUESTIONS FROM MEMBERS OF THE COUNCIL TO THE CHAIRMEN OF COMMITTEES

**Question from Councillor Mrs Grigg to the Chairman of the Policy and Resources Committee**

*I note with positive interest the Council's call to landowners for suitable areas to be considered as part of its ambitious Tree Planting Project. This is in line with the Biodiversity and Climate Change Action Plan to increase biodiversity and combat climate change and assist the Borough in reducing its carbon footprint. This is a vital step for the Council and one that every Member will support.*

*In public, particularly on social media, Maidstone Residents have rightly been very vocal on pointing out the irony of this 'Call for Sites' against the Council's Local Plan Review and the planned destruction of acres of trees and woodland that will be necessary to accommodate listed site applications.*

*People in Lidsing, Heathlands and Tovil have all commented on how this will affect their areas. Indeed, the inclusion of the site at Beacons Park in Coxheath that threatens the anti-coalescent belt of my own Ward in Loose will mean the destruction of 6.8 hectares of orchard to allow for planned development.*

*It makes me wonder if the right hand of the Council is aware of the actions of the left hand. I am concerned that the overall number of trees in the Borough will be considerably less post review. Can I please request that direction is given to work out the actual net gains and losses and that*

*Members of this Council are advised of the figures as soon as the 'Call for Sites' exercise is completed?*

The Chairman of the Policy and Resources Committee responded to the question.

Councillor Mrs Grigg asked the following supplementary question of the Chairman of the Policy and Resources Committee:

*If this Council is really committed to reducing its carbon footprint, can I please ask that full consideration is given to the loss of trees as an important factor when sites come forward to the Planning Committee?*

The Chairman of the Policy and Resources Committee responded to the question.

**Question from Councillor Cox to the Chairman of the Strategic Planning and Infrastructure Committee**

*For the purpose of transparency and in order to reassure the residents of Maidstone that their comments on the Local Plan Review are valued and have been given proper consideration, can I please request that, post Reg 19, all alterations, omissions and submissions resulting from the public consultation will be published for review with an explanatory summary?*

The Chairman of the Strategic Planning and Infrastructure Committee responded to the question.

Councillor Cox requested that this information be clearly signposted on the Council's website at the appropriate time.

To listen to the answers to these questions, please follow this link:

<https://www.youtube.com/watch?v=rTBnQe6dOrw&t=3369s>

118. **CURRENT ISSUES - REPORT OF THE LEADER OF THE COUNCIL, RESPONSE OF THE GROUP LEADERS AND QUESTIONS FROM COUNCIL MEMBERS**

Councillor Burton, the Leader of the Council, submitted his report on current issues.

After the Leader of the Council had submitted his report, Councillor English, the Leader of the Liberal Democrat Group, Councillor Munford, the Leader of the Independent Group, Councillor Cox, the Leader of the Maidstone Group, and Councillor Harper, the Leader of the Labour Group, responded to the issues raised.

There were no questions from Members on the issues raised by the Leader of the Council and the other Group Leaders in their speeches.

Note: Councillor de Wiggondene-Sheppard left the meeting during the responses of the Group Leaders to the issues raised by the Leader of the Council in his speech (8.05 p.m.).

119. REPORT OF THE STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE HELD ON 9 NOVEMBER 2021 ADJOURNED TO 19 NOVEMBER 2021 - LOCAL DEVELOPMENT SCHEME 2021-2024

It was moved by Councillor Cooper, seconded by Councillor S Webb, that the recommendation of the Strategic Planning and Infrastructure Committee relating to the Local Development Scheme 2021-2024 be approved.

**RESOLVED:** That the Local Development Scheme 2021-2024, attached at Appendix 1 to the report of the Strategic Planning and Infrastructure Committee, be agreed.

120. REPORT OF THE LICENSING COMMITTEE HELD ON 11 NOVEMBER 2021 - GAMBLING ACT 2005 - STATEMENT OF LICENSING PRINCIPLES POLICY 2022-2025

It was moved by Councillor Springett, seconded by Councillor Mrs Joy, that the recommendation of the Licensing Committee relating to the Gambling Act 2005 – Statement of Licensing Principles Policy 2022-2025 be approved.

In moving the motion, Councillor Springett, with the consent of the meeting and her seconder, added the following paragraph to the recommendation:

That delegated authority be given to the Head of Housing and Community Services to correct minor typographical and presentational errors within the policy document prior to publication.

**RESOLVED:**

1. That the Gambling Act 2005 - Statement of Licensing Principles Policy 2022-2025, attached at Appendix 1 to the report of the Licensing Committee, be agreed.
2. That delegated authority be given to the Head of Housing and Community Services to correct minor typographical and presentational errors within the policy document prior to publication.

121. REPORT OF THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE HELD ON 23 NOVEMBER 2021 - LOCAL GOVERNMENT BOUNDARY REVIEW - COUNCIL SIZE SUBMISSION

It was moved by Councillor Purle, seconded by Councillor English, that the recommendation of the Democracy and General Purposes Committee relating to the Local Government Boundary Review – Council Size Submission be approved.

Amendment moved by Councillor Harper, seconded by Councillor M Rose that the words in bold below be added to the recommendation:

That the Council Size Submission document, as attached at Appendix A to the report of the Democracy and General Purposes Committee, be approved as the Council's formal submission to the Local Government Boundary Commission for England as part of the Council's Local Government Boundary Review, **subject to the replacement of the size submission of 48 by 54. That the submission document be amended to reflect the proposal for 54 Councillors.**

When put to the vote, the amendment was lost.

The original motion was then put to the vote and carried.

**RESOLVED:** That the Council Size Submission document, as attached at Appendix A to the report of the Democracy and General Purposes Committee, be approved as the Council's formal submission to the Local Government Boundary Commission for England as part of the Council's Local Government Boundary Review.

122. REPORT OF THE POLICY AND RESOURCES COMMITTEE HELD ON 24 NOVEMBER 2021 - COUNCIL TAX REDUCTION SCHEME 2022-23

It was moved by Councillor Burton, seconded by Councillor Brice, that the recommendation of the Policy and Resources Committee relating to the Council Tax Reduction Scheme 2022-23 be approved.

**RESOLVED:** That no changes be made to the Council Tax Reduction Scheme, attached at Appendix 1 to the report of the Policy and Resources Committee, for the year 2022-23.

Note: Councillor Daley left the meeting during consideration of this item (8.35 p.m.).

123. ORAL REPORT OF THE COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE HELD ON 30 NOVEMBER 2021

There was no report from the Communities, Housing and Environment Committee on this occasion.

124. ORAL REPORT OF THE STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE HELD ON 7 DECEMBER 2021

There was no report from the Strategic Planning and Infrastructure Committee on this occasion.

125. NOTICE OF MOTION - LOCAL PLAN REVIEW REGULATION 19 CONSULTATION AND SUSTAINABILITY APPRAISAL OF THE LOCAL PLAN REVIEW REGULATION 19 PRE-SUBMISSION CONSULTATION

The following motion was moved by Councillor J Sams, seconded by Councillor T Sams:

*This Council agrees to extend the Local Plan Review Consultation Regulation 19 and the Sustainability Appraisal of the Local Plan Review Regulation 19 Pre-Submission Consultation from the 12th December 2021 to 4th January 2022, to allow residents and stakeholders sufficient opportunity and time to make representation.*

The Mayor said that she considered it convenient and conducive to the dispatch of business that the motion be dealt with at this meeting. A factual briefing note had been circulated to assist Members in the debate.

In accordance with Council Procedure Rule 23.4, five Members of the Council requested that a named vote be taken on the motion. The voting was as follows:

FOR (22)

Councillors Brindle, Bryant, Clark, Coates, Cox, English, Fissenden, Mrs Grigg, Harper, Harwood, Hastie, Hinder, Mrs Joy, Khadka, Kimmance, McKay, Mortimer, Naghi, Mrs Robertson, M Rose, J Sams and T Sams

AGAINST (28)

Councillors Bartlett, Mrs Blackmore, Brice, Burton, Cannon, Cooke, Cooper, Cuming, Eves, Forecast, Fort, Garten, Mrs Gooch, Holmes, McKenna, Munford, Newton, Parfitt-Reid, Perry, Purle, D Rose, Round, Russell, Spooner, Springett, Trzebinski, S Webb and Young

ABSTENTIONS (0)

MOTION LOST

126. ADJOURNMENT OF MEETING

The meeting was adjourned from 9.10 p.m. to 9.22 p.m. to enable Members to take a short break.

Councillors Bartlett, Mrs Blackmore, Bryant, Fissenden, Harwood, Hastie, Khadka, McKay, J Sams and T Sams were not present after the break.

127. NOTICE OF MOTION - GARDEN WASTE BIN SERVICE

The following motion was moved by Councillor Harper, seconded by Councillor M Rose:

*The Garden Bin waste service is a popular one with residents, with a large number of Maidstone residents subscribing to this paid Maidstone Borough Council service. However, as a result of Covid-19 and Brexit, the service is not being delivered as contracted with customers.*

*Residents pay for a fortnightly collection and this is supported by a yearly payment currently of £45. The two weekly collection is clearly stated in the terms and conditions on the Council website.*

*Different residents are getting different messages. Some have been individually notified by text as to the state of the service, other residents have negotiated for their contract payment to cover a period of 13 or more months, and others have had no contact from the Council as is evidenced by the level of complaints coming through.*

*The service is not running as it was until the middle of the year. This is not good enough, a large number of people do not have space at home to compost garden waste, which will frequently include weeds etc.*

*This Council therefore resolves to:*

- 1. Make it clear to residents that the service is sporadic at the moment and the frequency will most likely be monthly.*
- 2. Receive a full report on what actions can be done to get the service back to the fortnightly collection which the Council contracts to deliver.*

In accordance with Council Procedure Rule 18.5, the motion, having been moved and seconded, was referred to the Communities, Housing and Environment Committee.

Councillor Purle, the Chairman of the Communities, Housing and Environment Committee, thanked staff for all the work they were doing to stabilise this service.

128. REPORT OF THE HEAD OF POLICY, COMMUNICATIONS AND GOVERNANCE - REVIEW OF ALLOCATION OF SEATS ON COMMITTEES

It was moved by Councillor Burton, seconded by Councillor English and

**RESOLVED:** That the allocation of seats on Committees be as set out in amended Appendix 1 to the report of the Head of Policy, Communications and Governance (circulated separately), and that the wishes of the Group Leaders regarding the membership of Committees, as set out in the schedule circulated at the meeting, be accepted.

**MAIDSTONE BOROUGH COUNCIL ACTING AS CORPORATE TRUSTEE OF THE CHARITY KNOWN AS THE COBTREE MANOR ESTATE**

129. REPORT OF THE HEAD OF POLICY, COMMUNICATIONS AND GOVERNANCE - REVIEW OF ALLOCATION OF SEATS ON THE COBTREE MANOR ESTATE CHARITY COMMITTEE

It was moved by Councillor Burton, seconded by Councillor English, and

**RESOLVED:**

1. That the allocation of seats on the Cobtree Manor Estate Charity Committee be as follows:

Conservative	3
Liberal Democrat	1
Independent	0
Maidstone Group	1
Labour	0
Cllr McKay	0
Cllr de Wiggondene-Sheppard	0

2. That the wishes of the Group Leaders regarding the membership of the Committee, as set out in the schedule circulated at the meeting, be accepted.

**MAIDSTONE BOROUGH COUNCIL ACTING AS CORPORATE TRUSTEE OF THE QUEEN'S OWN ROYAL WEST KENT REGIMENT MUSEUM TRUST**

130. REPORT OF THE HEAD OF POLICY, COMMUNICATIONS AND GOVERNANCE - REVIEW OF ALLOCATION OF SEATS ON THE QUEEN'S OWN ROYAL WEST KENT REGIMENT MUSEUM TRUST COMMITTEE

It was moved by Councillor Burton, seconded by Councillor Munford, and

**RESOLVED:**

1. That the allocation of seats on the Queen's Own Royal West Kent Regiment Museum Trust Committee be as follows:

Conservative	3
Liberal Democrat	1
Independent	1
Maidstone Group	0
Labour	0
Cllr McKay	0
Cllr de Wiggondene-Sheppard	0

2. That the wishes of the Group Leaders regarding the membership of the Committee, as set out in the schedule circulated at the meeting, be accepted subject to the removal of Councillor Daley as a Substitute Member and the insertion of Councillor Naghi.

Note: Councillors Coates, Harper and M Rose left the meeting during consideration of this item.

131. DURATION OF MEETING

7.30 p.m. to 9.35 p.m.