

MAIDSTONE BOROUGH COUNCIL

EXECUTIVE

MINUTES OF THE MEETING HELD ON TUESDAY 18 APRIL 2023

Present:	Councillor Burton (Chairman), Cooper, Parfitt-Reid, Perry, Round, Russell, and S Webb
Visiting Members:	Councillor English

180. APOLOGIES FOR ABSENCE

There were no apologies for absence.

181. URGENT ITEMS

The Chairman stated that there were two urgent updates. The first provided an outline of the Policy Advisory Committees' (PAC) consideration of Item 18 – Biodiversity and Climate Change Action Plan Annual Review, whilst the second outlined the PACs consideration of Items 12 and 16-21.

182. NOTIFICATION OF VISITING MEMBERS

Councillor Clive English, Chairman of the Overview and Scrutiny Committee, was in attendance to present Item 11 – Report of the Overview and Scrutiny Committee - Safety in the Town Centre.

183. DISCLOSURES BY MEMBERS OR OFFICERS

There were no disclosures by Members or officers

184. DISCLOSURES OF LOBBYING

Councillors Burton and Cooper had been lobbied on Item 17 - Maidstone Town Centre Business Improvement District Round Two.

Councillor Cooper had also been lobbied on Item 19 – Heather House and Royal British Legion Site.

Councillor Round had been lobbied on Item 16 - Town Centre Strategy Update.

185. EXEMPT ITEMS

RESOLVED: That all items be taken in public unless any Member of the Executive wished to refer to Item 22 – Exempt Appendices to Item 18, Item 23 – Exempt Appendices to 19 and Item 24 – Exempt Appendices to item 20, due to the likely disclosure of exempt information.

186. MINUTES OF THE MEETING HELD ON 22 MARCH 2023

RESOLVED: That the Minutes of the Meeting held on 22 March 2023 be approved as a correct record and signed.

187. QUESTIONS FROM LOCAL RESIDENTS TO THE LEADER OR INDIVIDUAL LEAD MEMBER

There were no questions from Local Residents.

188. QUESTIONS FROM MEMBERS TO THE LEADER OR INDIVIDUAL LEAD MEMBER

There were no questions from Members.

189. MATTERS REFERRED TO THE EXECUTIVE FOR RECONSIDERATION

There were no matters referred to the Executive for reconsideration.

190. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - SAFETY IN THE TOWN CENTRE

The Chairman of the Overview and Scrutiny Committee (OSC) introduced the report, stating that anti-social behaviour and crime was a high-profile topic and that there was a public perception of a worsening situation.

The purpose of the report was to draw together the initiatives of the Council and its partner organisations, and to ensure adequate communication of those initiatives to Members and the public, which it felt needed improvement. The types of recommendations within the report were briefly outlined, with specific reference made to those made to external organisations.

During the discussion, the Executive expressed that it was incumbent upon all Members to fully promote the work being undertaken, and that it was important to improve Member engagement. The anti-social behaviour displayed on the local train network was felt to be an important issue.

In response to the Executive's comments, the Chairman of the OSC stated that they hoped that all Members could work collaboratively to improve town centre safety and communicating the work undertaken. It was emphasised that the OSC's report was intended as a starting point in achieving improvement.

RESOLVED: That

1. The report of the Overview and Scrutiny Committee be received; and
2. A substantive response to the report be provided within two months, via the completion of the SCRAIP report.

191. REFERENCE FROM THE COMMUNITIES, HOUSING AND ENVIRONMENT POLICY ADVISORY COMMITTEE - UTILISATION OF HOUSING

The Chief Executive was invited to provide a verbal report to the Committee on the matter. It was stated that every October the number of empty properties was captured; in 2022 there were 1080 empty homes at the 0 % discount level for

Council Tax. A further 142 that had been empty for such time that they had triggered premium levels of council tax charge. The overall percentage of empty properties was less than 1% of the borough's total property number.

It was explained that a useful indicator of empty properties was those that had been vacant for six months or more, which generally remained steady at 500 at any time. The measures undertaken by the Council to address the situation were outlined, such as advertising Kent County Council's 'No Use Empty' scheme and writing to property owners to encourage them to either sell or bring the property back into use.

The Chief Executive provided historical context to the previous strategy in place until 2015 on tackling empty properties, alongside the range of statutory powers that could be used in specific circumstances; such as the relevant provisions within the Town and Country Planning legislation. It was stated that the Council both monitored and took action concerning empty homes as part of its usual service provision, through council tax recovery and the Housing Team.

The Executive thanked the Chief Executive for a thorough verbal report. It was felt that given the measures outlined, the small number of properties being vacant and to avoid creating additional work for officers, no further action was required. The relevant Policy Advisory Committees would be directed to the Chief Executive's informative verbal report.

RESOLVED: That

1. The relevant Policy Advisory Committees be directed to the record of the Chief Executive's verbal report and the Executive's deliberations; and
2. No further action was needed at the current time, with the business-as-usual approach of the Council's Housing Team and others to be applauded.

192. ANY MATTER RELATING TO A SERIOUS SERVICE FAILURE OR NUISANCE

There were no matters relating to a Serious Service Failure or Nuisance.

193. RECEIPT OF WRITTEN REPRESENTATIONS FROM MEMBERS OF THE COUNCIL

There were no written representations from Members.

194. EXECUTIVE FORWARD PLAN

RESOLVED: That the Executive Forward plan be noted.

195. TOWN CENTRE STRATEGY UPDATE

RESOLVED: That

1. The update on progress towards producing a Town Centre Strategy for Maidstone town centre be noted; and
2. The proposed higher level spatial framework, seven key areas of focus and the missions that have emerged from the analytical phase of work be agreed.

(See Record of Decision)

196. MAIDSTONE TOWN CENTRE BUSINESS IMPROVEMENT DISTRICT ROUND TWO

RESOLVED: That

1. It be noted that One Maidstone has served notice of their intention to seek a renewal ballot to the Secretary of State and Maidstone Borough Council;
2. The BID be endorsed;
3. Delegated authority be given to the Director of Finance, Resources & Business Improvement to cast the Council's 24 votes in favour of a BID round two;
4. £5,000 be paid towards the courier costs for the ballot; and
5. If the ballot for a second term of the BID is successful, a new operating agreement and a baseline agreement be entered into with the BID organisation, as was undertaken for the first term of the BID.

(See Record of Decision)

197. BIODIVERSITY AND CLIMATE CHANGE ACTION PLAN ANNUAL REVIEW

RESOLVED: That the updated Biodiversity and Climate Change Action Plan be approved.

(See Record of Decision)

198. HEATHER HOUSE AND ROYAL BRITISH LEGION SITE

RESOLVED: That

1. The works costs for Heather House and the Pavilion building sites be approved, in accordance with the approved planning application;
2. The Head of Mid Kent Legal Services, in consultation with the Lead Member, be authorised to negotiate and complete all necessary deeds and agreements arising from or ancillary to the application for planning permission;
3. The Director of Finance, Resources and Business Improvement, be given delegated authority, to appoint a contractor to carry out the necessary building works for the community centre and residential units; and
4. The Director of Finance, Resources and Business Improvement be given delegated authority, in consultation with the Lead Members for Leisure and Arts and Communities and Public Engagement, to approve the tender exercise for the procurement and appointment of an operator of the new community centre.

(See Record of Decision)

199. PROPERTY ACQUISITION FOR 1,000 AFFORDABLE HOMES PROGRAMME

RESOLVED: That

1. The financial returns for the proposed acquisition as shown in Exempt Appendix 3 to the report, be approved.
2. The Director of Finance, Resources and Business Improvement be granted delegated authority to:
 - a) negotiate terms for the purchase of the site, for the sum as shown in the Exempt Appendix 1 to the report.
 - b) Procure and enter into all such deeds, agreements, contracts, and documents which may be required to facilitate the purchase of the site, and the subsequent redevelopment works required to deliver the scheme referred to in this report. Including (but not limited to) any related appointments such as a suitably qualified Employers Agent and Contractor.
 - c) Subject to satisfactory conclusion of all due diligence to negotiate and finalise and complete all legal formalities, deeds and agreements which may be required to facilitate the purchase.
3. The Head of Mid Kent Legal Services be authorised to appoint Solicitors to negotiate and complete the necessary contract documentation, deeds and agreements associated with the purchase and construction works on the terms as agreed by the Director of Finance, Resources & Business Improvement.
4. Post completion of the procurement process, to employ the necessary consultants to progress a planning application; and
5. Post completion of the procurement process, to appoint a contractor for the works cost detailed in the financial summary Exempt Appendix 3 to the report. If in the event tenders for the works cost are in excess of the agreed sum, Officers will return to the Executive to seek further approval prior to the development itself commencing.

(See Record of Decision)

200. PROPERTY ACQUISITION FOR 1000 HOMES PROGRAMME

RESOLVED: That

1. The financial returns for the proposed acquisition as shown in Exempt Appendix 3 to the report, be approved;
2. The Director of Finance, Resources and Business Improvement be granted delegated authority to:
 - a) Negotiate terms for the purchase of the proposed acquisition for the sum as shown in the Exempt Appendix 3 of this report.

- b) Procure and enter into all such deeds, agreements, contracts, and documents which may be required to facilitate the purchase of the site, and the subsequent redevelopment works required to deliver the scheme referred to in this report. Including (but not limited to) any related appointments such as a suitably qualified consultants and Contractor.
 - c) Subject to satisfactory conclusion of all due diligence to negotiate and finalise and complete all legal formalities, deeds and agreements which may be required to facilitate the purchase.
3. The Head of Mid Kent Legal Services be authorised to appoint the Solicitors required to negotiate and complete the necessary contract documentation, deeds and agreements associated with the purchase and construction works on the terms as agreed by the Director of Finance, Recourses & Business Improvement; and
4. Post completion of the procurement process, to appoint a contractor for the works cost detailed in the financial summary Exempt Appendix 3 to the report. If in the event tenders for the works cost are in excess of the agreed sum, then officers will return to the Executive to seek further approval prior to the development itself commencing.

(See Record of Decision)

201. EXEMPT APPENDICES TO ITEM 18 - HEATHER HOUSE AND ROYAL BRITISH LEGION SITE

RESOLVED: That Item 22 – Exempt Appendices to Item 18 - Heather House and the Royal British Legion Site be considered alongside Item 18 - Heather House and Royal British Legion site.

202. EXEMPT APPENDICES TO ITEM 19 - PROPERTY ACQUISITION FOR 1,000 AFFORDABLE HOMES PROGRAMME

RESOLVED: That Item 23 – Exempt Appendices to Item 19 - Property Acquisition for 1,000 Affordable Homes Programme be considered alongside Item 19 - Property Acquisition for 1,000 Affordable Homes Programme.

203. EXEMPT APPENDICES TO ITEM 20 - PROPERTY ACQUISITION FOR 1000 AFFORDABLE HOMES

RESOLVED: That Item 24 – Exempt Appendices to Item 20 - Property Acquisition for 1000 Affordable Homes be considered alongside Item 20 - Property Acquisition for 1000 Affordable Homes.

204. DURATION OF THE MEETING

6.30 p.m. to 7.52 p.m.