

MAIDSTONE BOROUGH COUNCIL

POLICY AND RESOURCES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 15 SEPTEMBER 2021

Present: Councillors Mrs Blackmore, Burton (Chairman), Cox, Harper, Hastie, Joy, Kimmance, Munford, Parfitt-Reid, Perry, Purle, Mrs Ring, Round, R Webb and S Webb

Also Present: Councillor J Sams

59. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Brice, Cooke, English and Khadka.

60. **NOTIFICATION OF SUBSTITUTE MEMBERS**

The following members were present as substitute members:

- Councillor Purle for Councillor Brice
- Councillor S Webb for Councillor Cooke
- Councillor R Webb for Councillor English
- Councillor Joy for Councillor Khadka

61. **URGENT ITEMS**

There were no urgent items, however an additional nomination form relating to Item 14 – Appointment of Deputy Armed Forces Champion – Kent and Medway Civilian-Military Partnership Board had been received and would be considered during the item.

62. **NOTIFICATION OF VISITING MEMBERS**

Councillor J Sams was present as a Visiting Member for Item 11 – Questions from Members to the Chairman.

Note: Councillor Mrs Blackmore joined the meeting at 6.35 p.m.

63. **DISCLOSURES BY MEMBERS AND OFFICERS**

Councillor Hastie disclosed a Pecuniary Interest in Item 19 – Disposal of land at Staceys Street and Item 20 – Property Acquisition and intended to leave the meeting before the items' consideration.

Councillor Munford stated that he would withdraw from the meeting during the consideration of Item 14 – Appointment of the Deputy Armed

Forces Champion – Kent and Medway Civilian-Military Partnership Board, due to his position as the Interim Deputy Armed Forces Champion.

Councillor Harper disclosed an Other Significant Interest (OSI) in relation to Item 16 – Recovery and Renewal Actions, Appendix B – Financial Inclusion Strategy, due to his position as the Council’s representative with the Citizens Advice Bureau.

Councillor S Webb disclosed an OSI in relation to Item 19 – Disposal of land at Staceys Street and Item 20 – Property Acquisition and withdrew from the meeting for both items.

64. DISCLOSURES OF LOBBYING

Councillors Mrs Blackmore, Burton, Harper, Hastie, Joy, Kimmance, Munford, Parfitt-Reid, Perry, Purle, Mrs Ring, Round and R Webb had been lobbied on Item 15 – Public Sector-Led Garden Community Update.

65. EXEMPT INFORMATION

RESOLVED: That the following items be taken in private due to the possible disclosure of exempt information:

- Item 18 – Minutes (Part II) of the Meeting held on 29 July 2021
- Item 19 – Disposal of Land at Staceys Street Maidstone
- Item 20 – Property Acquisition

66. MINUTES OF THE MEETING HELD ON 29 JULY 2021

RESOLVED: That the Minutes of the Meeting held on 29 July 2021 (Parts I and II) be agreed as a correct record and signed.

67. PRESENTATION OF PETITIONS

There were no petitions.

68. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were three questions from members of the public.

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

'At July's P&R committee meeting, you responded to my public question regarding the progress on options agreements with the 8 principal landowners at Heathlands informing me that negotiations were progressing positively and that landowners were 'willing'. The earlier June P&R report confirmed that option agreements were due to be signed in 'the next few weeks'. Tonight's update report makes no mention of the progress with options agreements. Can you confirm if they have now been signed by all 8 principal landowners?'

The Chairman responded to the question.

Mr Heeley asked the following supplementary question:

'Can you confirm when you expect to get those 8 options agreements signed please?'

The Chairman responded to the supplementary question.

Question from Ms Kate Hammond to the Chairman of the Policy and Resources Committee

'The 24th March 2021 report on Heathlands stated that it was 'probable that all 18 landowners that had previously requested that their landholdings be removed from the proposal can be obliged'. 6 months later these landowners still have not heard from this Council. When will you be obliging them?'

The Chairman responded to the question.

Ms Hammond asked the following supplementary question:

'You've never had the right to include their land in the first place without their permission. Will you be offering an apology on behalf of Maidstone Borough Council for the distress caused?'

The Chairman responded to the supplementary question.

Question from Ms Gail Duff to the Chairman of the Policy and Resources Committee

'Can you please confirm how much money, including officer time, has been spent by Maidstone Council and Homes England on this council-led garden community project up to 15 September 2021?'

The Chairman responded to the question.

Ms Duff asked the following supplementary question:

'In order to increase greater transparency and openness on the project would you consider, on behalf of residents, asking officers to include the total spend to date in each further update report to this Committee?'

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. The question-and-answer session took place between minutes 10:40 to 16:05 of the recording.

To access the webcast, please use the link below:

[Policy and Resources Committee - 15 September 2021 - YouTube](#)

69. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were two questions from Members to the Chairman

Question from Councillor J Sams to the Chairman of the Policy and Resources Committee

'Tonight's report on Heathlands states that the final submission to the Local Planning Authority was made at the end of last month. Lenham's residents have been asking for sight of this submission for over 6 months.

'Will you make the submission available publicly immediately and without any further delay?'

The Chairman responded to the question.

Councillor J Sams asked the following supplementary question:

'Can I ask whether you and the Committee Members have seen this submission?'

The Chairman responded to the supplementary question.

Question from Councillor J Sams to the Chairman of the Policy and Resources Committee

'Can the Chair confirm which Members have seen the Commissioning Prospectus from Homes England, published 15 July 2021?'

The Chairman responded to the question.

Councillor J Sams asked the following supplementary question:

'Considering the weight that is put on Homes England joint working at every single meeting, why hasn't this prospectus been sent out to Members?'

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. The question-and-answer session took place between minutes 16:12 to 19:30 of the recording.

To access the webcast, please use the link below:

[Policy and Resources Committee - 15 September 2021 - YouTube](#)

70. COMMITTEE WORK PROGRAMME

The Director of Finance and Business Improvement stated that a report on the flood resilience work being undertaken would be presented to the Committee at its October 2021 meeting.

RESOLVED: That the amended Committee Work Programme be noted.

71. REPORTS OF OUTSIDE BODIES

Councillor Perry introduced the report, which outlined the remit of, and recent actions undertaken by, the Upper Medway Internal Drainage Board (UMIDB).

Particular attention was drawn to the consideration given to merging the UMIDB with the Lower Medway Internal Drainage Board and the future office accommodation. The former was unlikely due to the fundamental difference in the Boards' remits.

Councillor Harper endorsed the updated provided, as the Council's additional representative on the UMIDB.

The Committee expressed their thanks for the update provided.

RESOLVED: That the report be noted.

72. APPOINTMENT OF THE DEPUTY ARMED FORCES CHAMPION - KENT AND MEDWAY CIVILIAN-MILITARY PARTNERSHIP BOARD

The Democratic Services Officer stated that in July 2021 the Committee had appointed Councillor Munford as the Interim Deputy Armed Forces Champion.

The position had since been advertised to all Councillors in accordance with the Outside Bodies Vacancy Protocol. An additional nomination from Councillor Naghi had been received and distributed to the Committee.

RESOLVED: That Councillor Munford be elected as the Deputy Armed Forces Champion.

Note: Councillor Munford left the meeting at 6.58 p.m. and returned at 7 p.m.

73. PUBLIC SECTOR-LED GARDEN COMMUNITY UPDATE

Prior to the report's introduction Ms Kate Hammond addressed the Committee on behalf of the Save Our Heathlands Action Group.

The Director of Regeneration and Place introduced the report, reiterating the Council's continued work with Homes England. The options agreements between Homes England and the principal landowners would be signed imminently.

A further submission to the Local Planning Authority had been submitted that included further information on the increased employment opportunities, possibility of a secondary school, business case for a railway station and plans for the long-term management of the community site, as part of the proposal.

If the proposal continued to be included within the Local Plan Review an engagement programme and the second stage of work on the business case for the railway station would be commissioned.

RESOLVED: That the report be noted.

74. RECOVERY AND RENEWAL ACTIONS

The Chief Executive introduced the report and referenced the Committee's previous consideration of the proposed recovery and renewal projects in July 2021, during which the Council's other Service Committees were requested to review the proposed actions within their respective remits. The feedback received would be presented to the Committee in October 2021.

The application of the 'Build Back Better' principles to the Council's actions moving forward were reiterated, with the projects within the Committees remit shown in Appendix A to the report.

In referencing Appendix B, the important work undertaken by the Revenues and Benefits team to maximise financial inclusion was highlighted. For example, 7,000 residents within the borough were found to be eligible for an income-based tariff with Southeast Water, with data matching from the latter enabling 4,000 of those residents to be informed of their eligibility. A total of £146,000 had been saved so far, with a total expected saving of £680,000 collectively for those residents.

The importance of the specialist advice surrounding debt reduction was reiterated, particularly as 20% of the referrals received by the Citizens Advice Bureau (CAB) originated from the Council. The CAB had lost an income stream of £53,00 due to a change in commissioning arrangements by the Money and Pensions Service and the Committee were asked to consider providing short-term funding to enable the CAB to continue providing its services, whilst seeking a long-term financial solution. The Service Level Agreement (SLA) between the Council and the CAB was up for review and there had been significant changes since its original implementation, such as the creation of a protocol between the two parties in reducing debt and changes to the Council's Housing Service.

In referencing Appendix C, the importance of the Town Centre Strategy in light of the economic and buildings class use changes being experienced was highlighted. The importance of identifying key sites within the Town Centre, preparatory work and building upon the previous 'opportunity sites' work was highlighted. A significant level of investment into the strategy and delivery plan was required.

The Committee expressed support for the debt reduction work undertaken and for a continued, but reviewed, partnership with the CAB. The importance of practical as well as financial assistance was highlighted and the Chief Executive stated that Councillors would be provided with a list of organisations to direct residents to if required.

The Committee championed a Town Centre Strategy that fully supported the future business and growth needs of the Town Centre as the County Town of Kent, in conjunction with the Local Plan Review. The future adaptability of the work proposed as part of the Strategy, such as contributing to a Development Plan Document if required, was supported.

The Strategy required significant financial resources which could be delivered in-part through the £860,000 in grant funding provided, from the Council's underspend from 2020-2021 or a combination of both of those and other funding streams. The income and economic growth that could be generated from a strong Strategy was noted in the context of the proposed cost.

In response to questions on the funding allocated for the 'Way We Work' project within Appendix A, the Director of Finance and Business Improvement confirmed that using some of the £860,000 funding provided would allow the council to deliver the organisational change required without having to rely on its revenue budget.

In moving forward, the uses and benefits of performance monitoring through data analytics was highlighted, particularly in considering the funding required for the projects shown within Appendix A to the report.

RESOLVED: That

1. The Committees broad support for the actions proposed as set out in the papers be noted, with the clear expectation of measurable outputs; and
2. A meeting be arranged between the relevant officers and the Citizens Advice Bureau to review the existing SLA in consultation with the Chairman and the Vice-Chairman.

Note: Councillor Harper left the meeting between 8.06 p.m. to 8.08 p.m. whilst the Committee voted on the item.

75. 1ST QUARTER FINANCE, PERFORMANCE & RISK MONITORING REPORT 2021/22

The Director of Finance and Business Improvement introduced the financial update, stating that the projected revenue underspend for 2021-22 was £144,000.

Capital spending remained low, however the previously agreed refurbishment of the Gypsy and Traveller Sites in Stilebridge Lane and Water Lane had risen substantially in cost. Subsequently, the Committee were asked to consider transferring the additional funding required from the Affordable Homes Programme, which was likely to have an underspend by the end of the current financial year.

The Corporate Insight, Communities and Governance Manager introduced the performance update. There had been a technical issue that had

prevented the presentation of the 'Way we Work' Key Performance Indicator's (KPI) performance, but the data would be provided to the Committee when available.

The 'Percentage of Non-Domestic Rates Collected' had missed its target by 3%, due to the easing of lockdown restrictions and the termination of the business grants support schemes. Three KPIs across the Council's Service Committees had missed the respective targets by more than 10%, including the 'Percentage of youths unemployed' however this had fallen for the first time since the Covid-19 pandemic.

The Deputy Head of Audit introduced the risk management update and stated that the annual corporate risk workshop had taken place with the Wider Leadership Team which included horizon scanning for future risks, with a focus on possible external threats. If realised, these threats could be included within the corporate risk register using the existing risk management approach.

There four new risks to the corporate risk register were outlined, with the Corporate Leadership Team to continue its work to further assess the risks.

The operational risks were highlighted, as work to improve the intelligence, strategy and reporting of the risks was ongoing, following the full refresh that had taken place in the fourth quarter of the 2020-21 financial year.

In relation to questions, the Director of Regeneration and Place confirmed that Maidstone Property Holdings (MPH) Ltd now possessed 89 housing units and that further information, such as the percentage of rent arrears, could be provided in future reports. The Corporate Insight, Communities and Governance Manager stated that a dashboard had been created to help the Planning Enforcement Team improve their real-time data monitoring.

The Committee felt that insufficient information had been provided on the Gypsy and Traveller Sites Refurbishment, particularly on the schemes' increased cost. The Director of Regeneration and Place confirmed that the project's scope had increased since its previous consideration by the Communities, Housing and Environment (CHE) Committee and that the existing issues within the construction industry had led to the submission of significantly higher value tenders than expected.

Kent County Council (KCC) currently managed the two sites, which included 35 pitches, and whilst there was an in-principal agreement that the sites would be transferred to KCC after the required works had taken place, no formal agreement had been reached. The Monitoring Officer reiterated the Council's obligations as the landlord to carry out the necessary works to the betterment of the residents.

It was felt that the issue should be further considered by the CHE Committee before a decision was made.

RESOLVED: That

1. The Revenue position as at the end of Quarter 1, 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 1, be noted;
3. The Gypsy & Traveller Sites Refurbishment Scheme be referred back to the Communities, Housing and Environment Committee, with its recommendations reported to the Committee at its next meeting to make the decision of allocating the funds;
4. The write-off of £34,956.95 in uncollectable business rates debt, be approved;
5. The Performance position as at Quarter 1, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted; and
6. The Risk Update, attached as Appendix 3 to the report, be noted.

Note: Councillors Hastie and Parfitt-Reid left the meeting after the conclusion of the item, at 8.55 p.m.

76. **EXCLUSION OF THE PUBLIC FROM THE MEETING**

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

Head of Schedule 12A and Brief Description

Disposal of Land at Staceys Street Maidstone	Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Property Acquisition	Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

77. **MINUTES (PART II) OF THE MEETING HELD ON 29 JULY 2021**

RESOLVED: That the item be considered alongside Item 8 – Minutes of the Meeting held on 29 July 2021.

78. DISPOSAL OF LAND AT STACEYS STREET MAIDSTONE

The Director of Finance and Business Improvement introduced the report, reiterating that the issue had previously been considered by the Committee in March 2021.

The Council had been approached to sell a portion of land with the sale price and further information previously requested outlined.

RESOLVED: That

1. The land be declared surplus to Council requirements;
2. The Director of Finance and Business Improvement be granted delegated authority to authorise the negotiation and completion of the transfer of the land and to receive a capital receipt of an agreed amount in consideration of the transfer of the land.
3. The Head of Mid-Kent Legal Partnership be authorised to negotiate and complete all necessary deeds and agreements arising from or ancillary to the transfer of the land.

79. PROPERTY ACQUISITION

The Director of Regeneration and Place introduced the report and outlined the risks associated with the proposal.

The Committee supported the proposal due to the perceived positive impacts that would be generated for the local area.

RESOLVED: That

1. The purchase of the proposed site be agreed on the terms referred to in recommendations 2 and 3;
2. Delegated authority be granted to the Director of Finance and Business Improvement to:
 - a. Finalise the negotiations for MBC to acquire the site for the agreed price, with that figure to be finalised by the Section151 Officer;
 - b. Finalise the negotiations for MBC to acquire the freehold for the site for up to the agreed price, but with the price to be set by an external valuation pre-exchange of contracts.
3. Delegated authority be given to the Head of Regeneration and Economic Development to:
 - a. Submit a planning application to extend the temporary consent for the short-term holding strategy for a further three years;

- b. Procure and appoint a suitably qualified architect, employers' agent and planning consultant and then in consultation with the Chair and Vice-Chair of the Committee, submit a planning application at a maximum agreed cost for the preferred scheme as detailed in the report;
 - c. Bring forward a detailed project delivery and investment plan (prior to the developments commencement) to be approved by the Committee; and
4. The Head of Mid-Kent Legal be given delegated authority to complete the purchase of the site on terms as agreed by the Director of Finance and Business Improvement and to negotiate and complete all necessary agreements, deeds and documents arising from or ancillary to the planning application and to the purchases of the properties and to appoint external solicitors to deal with the same if considered necessary.

80. DURATION OF MEETING

6.30 p.m. to 9.20 p.m.