

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE MEETING

Date: Tuesday 8 February 2022
Time: 6.30 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Clark, Cooper (Chairman), Garten, Mrs Grigg, McKay, Munford,
Russell, Spooner and Springett (Vice-Chairman)

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

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| 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information. | |
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Continued Over/:

Alison Broom

Alison Broom, Chief Executive

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PART II

To move that the public be excluded for the items set out in Part II of the Agenda because of the likely disclosure of exempt information for the reasons specific having applied the Public Interest Test.

Head of Schedule 12A and Brief Description

23. Exempt Appendix 1 - Draft East Sussex, Brighton and North Downs Minerals and Waste SoCG, Item 21 - SoCG in relation to the East Sussex, Brighton and Hove, and South Downs National Park Authority Minerals and Waste Plan	Paragraph 3 – Information relating to the financial or business affairs of an individual (including the authority holding that information)	109 - 119
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INFORMATION FOR THE PUBLIC

In order to ask a question at this meeting, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 4 February 2022). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 4 February 2022). You will need to tell us which agenda item you wish to speak on.

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

To find out more about the work of the Committee, please visit www.maidstone.gov.uk.

Should you wish to refer any decisions contained in these minutes to the **Policy and Resources Committee**, please submit a Decision Referral Form, signed by **three** Councillors, to the **Head of Policy, Communications and Governance** by: **7 February 2022**

MAIDSTONE BOROUGH COUNCIL

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 11 JANUARY 2022

Present: Councillors Clark, Cooper (Chairman), Garten, Mrs Grigg, McKay, Munford, Russell, Spooner and Springett

Also Present: Councillor Sams

131. APOLOGIES FOR ABSENCE

There were no apologies for absence.

132. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

133. URGENT ITEMS

There were no urgent items.

134. NOTIFICATION OF VISITING MEMBERS

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

135. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

136. DISCLOSURES OF LOBBYING

Councillor Grigg had been lobbied on Item 19 – Local Plan Review Update and all items relating to the local plan.

Councillor Garten had been lobbied on Item 15 – Gypsy & Traveller DPD – Call for Gypsy & Traveller Sites.

Councillor Springett had been lobbied on Item 16 – Infrastructure Delivery Plan (IDP) Annual Review and Update 2020/21.

137. EXEMPT ITEMS

The Committee considered discussing Item 20 – Minutes (Part II) of the Meeting held on 7 December 2021 in public. However, as the item

contained information relating to external operators the item would be considered in closed session.

RESOLVED: That all items be taken in public, unless any Member of the Committee wished to refer to Item 20 – Minutes (Part II) of the Meeting held on 7 December 2021, in which case the Committee would enter into closed session, having applied the public interest test.

138. MINUTES (PART I) OF THE MEETING HELD ON 7 DECEMBER 2021

The Director of Finance and Business Improvement informed the Committee that the statutory land charges noted at its previous meeting within Item 18 – Fees and Charges 2023-23 had since been updated. The Committee Members would be sent the updated costs for information purposes.

RESOLVED: That the Minutes (Part I) of the meeting held on 7 December 2021 be agreed as a correct record and signed.

139. PRESENTATION OF PETITIONS

There were no petitions.

140. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were five questions from Members of the Public.

Question from Mr John Horne to the Chairman of the Strategic Planning and Infrastructure Committee

'After the recent Reg19 consultation, when will at least an initial analysis be published of proposed Main Modifications, including a statement of the number of consultation responses showing the number focussed on each proposed Garden Community and the remaining number of submissions?'

The Chairman responded to the question.

Mr Horne asked the following supplementary question:

'I note that the modifications will come to the march meeting. Will a result of that be that there will be a need to delay submission so that residents have prior sight of the main mod or does the council intend to submit the published draft document without any significant changes?'

The Chairman responded to the supplementary question.

Question from Mr Peter Titchener to the Chairman of the Strategic Planning and Infrastructure Committee

'When will the consultants preparing the Gypsy, Traveller & Showpeople Development Planning Document consult the settled community?'

The Chairman responded to the question.

Mr Titchener asked the following supplementary question:

'Caravans in Kent have increased by 87% since 2019, of which nearly 30% are in Maidstone. However as the need for pitches needs to be determined before drafting that DPD, including by consultation with the settled community as per PPTS paragraph 7A (2015), isn't it premature now to utilise resources in a 'Call for Sites' as you may not need any?'

The Chairman responded to the supplementary question.

Question from Mr John Hughes to the Chairman of the Strategic Planning and Infrastructure Committee

'MBC has declared a climate emergency and an objective for the Borough, with its traffic congestion, poor air quality and high housing growth, is to be carbon neutral by 2030. But Reg19 does not play its part to achieve this critical objective; it is not even mentioned in Reg19's Spatial Vision nor in its strategic policies, which are too weak and focus on new growth, not the whole community. Nor is there an updated Integrated Transport Strategy. This may all lead to Reg19 being declared un-sound.

So when and how will these weaknesses be rectified before Reg19 is submitted to the Secretary of State for examination?'

The Chairman responded to the question.

Mr Hughes asked the following supplementary question:

'In the policies you use the weasel words Climate Change, you never refer to your objective which I understand is your objective, to achieve carbon neutrality by 2030. Isn't the problem that the policies are focused on new growth and not the whole community which produces most of the emissions. Wouldn't it be good to incorp a 15 minute community concepts on existing communities, such as bearsted, loose, shepway, parkwood and rural service centres, which are all 1.5km or a 15 minute walk from a local centre to provide justification for improving cycling and walking and protection of local shops that research has shown by the Committee for CC, by the chartered institute of highways and transport and by the royal town planning ins, will be required to achieve the 20% reduction in transport reductions and transport is the biggest contribution to Climate Change. Are you prepared to consider this for inclusion in LPR reg 19 submission?'

The Chairman responded to the supplementary question.

Question from Mr Peter Coulling to the Chairman of the Strategic Planning and Infrastructure Committee

'An important Modification to Reg19 is required. It should declare that every site over, say, 50 dwellings must have a phasing plan to facilitate a degree of MBC management of annual housing delivery so that it is consistent with a flexible Reg19 housing trajectory that accommodates any beneficial changes to the housing needs algorithm, as expected in 2022. That should then avoid accelerated development leading to a subsequent lack of 5-years housing supply and the planning threats that would open up. If a reduction is then required in development in any year to downwards-adjust to that flexible trajectory, sites which conflict with Spatial Objectives would then be the first to be deleted.

What such Modification will be proposed?'

The Chairman responded to the question.

Mr Coulling asked the following supplementary question:

'Does that mean the borough is not going to try and prepare suitable modifications so that another accelerated development, right at the start of the Local Plan Review when it's accepted; is it not going to go in for avoidance policies or is it just going to throw the plan over the wall and let the developers do as they wish?'

The Chairman responded to the supplementary question.

Question from Mr Duncan Edwards to the Chairman of the Strategic Planning and Infrastructure Committee

The Democratic Services Officer read out Mr Edwards' question on his behalf due to connectivity issues.

'The Maidstone Authority Monitoring Report (AMR) tabled at the SPI meeting in December indicated in para 2.39:

"Transport – In total 16% of the actions within the Integrated Transport Strategy (ITS) have not been actioned."

What actions are being referred to here and is there an outline of the implications of this lack of action or an indication of how the actions are going to be brought back on track?'

The Chairman responded to the 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 11:10 to 29:49 of the recording.

To access the webcast, please use the link below:
[Strategic Planning and Infrastructure Committee Meeting - 11 January 2022 - YouTube](#)

141. 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 Strategic Planning and Infrastructure Committee

'Have any key stakeholders failed to respond by the deadline?'

The Chairman responded to the question.

Councillor Sams asked the following supplementary question:

'As the GC proposals will have such an impact on the neighbouring Authorities of Ashford and Medway, how can you ensure a positive working partnership with these stakeholders?'

The Chairman responded to the supplementary question.

Question from Councillor J Sams to the Chairman of the Strategic Planning and Infrastructure Committee

'We are concerned about duplication and removal of items from the consultation process.

How will the council ensure that the public has confidence that their efforts and views have been valued and taken into consideration?'

The Chairman responded to the question.

Councillor Sams asked the following supplementary question:

'Given that we've learnt that there are those significant tasks as you just explained, can you give any timescale; you've mentioned the march 2022 meeting, is that when we are going to see all those reps filtered and processed?'

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 29:50 to 33:30 of the recording.

To access the webcast, please use the link below:
[Strategic Planning and Infrastructure Committee Meeting - 11 January 2022 - YouTube](#)

142. COMMITTEE WORK PROGRAMME

It was noted that an update concerning Conservation Areas would be added to the work programme and that the Potential Areas for Article 4 Direction(s) across the Borough report would be presented to the Committee in February 2022.

RESOLVED: That the amended Committee Work Programme be noted.

143. REPORTS OF OUTSIDE BODIES

Councillor Garten introduced the report.

Further information on the Kent Downs Area of Outstanding Natural Beauty Joint Advisory Committee would be provided to the Committee Members if requested.

RESOLVED: That the Reports of Outside Bodies be noted.

144. MEDIUM TERM FINANCIAL STRATEGY AND BUDGET PROPOSALS

The Director of Finance and Business Improvement introduced the report and outlined the additional funding to be provided to the Council within the Local Government Finance Settlement. The increased financial pressures to the Council through high inflation rates were highlighted.

The budget proposals relevant to the Committee included additional financial resources for the Council's planning department to support the development of planning policies and the Town Centre Strategy. As the work required would be one-off in nature, it was proposed that £1 million of the New Homes Bonus grant would be used to support these initiatives.

There would be additional staffing posts within the Planning Service in 2022/23; over the next three years the Council would experience a £75,000 loss in income per annum through changes to the Land Registry service. The measures to offset the proposed budget growth were outlined, which included the removal of several vacant planning policy positions to the total of £55,000, however the use of New Homes Bonus to conduct the work flexibly was highlighted.

The Capital Budget proposal concerning the Medway Street Flood Barrier was outlined in Appendix B to the report.

The Committee expressed concerns that the £55,000 should remain within the planning service to allow for the recruitment of additional staff which were felt to be required. In response, the Head of Planning and Development confirmed that the positions had been vacant long-term and that the funding was being used to facilitate an external consultants rather than remaining unused; its removal from the budget proposal for 2022/23 was a housekeeping exercise.

However, it was felt that the Policy and Resources Committee should further consider the use of the £55,000 for additional staffing posts in its overall consideration of the Medium-Term Financial Strategy in the near future.

RESOLVED: That

1. The revenue budget proposals for service within the remit of the Committee, as set out in Appendix A to the report, be agreed submission to the Policy and Resources Committee, subject to:
 - a. That the Committee strongly recommends that the Policy and Resources Committee look at the figure of £55,000 being used to increase staff resource for other planning applications and enforcement; and
2. The capital budget proposals for services within the remit of this Committee, as set out in Appendix B to the report, be agreed for submission to Policy and Resources Committee.

145. GYPSY & TRAVELLER DPD - CALL FOR GYPSY & TRAVELLER SITES

The Strategic Planning Manager introduced the report and referenced the Council's statutory obligations as a Local Planning Authority. The previous decision to produce a Gypsy & Traveller Development Plan Document (DPD) alongside the Local Plan Review (LPR) process was in part due to the significant delay in completing the Gypsy & Traveller Needs Assessment caused by the Covid-19 pandemic. The timetable for the DPD's creation was outlined in the Council's Local Development Scheme (LDS).

It was proposed that a 'Call for Sites' exercise take place between 1 February 2022 to 31 March 2022. The 11 sites previously suggested for use as Gypsy and Traveller sites from the 2019 'Call for Sites' exercise, alongside any new sites put forward, would be assessed through the Gypsy & Traveller Land Availability Assessment in meeting the pitch need across the borough. The other applicable assessments were briefly referenced.

The appendices to the report were outlined and were similar to the guidance provided as part of the 2019 'Call for Sites' exercise to ensure maximum consistency between both processes.

In response to questions, the Strategic Planning Manager confirmed that the 'Call for Sites' exercise would identify which sites were available, whereas a site's use, for example as a permanent or transit pitch site, would be determined following the outcome of the Gypsy & Travellers Needs Assessment.

It was felt that landowners should be given the opportunity to indicate a preference on whether their land would be used for as a permanent or transit pitch site.

RESOLVED: That

1. The Maidstone Call for Gypsy and Traveller Sites exercise takes place between 1 February 2022 and 31 March 2022; and
2. The guidance on making a submission, attached at Appendix A to the report, and the Call for Gypsy and Traveller Site submission template, attached at Appendix B to the report, be noted
3. Officers consider adding a further item on the submission form, as attached at Appendix B to the report, to ask whether the site may be suitable as a transit site.

146. ADJOURNMENT OF MEETING

The meeting was adjourned for a short break between 7.40 p.m. to 7.50 p.m.

Note: Councillor McKay left the meeting at 7.40 p.m.

147. INFRASTRUCTURE DELIVERY PLAN (IDP) ANNUAL REVIEW AND UPDATE 2020/21

The Principal Planning Officer introduced the report, which contained the annual update on the original Infrastructure Delivery Plan (IDP) that had supported the Council's 2017 adopted Local Plan (LP). A separate IDP had been produced in 2021 as supporting evidence to the Regulation 19 'draft for submission' documents public consultation, as part of the ongoing Local Plan Review.

The Principal Planning Officer stated that the IDP should be considered as a high-level strategic overview of the infrastructure schemes required to support the development proposed within the adopted LP. The historical background of the IDP since its creation in 2016 was outlined.

In obtaining updates from the infrastructure providers as shown within the IDP, particular attention was drawn to the addition of four new infrastructure schemes, with seven schemes having been removed from the document due to their completion. The completed schemes were included within Appendix 2 to the report. It was reiterated that the IDP provided an update on the infrastructure schemes included within the document at the time of review only.

The schemes' categorisations by priority and time frame delivery were informed by technical judgements based on the expected development rates and the level of necessity in enabling planned development across the borough. The IDP did not reflect the corporate prioritisations of the schemes included and the interactions between the IDP and other documents, such as the Infrastructure Funding Statement, were highlighted. It was reiterated that the IDP was a live document.

In response to questions, the Planning Policy Officer confirmed that the information relating to the schemes, such as the cost, was based upon the feedback received from the infrastructure providers in annually updating the document.

The Committee felt that the mechanisms for reviewing the IDPs content should be improved and that the number of schemes within the IDP was too large. It was suggested that there should be greater emphasis on delivering a smaller number of key infrastructure schemes moving forward. The impact of infrastructure provision in considering the LP was reiterated.

RESOLVED: That

1. A review of the document's style and the infrastructure contained within the document, including an emphasis on the risks associated, be conducted by Officers and presented to the Committee at a later date; and
2. A Member's briefing be organised on the various infrastructure projects contained within the Infrastructure Delivery Plan.

148. STRATEGIC CIL BIDDING PROSPECTUS 2022-2025

The Head of Planning and Development introduced the report and stated that the Council had collected £1.4 million in strategic Community Infrastructure Levy (CIL) receipts up until the 31 March 2021. It was proposed that a CIL Bidding Prospectus be introduced to allow infrastructure providers, such as Kent County Council, to submit funding bids to the Council in undertaking infrastructure works.

It was confirmed that whilst any infrastructure delivery person, body or organisation could submit a bid for strategic CIL funding, the applications likely to score highly were those that focused on the provision of critical infrastructure schemes such as those outlined within the Infrastructure Delivery Plan.

The Committee expressed support for the prospectus proposed.

RESOLVED: That

1. The Strategic Community Infrastructure Levy Bidding Prospectus 2022-2025 be published in order to invite bids for the Community Infrastructure Levy monies collected to date, with those sums expected to be collected by March 2025; and
2. Delegated authority be given to the Head of Planning and Development as the appropriate officer to tidy up grammatical and typographical errors that do not change the meaning of the document attached at appendix 1 to the report.

149. CHANGE TO THE ORDER OF BUSINESS

RESOLVED: That Item 19 – Local Plan Review Update would be taken before Item 18 – S.106 Monies Spend by Date, to facilitate the public speaker in attendance for the former.

150. LOCAL PLAN REVIEW UPDATE

Prior to the report's introduction Mr Peter Coulling addressed the Committee.

The Strategic Planning Manager introduced the report and highlighted the recent public consultation on the Regulation 19 'draft for submission' document, as part of the Local Plan Review (LPR) process. A report containing the main modifications proposed in response to the public consultation would be presented to the Committee in March 2022.

Officers had begun processing and analysing the approximately 2250 representations that had been received, which could decrease once any duplicated and invalid representations were removed. At the current stage of analysis, the majority of the representations received had focused on the proposed Garden Community settlements and their impact on the sites proposed and the surrounding area. Engagement exercises with various key stakeholders and statutory consultees had commenced, to allow the Council to understand the context of the representations made.

It was confirmed that all of the key issues and matters included within the valid representations would be considered individually.

In response to questions, the Strategic Planning Manager confirmed that the Council would seek to address the representations received concerning affordable housing (AH) including the possibility that further clarity concerning the AH policies within the Local Plan was required. Invalid representations include those submitted in error or that were inappropriate for a public consultation. Reassurance was given that valid representations would be duly considered.

RESOLVED: That the report be noted.

151. S.106 MONIES SPEND BY DATES

The Head of Planning and Development introduced the report and stated that a series of meetings were due to take place with infrastructure partners, including the Council's Parks and Open Spaces Team and the NHS, in ensuring continued progress on the use of Section 106 monies.

Several Members of the Committee raised concerns that some of the Section 106 monies were nearing their expiry date. The Head of Planning and Development advised that the funding had to be provided in accordance with the agreements made by the Council and in line with statutory guidance, whilst reiterating the importance of flexibility within any future agreements made.

RESOLVED: That

1. The report be presented to the Committee bi-annually; and
2. Officers be requested to attempt to extend the expiry date for those agreements nearing their spend by date.

152. EXCLUSION OF THE PUBLIC

RESOLVED: That the public be excluded from the meeting for the following item 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

Minutes (Part II) of the Meeting held on 7 December 2021

Paragraph 3 – Information relating to the financial or business affairs of an individual (including the authority holding that information)

153. MINUTES (PART II) OF THE MEETING HELD ON 7 DECEMBER 2021

The committee entered into closed session to discuss a concern raised over the accuracy of Minute 129.

No amendments were made to the Minute and they were approved as a correct record.

RESOLVED: That the Minutes (Part II) of the Meeting held on 7 December 2021 be approved as a correct record and signed.

Note: Councillor Clark requested that his dissent be noted.

154. DURATION OF MEETING

6.30 p.m. to 9.04 p.m.

Note: The Committee adjourned for a short break between 7.40 p.m. to 7.50 p.m.

2021/22 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
Refresh of the Council's Air Quality Management Area and Air Quality Action Plan	SPI	08-Mar-22	Officer Update		John Littlemore	Tracey Beattie
Q3 Budget and Performance Monitoring 2021/22	SPI	08-Mar-22	Officer Update	No	Mark Green	Ellie Dunnet
Local Plan Review Update	SPI	08-Mar-22	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
Regulation 19 - Main Modifications	SPI	21-Mar-22	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
Local Plan Review Update	SPI	12-Apr-22	Officer Update		Phil Coyne/Rob Jarman	Mark Egerton
Update Report on the Maidstone Strategic Infrastructure Working Group	SPI	TBC	Committee Request		Alison Broom	Alison Broom
National Bus Strategy	SPI	TBC	Cllr Request		U/K	U/K
Other Local Authority Statements of Common Ground	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Helen Garnett
Overview of the Draft Building Safety Bill and the Implications for the Council	SPI	TBC	Officer Update		William Cornall	Robert Wiseman
Report on the Use of Section 106 Monies around Lockmeadow (title tbc)	SPI	TBC	Officer Update		U/K	U/K
Update on the Potential Procurement of a Cycle and/or E-Scooter Hire Operator within the Borough	SPI	TBC	Officer Update		William Cornall	Alex Wells
Virtual Permit Management - Visitor Permits	SPI	TBC	Officer Update		Jeff Kitson	Alex Wells
Working Protocols - MCCF	SPI	TBC	Committee Request		Rob Jarman	Rob Jarman
First Homes	SPI	TBC	Officer Update		William Cornall/Rob Jarman	TBC
Updating the Community Infrastructure Levy Charging Schedule	SPI	TBC	Officer Update		Philip Coyne/Rob Jarman	Helen Smith

MAIDSTONE BOROUGH COUNCIL
STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

8 FEBRUARY 2022

REPORT OF THE POLICY AND RESOURCES COMMITTEE HELD ON 19
JANUARY 2022

FEES AND CHARGES 2022/23

Issue for Decision

At the 19 January 2022 meeting of the Policy and Resources (P&R) Committee, the Fees and Charges within that Committee's remit for 2022/23 were considered. The fees and charges for the Council's other Service Committees were included within the report's appendices, which included those previously agreed by and within the remit of this Committee.

In noting the increased cost of parking season tickets, P&R Committee requested that:

'In light of the earlier decision in relation to the Park and Ride, reference be made back to the Strategic Planning and Infrastructure Committee to give consideration to policy implications of the decision in relation to parking season tickets'.

Recommendation Made

In light of the earlier decision in relation to the Park and Ride, reference be made back to the Strategic Planning and Infrastructure Committee to give consideration to policy implications of the decision in relation to parking season tickets, as shown within Appendix 2 to this report.

Reasons for Recommendation

An extract from the draft Minute 154 is shown below:

'The fees and charges considered by the Council's other service Committees were attached in appendices 3-5 to the report.

Having endorsed the SPI Committee decision relating to Park and Ride, the Committee expressed concern over the impact of the increased price of parking season tickets as agreed by the Strategic Planning and Infrastructure (SPI) Committee. The Chief Executive advised that whilst the (P&R) Committee was responsible for overseeing the decisions made by the service committees on the topic, any changes to parking season ticket prices could have implications on parking policy. It was therefore appropriate that SPI be asked to consider the concerns raised by the Committee, particularly any impact on parking policy'.

Alternatives Considered and Why Not Recommended.

None.

Background Papers.

(Draft)Minutes (Part I) of the Policy and Resources Committee Meeting held on Wednesday 19 January 2022.

Appendices

Appendix 1 – Charging Policy

Appendix 2 - Current and Proposed Fees and Charges (SPI)

Maidstone Borough Council

Charging Policy

November 2017

Maidstone Borough Council

Charging Policy

1 Introduction and Context

- 1.1 At Maidstone Borough Council, fees and charges represent an important source of income which is used to support the delivery of the Council's objectives. Currently income from fees and charges constitutes just under a third of the council's funding.
- 1.2 The Council needs to ensure that its charges are reviewed regularly, and that they contribute towards the achievement of its priorities. It is also important to ensure that fees and charges do not discriminate against individuals or groups by excluding them from accessing council services.
- 1.3 Pressure on the Council's budgets has increased the incentive to make best use of charging opportunities and to recognise the importance of using this as a means of recovering the costs of delivering services.
- 1.4 Under the Council's constitution, responsibility for setting discretionary fees and charges is delegated to service committees and directors. Each committee will review the fees and charges for the services within its remit at least annually as part of the budget setting process to ensure that they remain relevant and appropriate.
- 1.5 Where the Council has the discretion to set the charge for a service, it is important that the implications of this decision are fully understood, and that decision makers are equipped with sufficient information to enable rational decisions to be made.

2 Policy Aims and Objectives

- 2.1 The aim of this policy is to establish a framework within which fees and charges levied by the Council are agreed and reviewed.
- 2.2 The Council must ensure that charges are set at an appropriate level which maximises cost recovery. Unless it would conflict with the Council's strategic priorities, other policies, contracts or the law then the Council should aim to maximise net income from fees and charges.
- 2.3 The policy aims to ensure that:-
 - a) Fees and charges are reviewed regularly, and that this review covers existing charges as well as services for which there is potential to charge in the future.
 - b) Budget managers are equipped with guidance on the factors which should be considered when reviewing charges.

Maidstone Borough Council

Charging Policy

- c) Charges are fair, transparent and understandable, and a consistent and sensible approach is taken to setting the criteria for applying concessions or discounted charges.
- d) Decisions regarding fees and charges are based on relevant and accurate information regarding the service and the impact of any proposed changes to the charge is fully understood.

3 Scope

- 3.1 This policy relates to fees and charges currently being levied by the Council and those which are permissible under the wider general powers to provide and charge for “Discretionary Services” included within the Local Government Act 2003 and Localism Act 2011. It does not cover services for which the council is prohibited from charging.
- 3.2 Fees for statutory services delivered by the council, but for which charges are set by central government, rents, leases, council tax, and business rates are outside the scope of this policy.
- 3.3 In general, charges should ensure that service users make a direct contribution to the cost of providing a service. However, there may be certain circumstances where this would not be appropriate. For example:
 - Where the council is prohibited from charging for the service (e.g. collection of household waste)
 - Where the introduction of a charge would impede delivery of corporate priorities;
 - Where administrative costs of charging outweigh the potential income;
 - Where the service is seen to be funded from Council Tax (i.e. services which are provided and delivered equally to all residents)
 - Where the government sets the fee structure (e.g. pollution permits and private water fees)

4 Principles

- 4.1 The following overarching principles apply for the consideration and review of all current and future fees and charges levied by the council:
 - Fees and charges should maximise cost recovery and where appropriate, income generation, to the extent that the Council’s legal powers permit, providing that this would not present any conflict with the Council’s strategic objectives;
 - Fees and charges should support the improvement of services, and the delivery of the Council’s corporate priorities, as set out in the strategic plan;

Maidstone Borough Council

Charging Policy

- Where a subsidy or concession is provided for a service, this must be targeted towards the delivery of strategic priorities, for example, by facilitating access to services;
- The process for setting and updating fees and charges should be administratively simple, transparent and fair, and for budgeting purposes, income projections must be robust and rational.

5 Process and Frequency for Reviewing Charges

- 5.1 The following arrangements for reviewing charges will be applied throughout the Council, for existing charges as well as those which in principle could be introduced.
- 5.2 In accordance with the Council's constitution, *'Discretionary fees and charges will be reviewed and fixed each year by the Committee responsible for the function or the Service Director as appropriate having considered a report from the Director or duly authorised Officer in conjunction with the Chief Finance Officer, as part of the estimate cycle.'*
- 5.3 This annual review will ensure consistency with the Council's priorities, policy framework, service aims, market sensitivity, customer preferences, income generation needs and that any subsidy made by the Council is justifiable.
- 5.4 Heads of Service and budget managers will be asked to complete a schedule setting out all proposed fees and charges for the services in their area (including those which are not set by the council). This will usually take place in autumn for the following financial year and review the current year. By this means, any growth or savings resulting from fees and charges can be built into the budget strategy. The schedule will indicate:
- The service or supply to which the charge relates;
 - Who determines the charges;
 - The basis for the charge (e.g. units or hourly rates);
 - The existing charge;
 - The total income budget for the current year;
 - The proposed charge;
 - Percentage increase/decrease;
 - Effective date for increase/decrease; and
 - Estimated income for the next financial year after introducing the change.

An example schedule is provided at Appendix B.

- 5.5 Following this, the proposals will be collated by the Finance section into a report for each committee to consider the appropriateness of proposed fees and charges for the services within their remit. The report will clearly identify the charges for which the committee can apply

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discretion, and distinguish these from the charges which are set externally and included for information only. Policy and Resources Committee will then receive a final report which brings together the proposals from each of the three service committees, in order to assess the overall impact of the proposed changes, and consider the potential impact on customers and service users.

- 5.6 The timing of the annual review will ensure that changes can be incorporated into the council's budget for the forthcoming financial year, although changes to fees and charges may be made outside of this process if required through a report to the relevant director or service committee.
- 5.7 It is possible that the review may lead to a conclusion that charges should remain at the existing level. If this is the case, then the outcomes of the review, including the justification for not increasing the charge need to be documented and reported to the relevant service committee.
- 5.8 For the avoidance of doubt, periodic reviews of the rents and leases are not covered by the above. Individual reviews will be implemented by the relevant officer as long as market levels at least are achieved.

6 Guidance

- 6.1 A checklist of issues for budget managers and Heads of Service to consider when determining the level at which to set fees and charges is provided at Appendix A to this policy.
- 6.2 Below is a list of guiding principles intended to assist decision makers in determining the appropriate level at which to set fees and charges:
- a) Any subsidy from the Council tax payer to service users should be transparent and justifiable.
 - b) Fees and charges may be used to manage demand for a service, and price elasticity of demand should be considered when determining the level at which charges should be set.
 - c) Fees and charges should not be used to provide subsidies to commercial operators.
 - d) Concessions for services should follow a logical pattern and a fair and consistent approach should be taken to ensuring the ensure recovery of all fees and charges.
 - e) Fees and charges should reflect key commitments and corporate priorities.

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- f) Prices could be based on added and perceived value, which takes account of wider economic and social considerations, as well as cost.
 - g) There should be some rational scale in the charge for different levels of the same service and there should be consistency between charges for similar services.
 - h) Policies for fees and charges should fit with the Council's Medium Term Financial Strategy and, where appropriate, should be used to generate income to help develop capacity, to deliver efficiency and sustain continuous improvement.
 - i) In certain areas, charging may be used to generate surpluses which can be used to finance other services.
- 6.3 Wherever possible, charges should be recovered in advance or at the point of service delivery. If this is not possible, then invoices should be issued promptly and appropriate recovery procedures will be followed as required. Use of direct debit should be encouraged for periodic payments where this would improve cost effectiveness and enable efficient and timely collection of income.

7 Cost Recovery Limitation

- 7.1 Generally speaking, charges should be set at a level which enables all the costs of delivering a service to be recovered, although there are some exceptions to this identified earlier in this document. This includes direct costs such as the purchase of goods for resale, as well as indirect costs such as management and accommodation costs.
- 7.2 For certain services, legislation prohibits the Council from generating surpluses through charging. The general principle is that, taking one financial year with another, the income from charges must not exceed the costs of provision. Examples where this applies include building control and local land charges.
- 7.3 Any over or under recovery that resulted in a surplus or deficit of income in relation to costs in one period should be addressed when setting its charges for future periods so that, over time, income equates to costs.
- 7.4 Councils are free to decide what methodology to adopt to assess costs. Maidstone Borough Council follows the Service Reporting Code of Practice definition of total cost, including an allocation of all related support costs, plus an appropriate share of corporate and democratic

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core and non-distributed costs. Further guidance and support on calculating the full cost of service provision can be obtained from the Finance section.

8 Concessions & Subsidies

- 8.1 The normal level of fees and charges may be amended to allow for concessions targeted at certain user groups to encourage or facilitate access to the service.
- 8.2 Where concessions are proposed or already in place they must be justified in terms of overall business reasons, or implementation of key strategic considerations e.g. community safety, healthy living.
- 8.3 Examples of concessions and the reasons why they are awarded are:-
- Reductions for older people or children to encourage different age groups to participate in the sport which is linked to the promotion of public health;
 - Free spaces for disabled drivers in Council car parks to support social inclusion;
 - Concessions for new casual traders at the market to stimulate new usage;
- 8.4 In some cases, it may also be justifiable to subsidise a service for all users, where it would support delivery of strategic priorities.
- 8.5 In some circumstances, it may also be suitable to implement a system of means testing for managing access to concessions and subsidies, in order to ensure that subsidy can be targeted appropriately.
- 8.6 A fair and consistent approach should be taken to the application of concessionary schemes, and decisions should recognise the Council's broader agenda on promoting equality, as set out in the Equality Policy. When considering new charges, or significant changes to an existing charge, the budget manager should complete an Equalities Impact Assessment (EQIA).
- 8.7 All decisions regarding concessions and subsidies should include consideration of the impact the Council's ability to generate income and the Medium Term Financial Strategy.

9 Introducing a new charge

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- 9.1 Proposals to introduce new charges should be considered as part of the service planning process and income projections should be factored into the Council's medium term financial plan.
- 9.2 Reasonable notice should be given to customers and service users prior to the introduction of a new charge, along with advice on concessions and discounts available.
- 9.3 Proposals should be based on robust evidence, and will incorporate the anticipated financial impact of introducing the charge, as well as the potential impact on demand for the service.
- 9.4 Performance should be monitored closely following implementation to enable amendments to the charge to be made if required, and the charge will subsequently be picked up as part of the annual review process.

10 Monitoring

- 10.1 Income levels will be monitored throughout the year and reported to committees through the quarterly reporting process. Significant variances may be addressed through an amended to charges, which will require approval from the appropriate Director or Service Committee.
- 10.2 The impact of changes in demand for services will be monitored through quarterly performance monitoring reports, where this is identified as a key performance indicator.

Appendices

Appendix A - Discretionary Fees & Charges Review Checklist

The below checklist may be used as a guide for managers when reviewing existing charges or implementing a new fee structure.

Have you considered the following?	Y/N/NA	Comments
1. How does the charge link to the Council's corporate priorities?		
2. Does the charge enable the council to recover all costs of providing the service?		
3. If the answer to question 2 is 'No', have you considered increasing the charge to enable full cost recovery?		
4. Has the impact of inflation on the cost of service delivery been reflected in the proposed charge?		
5. Do the administrative costs of charging or increasing the charge outweigh the potential income to be generated?		
6. Is the charge being used to deter or incentivise certain behaviours?		
7. Has there been any investment in the service to effect an increase in charges?		
8. If there is a market for the service or supply, has the impact of market conditions and competition be considered in setting the charge?		
9. How sensitive is the price to demand for the service? Is there a risk that an increase in charge could deter potential customers?		
10. If applicable, have consultation results been taken into account?		

Appendix A - Discretionary Fees & Charges Review Checklist

11. Could the charges or income budget be increased to support the delivery of a savings target?		
12. What would the impact of the change be on customers, and how does this affect the delivery of corporate priorities?		
13. Have any alternative charging structures been considered?		
14. How will the service be promoted? How successful have previous promotions been in generating demand?		
15. New charges only - are there any legal factors which impact on the scope for charging (e.g. an obligation to limit charges to cost recovery only)?		
16. 16. New charges only - has an Equalities Impact Assessment been completed?		
17. If applicable, have concessionary charges been considered on a fair and consistent basis?		

Signed: _____

Date: _____

Name: _____

Chargeable Service/Supply: _____

Job Title: _____

Department: _____

Appendix B – Example Schedule of Fees & Charges

Fees and Charges April 2017 - March 2018		Includes VAT	Discretionary Fee	Statutory Fee	2016-2017 Actuals	2017 -2018 Current Estimate	Current Charges 2017-2018	Proposed Charges 2018-2019	% Change	2017-2018 + / - Income	2018 -2019 Estimate	Comments
EA31	Street Naming & Numbering				66,995	49,000				0	49,000	
	Name change						25.00	0.00	-100.00%			
	Addition of Name to numbered Property						25.00	0.00	-100.00%			
	Amendment to Postal Address						25.00	0.00	-100.00%			
	New Build - Individual Property						75.00	0.00	-100.00%			
	Official Registration of Postal Address previously not Registered						50.00	0.00	-100.00%			
	New Development - Fee per unit/flat						40.00	0.00	-100.00%			
	Creation of New Street						100.00	0.00	-100.00%			
	Renumbering of Development or Block of Flats - Fee per unit/flat						20.00	0.00	-100.00%			
	Street Naming & Numbering Total				66,995	49,000				0	49,000	

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			£	£	£	£	%	£	£	

Parking Services

Business Permits D043		x	6,425	12,710	100.00	100.00	0.00%		12,710	
Residents Permits D065		x	100,975	85,440	25.00	25.00	0.00%		85,440	Maximum of two residents permits, a third Visitors Permit is £50
Visitors Permits D066		x	99,573	83,240	25.00	25.00	0.00%		83,240	Maximum of one per property
3rd Permit [resident / visitor parking]		x			50.00	50.00	0.00%			Applied to 3rd permit where applicable
Replacement Permits/Duplicate Permits D067	*	x	8	780	10.00	10.00	0.00%		780	(For lost Permits)
Carers Permits - Organisation D050	*	x	975	1,290	20.00	20.00	0.00%		1,290	
School Permit	*	x			12.00	0.00	-100.00%			Discontinued - charge to be deleted

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory / Discretionary	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
			£	£	£	£	%	£	£	
Parking Services (contd.)										
Dispensations and Waivers D061			13,494	2,560					2,560	
Waivers/Work permits [max 1 day]		x			11.00	12.00	9.09%			
Waivers/ Work Permits [max 1 week]		x			33.00	36.00	9.09%			
Waivers/ Work Permits [max 2 week]		x			0.00	45.00				New charge
Waivers/ Work Permits [max 1 month]		x			0.00	60.00				New charge
Waivers/ Work Permits [over 1 month (to a maximum of 3 months) - per month (or part month)]		x			0.00	50.00				New charge
Waivers/ Work Permits [max 3 months]		x			55.00	0.00	-100.00%			Deleted
Dispensations [max 1 day]		x			11.00	12.00	9.09%			
Dispensations [max 1 week]		x			33.00	36.00	9.09%			
Dispensations [max 2 week]		x			n/a	45.00				New charge
Dispensations [max 1 month]		x			n/a	60.00				New charge
Dispensations [over 1 month (to a maximum of 3 months) - per month (or part month)]		x			n/a	50.00				New charge
Dispensations [max 3 months]		x			55.00	0.00	-100.00%			Deleted
Cones/ Suspension administration Fee		x			70.00	100.00	42.86%			(Plus any bay charges for Pay & Display)
PCN Low - Statutory D042		x	629,547	864,660	50.00	50.00	0.00%		864,660	Discounted by 50% if paid within 14 days.
PCN High - Statutory		x			70.00	70.00	0.00%			Discounted by 50% if paid within 14 days.

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			£	£	£	£	%	£	£	
Parking Services (contd.)										
<u>Season Tickets - Car Parks D041 RC20</u>										
			110,653	138,290					138,290	
6 Month 5 days Mon - Fri	*	x			496.00	553.00	11.49%			Pro-rata refunds after 3 months upon surrender / admin fee applied
6 Month 7 days Mon - Sun	*	x			638.00	736.00	15.36%			Pro-rata refunds after 3 months upon surrender / admin fee applied
12 Month 5 days Mon - Fri	*	x			910.00	1,050.00	15.38%			Pro-rata refunds after 3 months upon surrender / admin fee applied
12 Month 7 days Mon - Sun	*	x			1,163.00	1,396.00	20.03%			Pro-rata refunds after 3 months upon surrender / admin fee applied
Evening (any CP) off-peak valid after 5pm and before 8am Mon - Sun-12 Months	*	x			357.00	357.00	0.00%			Off-peak season ticket / Pro-rata refunds on surrender / admin fee applied
Refund administration fee					30.00	30.00	0.00%			
<u>Season Tickets - Car Parks (Mote Park Only) D041 RC23</u>										
One Year	*	x	4,333	5,000	40.00	40.00	0.00%		5,000	Maidstone residents only
<u>PAY AND DISPLAY</u>										
<u>Electric Vehicles</u>										
Battery Electric Vehicles (BEVs)		x			n/a	0.00				Free parking for BEVs when customer registers transaction through the Council's cashless payment provider
Electric Vehicle Charging (per kWh)		x			Car park tari	0.25				Charged per Kilowatt hour (kWh)
<u>On Street D060 James Whatman Way</u>										
30 mins		x	117,966	201,340	0.70	0.70	0.00%		201,340	
1 hr		x			1.50	1.50	0.00%			
1.5 hr		x			2.00	2.00	0.00%			
2 hr		x			2.50	2.50	0.00%			
3 hr		x			3.50	3.50	0.00%			
4 hr		x			4.50	4.50	0.00%			

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory / Discretionary	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
			£	£	£	£	%	£	£	
Parking Services (contd.)										
<u>All other on-street pay and display locations</u>										
30 mins		x			0.80	0.80	0.00%			
1 hr		x			1.50	1.50	0.00%			
1.5 hr		x			2.25	2.25	0.00%			
2 hr		x			3.00	3.00	0.00%			
<u>Off street</u>			807,993	1,551,750					1,551,750	
<u>Short Stay</u>										
<u>Medway St</u>										
1 hr	*	x			1.30	1.30	0.00%			
2 hr	*	x			2.60	2.60	0.00%			
3 hr	*	x			3.90	3.90	0.00%			
4 hr	*	x			5.20	5.20	0.00%			
<u>Brewer Street [E]</u>										
30 mins	*	x			0.65	0.65	0.00%			
1 hr	*	x			1.15	1.15	0.00%			
2 hr	*	x			2.30	2.30	0.00%			
3 hr	*	x			3.45	3.45	0.00%			
4 hr	*	x			4.60	4.60	0.00%			

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			£	£	£	£	%	£	£	
Parking Services (contd.)										
<u>King Street</u>										
1 hr	*	x			1.35	1.35	0.00%			
2 hr	*	x			2.70	2.70	0.00%			
3 hr	*	x			4.05	4.05	0.00%			
4 hr	*	x			5.40	5.40	0.00%			
<u>Wheeler Street</u>										
30 mins	*	x			0.65	0.65	0.00%			
1 hr	*	x			1.15	1.15	0.00%			
2 hr	*	x			2.30	2.30	0.00%			
3 hr	*	x			3.45	3.45	0.00%			
4 hr	*	x			4.60	4.60	0.00%			
<u>Palace Avenue</u>										
3 hr	*	x			3.90	3.90	0.00%			
4 hr	*	x			5.20	5.20	0.00%			
<u>Mote Road</u>										
1 hr	*	x			1.05	1.05	0.00%			
2 hr	*	x			2.10	2.10	0.00%			
3 hr	*	x			3.15	3.15	0.00%			
4 hr	*	x			4.20	4.20	0.00%			

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory Discretionary	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
			£	£	£	£	%	£	£	
Parking Services (contd.)										
Mill Street										
1 hr	*	x			1.05	1.05	0.00%			
2 hr	*	x			2.10	2.10	0.00%			
3 hr	*	x			3.15	3.15	0.00%			
4 hr	*	x			4.20	4.20	0.00%			
Long Stay										
Barker Road										
1 hr	*	x			1.15	1.15	0.00%			
2 hr	*	x			2.30	2.30	0.00%			
3 hr	*	x			3.45	3.45	0.00%			
4 hr	*	x			4.60	4.60	0.00%			
5 hr	*				5.75	5.75	0.00%			
Over 5 hours					7.30	7.30	0.00%			
Brooks Place										
1 hr	*	x			1.15	1.15	0.00%			
2 hr	*	x			2.30	2.30	0.00%			
3 hr	*	x			3.45	3.45	0.00%			
4 hr	*	x			4.60	4.60	0.00%			
5 hr	*	x			5.75	5.75	0.00%			
Over 5 hours	*	x			7.30	7.30	0.00%			
Brunswick Street										
1 hr	*	x			1.05	1.05	0.00%			
2 hr	*	x			2.10	2.10	0.00%			
3 hr	*	x			3.15	3.15	0.00%			
4 hr	*	x			4.20	4.20	0.00%			
5 hr	*	x			5.25	5.25	0.00%			
Over 5 hours	*	x			7.30	7.30	0.00%			
College Road										
1 hr	*	x			1.05	1.05	0.00%			
2 hr	*	x			2.10	2.10	0.00%			
3 hr	*	x			3.15	3.15	0.00%			
4 hr	*	x			4.20	4.20	0.00%			
5 hr	*	x			5.25	5.25	0.00%			
Over 5 hours	*	x			7.30	7.30	0.00%			

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Fees and Charges April 2022 - March 2023	* Includes VAT	Discretionary	Statutory	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
				£	£	£	£	%	£	£	
Parking Services (contd.)											
Lucerne Street											
1 hr	*	x				1.15	1.15	0.00%			
2 hr	*	x				2.30	2.30	0.00%			
3 hr	*	x				3.45	3.45	0.00%			
4 hr	*	x				4.60	4.60	0.00%			
5 hr	*	x				5.75	5.75	0.00%			
Over 5 hours	*	x				7.30	7.30	0.00%			
Sittingbourne Road											
1 hr	*	x				1.15	1.15	0.00%			
2 hr	*	x				2.30	2.30	0.00%			
3 hr	*	x				3.45	3.45	0.00%			
4 hr	*	x				4.60	4.60	0.00%			
5 hr	*	x				5.75	5.75	0.00%			
Over 5 hours	*	x				7.30	7.30	0.00%			
Union Street [E]											
1 hr	*	x				1.15	1.15	0.00%			
2 hr	*	x				2.30	2.30	0.00%			
3 hr	*	x				3.45	3.45	0.00%			
4 hr	*	x				4.60	4.60	0.00%			
5 hr	*	x				5.75	5.75	0.00%			
Over 5 hours	*	x				7.30	7.30	0.00%			
Union Street [W]											
1 hr	*	x				1.15	1.15	0.00%			
2 hr	*	x				2.30	2.30	0.00%			
3 hr	*	x				3.45	3.45	0.00%			
4 hr	*	x				4.60	4.60	0.00%			
5 hr	*	x				5.75	5.75	0.00%			
Over 5 hours	*	x				7.30	7.30	0.00%			
Well Road											
1 hr	*	x				1.05	1.05	0.00%			
2 hr	*	x				2.10	2.10	0.00%			
3 hr	*	x				3.15	3.15	0.00%			
4 hr	*	x				4.20	4.20	0.00%			
5 hr	*	x				5.25	5.25	0.00%			
Over 5 hours	*	x				7.30	7.30	0.00%			

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory / Discretionary	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
			£	£	£	£	%	£	£	
Parking Services (contd.)										
Lockmeadow										
1 hr	*	x			1.00	1.00	0.00%			
2 hr	*	x			2.00	2.00	0.00%			
3 hr	*	x			2.50	2.50	0.00%			
4 hr	*	x			3.50	3.50	0.00%			
Up to 5 hours	*	x			5.00	5.00	0.00%			
Over 5 hours	*	x			7.00	7.00	0.00%			
Overnight charge all off-street car parks (6.30pm to 8am) (except Lockmeadow)										
	*	x			2.00	2.00	0.00%			
Mote Park										
			242,751	213,000					213,000	
Up to 6 Hours	*	x			2.00	2.00	0.00%			
Over 6 Hours	*	x			12.00	12.00	0.00%			
Parking Services Total			2,134,692	3,160,060				0	3,160,060	
Sandling Road Car Park										
			29,797	151,000					151,000	
1 hr	*	x			1.10	1.10	0.00%			
3 hr	*	x			2.20	2.20	0.00%			
4 hr	*	x			3.50	3.50	0.00%			
Up to 5 hours	*	x			6.00	6.00	0.00%			
Over 5 hours	*	x			6.00	6.00	0.00%			
Sandling Road Car Park Total			29,797	151,000				0	151,000	

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory / Discretionary	2020-2021	2021-2022	Current	Proposed	%	2021-	2022 -	Comments
			Actuals	Current Estimate	Charges 2021-2022	Charges 2022-2023	Change	2022 + / - Income	2023 Estimate	
			£	£	£	£	%	£	£	
Development Control-Land Charges										
			343,957	286,900					286,900	
Search only (LLC1 only)		x			40.00	40.00	0.00%			
LLC1 Only - Additional Parcel of Land		x			11.00	11.00	0.00%			
CON29 (Including VAT)	*	x			120.00	120.00	0.00%			
CON29 - Additional Parcel of Land (Including VAT)	*	x			21.00	21.00	0.00%			
Standard Official Search (LLC1 and CON29) (Including VAT)	*	x			160.00	160.00	0.00%			
Standard Official Search (LLC1 and CON29) - Additional Parcel of Land (Including VAT)	*	x			32.00	32.00	0.00%			
Part II enquiry - CON 29 Optional Questions 4-21 (Including VAT)	*	x			15.00	15.00	0.00%			
Part II enquiry - CON29 Optional Question 22 (Including VAT)	*	x			30.00	30.00	0.00%			
Additional Questions (Including VAT)	*	x			22.80	22.80	0.00%			

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory Discretionary	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
			£	£	£	£	%	£	£	
Development Control-Land Charges (contd.)										
CON29 - Personal Searches (EIR)										
Question										
Personal Search		x			0.00	0.00	0.00%			
Enhanced Personal Search		x			15.00	15.00	0.00%			
1.1 (a) - (l) (Planning)	*	x			7.20	7.20	0.00%			
1.1 (j,k,l) (Building Regulations)	*	x			7.20	7.20	0.00%			
2.1 (b) - (d)	*	x			6.00	6.00	0.00%			
3.1 (Land for Public Purpose)	*	x			3.60	3.60	0.00%			
3.3 Drainage Matters	*	x			3.60	3.60	0.00%			
3.5 (Railway Schemes)	*	x			3.60	3.60	0.00%			
3.7 (Outstanding Notices)	*	x			12.00	12.00	0.00%			
3.8 (Building Regulations Contravention)	*	x			3.60	3.60	0.00%			
3.9 (Enforcement)	*	x			7.20	7.20	0.00%			
3.10 CIL	*	x			4.80	4.80	0.00%			
3.13 b (Contaminated Land)	*	x			3.60	3.60	0.00%			
3.13 c (Contaminated Land)	*	x			3.60	3.60	0.00%			
Land Charges Total			343,957	286,900				0	286,900	

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory Discretionary	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
			£	£	£	£	%	£	£	
Street Naming & Numbering										
										No changes proposed to the street naming and numbering service. We are happy with the increases we put in place last time.
			38,145	73,350					73,350	
Name change		x			25.00	25.00	0.00%			
Addition of Name to numbered Property		x			25.00	25.00	0.00%			In line with other Kent Authorities.
Amendment to Postal Address		x			25.00	25.00	0.00%			
New Build - Individual Property		x			80.00	80.00	0.00%			
Official Registration of Postal Address previous		x			50.00	50.00	0.00%			
New Development - Fee per unit/flat		x			45.00	45.00	0.00%			
Creation of New Street		x			105.00	105.00	0.00%			
Conversion of property into Flats-fee per flat		x			45.00	45.00	0.00%			
Renumbering of Development or Block of Flats		x			20.00	20.00	0.00%			
Street Naming & Numbering Total			38,145	73,350				0	73,350	

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			Actuals	Current Estimate	Charges 2021-2022	Charges 2022-2023	Change	2022 + / - Income	2023 Estimate	
			£	£	£	£	%	£	£	
Building Control										
			441,919	354,160				7,510	361,670	
Erection of a single dwelling house - Full Plan & Building Notice Charge	*	x			1,010.00	1,059.00	4.85%			
Erection of 2 dwelling houses - Full Plan & Building Notice Charge	*	x			1,365.00	1,392.00	1.98%			
Garages up to 60m ² - Full Plan & Building Notice Charge	*	x			505.00	514.00	1.78%			
Garages up to 60m ² - Regularisation Charge		x			631.25	643.86	2.00%			
Garage with room over 60m ² - 100m ²	*	x			593.00	605.00	2.02%			
Garage with room over 60m ² - 100m ² - Regularisation Charge		x			741.25	756.08	2.00%			
Extension up to 40m ² - Full Plan & Building Notice Charge	*	x			742.00	757.00	2.02%			
Extension up to 40m ² - Regularisation Charge		x			927.50	946.05	2.00%			
Extensions over 40m ² and up to 100m ² - Full Plan & Building Notice Charge	*	x			890.00	908.00	2.02%			
Extensions over 40m ² and up to 100m ² - Regularisation Charge		x			1,112.50	1,134.75	2.00%			
Loft Conversions up to 60m ² - Full Plan & Building Notice Charge	*	x			771.00	787.00	2.08%			
Loft Conversions up to 60m ² - Regularisation Charge		x			963.75	983.02	2.00%			

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				Actuals	Current Estimate	Charges 2021-2022	Charges 2022-2023	Change	2022 + / - Income	2023 Estimate	
				£	£	£	£	%	£	£	
Building Control (contd.)											
Garage Conversion under 40m ² - Full Plan & Building Notice Charge	*	x				475.00	484.00	1.89%			
Garage Conversion under 40m ² - Regularisation Charge		x				593.75	605.63	2.00%			
Installation of up to 10 replacement windows - Full Plan & Building Notice Charge	*	x				237.00	242.00	2.11%			
Installation of up to 10 replacement windows - Regularisation Charge		x				296.25	302.18	2.00%			
Part P electrical work or installation of heating appliance - Full Plan & Building Notice Charge	*	x				297.00	303.00	2.02%			
Part P electrical work or installation of heating appliance - Regularisation Charge		x				371.25	378.68	2.00%			
Alterations up to the value of £4999 - Full Plan & Building Notice Charge	*	x				326.00	333.00	2.15%			
Alterations up to the value of £4999 - Regularisation Charge		x				407.50	415.66	2.00%			
Alterations from £5000 to £9999 - Full Plan & Building Notice Charge	*	x				475.00	484.00	1.89%			
Alterations from £5000 to £9999 - Regularisation Charge		x				593.75	605.63	2.00%			
Demolition Notice	*	x				252.50	257.50	1.98%			
Building Control Total				441,919	354,160				7,510	361,670	

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			£	£	£	£	%	£	£	
Development Control - Planning and Conservation										
Written Pre-Application Advice										
Pre-Application Fees D160 + D167										
			211,432	257,550				5,150	262,700	
Advice for Householder Proposals										
charged for written advice on Householder applications	*	x			70.00	71.00	2.00%			
email response to follow up request	*	x			50.00	51.00	2.00%			
and with an hour long meeting with an officer	*	x			170.00	173.00	2.00%			
additional hour	*	x			50.00	51.00	2.00%			
follow up call/skype with email response	*	x			75.00	76.00	1.33%			
and with an hour long site meeting with an officer	*	x			220.00	224.00	1.82%			
additional hour	*	x			50.00	51.00	2.00%			
follow up call/skype with email response	*	x			75.00	77.00	2.67%			
Advice for Minor Development Proposals 1-9 Dwellings										
charged for written advice	*	x			250.00	255.00	2.00%			
email response to follow up request	*	x			100.00	102.00	2.00%			
and with an hour long meeting with an officer	*	x			350.00	357.00	2.00%			
additional hour	*	x			100.00	102.00	2.00%			
follow up meeting	*	x			150.00	153.00	2.00%			
and with an hour long site meeting with an officer	*	x			450.00	459.00	2.00%			
additional hour	*	x			100.00	102.00	2.00%			
follow up call/Skype with email response	*	x			150.00	153.00	2.00%			

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			£	£	£	£	%	£	£	
Development Control - Planning and Conservation										
Advice for Major Development Proposals 10-39 Dwellings										
charged for written advice	*	x			350.00	357.00	2.00%			
email response to follow up request	*	x			250.00	255.00	2.00%			
and with an hour long meeting with an officer at MBC Offices	*	x			600.00	612.00	2.00%			
additional hour	*	x			1,252.00	1,277.00	2.00%			
follow up call/Skype with email response	*	x			250.00	255.00	2.00%			
and with an hour long site meeting with an officer	*	x			725.00	739.00	1.93%			
additional hour	*	x			125.00	127.00	1.60%			
follow up call/Skype with email response	*	x			250.00	255.00	2.00%			

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			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
Advice for Large Development Proposals 40+ Dwellings										
and with an hour long meeting with an officer at MBC Offices	*	x			825.00	842.00	2.06%			
follow up call/Skype with email response	*	x			350.00	357.00	2.00%			
and with an hour long site meeting with an officer	*	x			950.00	969.00	2.00%			
follow up call/Skype with email response	*	x			350.00	357.00	2.00%			
Request for Manager attendance										
Should the applicant request the attendance of a Manager in addition to the assigned case officer, the following additional charge shall apply.	*	x								
Managers - Spatial Policy, Development Management, Major Projects - (MBC Offices or Skype).	*	x			250.00	255.00	2.00%			
on-site	*	x			375.00	382.00	1.87%			
Head of Service	*	x			500.00	510.00	2.00%			
on-site	*	x			750.00	765.00	2.00%			
Meetings with additional Specialist Officers attending (hourly rate) (additional charges for specialist officers additional to the above pre-application charges)(heritage, spatial policy, landscape, etc)										
Meeting at Maidstone House	*	x			175.00	179.00	2.29%			
Meeting on Site	*	x			250.00	255.00	2.00%			

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory Discretionary	2020-2021	2021-2022	Current	Proposed	%	2021-	2022 -	Comments
			Actuals	Current Estimate	Charges 2021-2022	Charges 2022-2023	Change	2022 + / - Income	2023 Estimate	
			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
Heritage Works Only Advice (EE20)										
Written Advice (D165)			0	8,000					8,000	
Written advice Householder	*	x			75.00	76.00	1.33%			
Written advice Minor	*	x			250.00	255.00	2.00%			
Written advice Major	*	x			350.00	357.00	2.00%			
Site visit/Meeting/ Fee depending type of app/onsite/office based	*	x								
Written plus Meeting Fee Householder	*	x			175.00	179.00	2.29%			
Written plus Meeting Fee Minor	*	x			200.00	204.00	2.00%			
Written plus Meeting Fee Major	*	x			600.00	612.00	2.00%			
Written plus Site visit Fee Householder	*	x			225.00	229.00	1.78%			
Written plus Site visit Fee Minor	*	x			400.00	408.00	2.00%			
Written plus Site visit Fee Major	*	x			600.00	612.00	2.00%			
Work to Protected Tree Only Advice (D164)										
Written advice/response	*	x			75.00	77.00	2.67%			
Works to Trees - Site visit	*	x			150.00	153.00	2.00%			
High Hedges										
					500.00	510.00	2.00%			

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			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
S.106 Agreements										
<i>(The following charges do not include any charges levied by MKS Legal)</i>										
Initial email advice following planning/housing officer review of request for DoV	*	x			175.00	178.00	1.71%			
Formal request to instruct on DoV (first clause)	*	x			350.00	357.00	2.00%			
(each additional clause)					125.00	128.00	2.40%			
Confirmation of S.106 clause compliance (desktop) (per clause)	*	x			150.00	153.00	2.00%			
(additional charge if site visit required)	*	x			125.00	127.00	1.60%			

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory / Discretionary	2020-2021	2021-2022	Current	Proposed	%	2021-	2022 -	Comments
			Actuals	Current Estimate	Charges 2021-2022	Charges 2022-2023	Change	2022 + / - Income	2023 Estimate	
			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
Enforcement										
Written confirmation of closure of household enforcement case and reasons (additional charge if site visit required)	*	x			50.00	51.00	2.00%			
Written confirmation of compliance with household enforcement notice (additional charge if site visit required)	*	x			50.00	51.00	2.00%			
Written confirmation of closure of (other) enforcement case and reasons (additional charge if site visit required)	*	x			80.00	82.00	2.50%			
Written confirmation of compliance with (other) enforcement notice (additional charge if site visit required)	*	x			90.00	92.00	2.22%			
Written confirmation of closure of (other) enforcement case and reasons (additional charge if site visit required)	*	x			50.00	51.00	2.00%			
Listed Building Works										
Site visit and written confirmation of completion in accordance with approval	*	x			275.00	280.00	1.82%			
Written advice only (where possible without inspection)	*	x			150.00	153.00	2.00%			

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			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
Planning Conditions										
Written confirmation of compliance with condition	*	x			100.00	102.00	2.00%			
(each additional condition)	*	x			75.00	77.00	2.67%			
(additional charge if site visit required)	*	x			125.00	127.00	1.60%			
Other Pre-Application Fees										
Administration fees										
Research of Permitted Development Rights and Planning Histories										
Research on Planning Histories					116.00	116.00	0.00%			
Research on Permitted Development Rights		x			116.00	116.00	0.00%			
Statutory Application Fees (currently set nationally)										
<u>Application to discharge conditions related to a permission</u>										
The standard fee for conditions per request; or					116.00	116.00	0.00%			
Where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house.					34.00	34.00	0.00%			

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Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory Discretionary	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
<u>Written confirmation of conditions previously discharged relating to a permission</u>		x								
Per request; or		x			116.00	116.00	0.00%			
Where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house.		x			34.00	34.00	0.00%			
<u>Administration fees</u>										
<u>Research of Permitted Development Rights and Planning Histories</u>										
Research on Planning Histories		x			116.00	116.00	0.00%			
Research on Permitted Development Rights		x			116.00	116.00	0.00%			
<u>All Outline Applications (D118+D161+D162+D163+D333)</u>			1,107,713	1,179,110					1,179,110	
£462.00 per 0.1 hectare for sites up to and including 2.5 hectares		x			462.00	462.00	0.00			
More than 2.5 hectares £11432 + £138 for each 0.1 in excess of 2.5 hectares to a maximum of £150,000		x			11,432.00	11,432.00	0.00			
<u>Householder Applications</u>										
Alterations/extensions to a single dwelling , including works within boundary		x			206.00	206.00	0.00%			

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				Actuals	Current Estimate	Charges 2021-2022	Charges 2022-2023	Change	2022 + / - Income	2023 Estimate	
				£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)											
Full Applications (and First Submissions of Reserved Matters)											
Alterations/extensions to two or more dwellings houses (or flats), including works within boundaries			x			407.00	407.00	0.00%			
Per New dwelling (up to and including 50)			x			462.00	462.00	0.00%			
New dwellings (for more than 50) £22,859 + £138 per additional dwelling in excess of 50 up to a maximum fee of £300,000			x			22,859.00	22,859.00	0.00%			
48 Erection of buildings (not dwellings, agricultural, glasshouses, plant or machinery)											
No increase in gross floor space or no more than 40m ² gross floor space to be created by the development			x			234.00	234.00	0.00%			
More than 40 sqm but no more than 75 sq m gross floor space to be created by the development			x			462.00	462.00	0.00%			
More than 75 sqm but no more than 3,750 sqm gross floor space to be created by the development (£462 per £75 sq m or part thereof)			x			462.00	462.00	0.00%			
More than 3,750 sq m - £22,859 plus £138 for each 75 sqm or part thereof in excess of 3,750 sq.m to a maximum of £300,000			x			22,859.00	22,859.00	0.00%			

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				Actuals	Current Estimate	Charges 2021-2022	Charges 2022-2023	Change	2022 + / - Income	2023 Estimate	
				£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)											
The erection of buildings (on land used for agriculture for agricultural purposes)											
Gross floor space to be created by the development not more than 465 Sq.m			x			96.00	96.00	0.00%			
Gross floor space to be created by the development more than 465 sq.m but less than 540 sq.m			x			462.00	462.00	0.00%			
Gross floor space to be created by the development more than 540m2 but not more than 4,215m2			x			462.00	462.00	0.00%			
Gross floor space to be created by the development More than 4,215m ²			x			22,859.00	22,859.00	0.00%			
Erection of glasshouses (on land used for the purposes of agriculture)											
Gross floor space to be created by the development Not more than 465m ²			x			96.00	96.00	0.00%			
Gross floor space to be created by the development More than 465m ²			x			2,580.00	2,580.00	0.00%			

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			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
<u>Erection/alterations/replacement of plant and machinery</u>										
Site area Not more than 5 hectares		x			462.00	462.00	0.00%			
Site area More than 5 hectares max £300,000		x			22,859.00	22,859.00	0.00%			
<u>Applications other than Building Works</u>										
Car parks, service roads or other accesses For existing uses		x			234.00	234.00	0.00%			
Waste (Use of land for disposal of refuse or waste materials or deposit of material remaining after extraction or storage of minerals)										
Site area Not more than 15 hectares		x			234.00	234.00	0.00%			
Site area More than 15 hectares		x			34,934.00	34,934.00	0.00%			
<u>Operations connected with exploratory drilling for oil or natural gas</u>										
Site area Not more than 7.5 hectares		x			508.00	508.00	0.00%			
Site area More than 7.5 hectares		x			38,070.00	38,070.00	0.00%			

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			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
<u>Operations(other than exploratory drilling) for the winning and working of oil or natural gas</u>										
Site area Not more than 15 hectares		x			257.00	257.00	0.00%			
Site area More than 15 hectares		x			38,520.00	38,520.00	0.00%			
<u>Other operations (winning and working of minerals)</u>										
Site area Not more than 15 hectares		x			234.00	234.00	0.00%			
Site area More than 15 hectares		x			34,034.00	34,034.00	0.00%			
Other operations (not coming within any of the above categories) Any site area		x			234.00	234.00	0.00%			
<u>Lawful Development Certificate</u>										
LDC - Existing Use - in breach of a planning condition					Equivalent to full application for same works					
LDC - Existing Use LDC - lawful not to comply with a particular condition		x			234.00	234.00	0.00%			
LDC - Proposed Use -					50% planning fee					
<u>Prior Approval</u>										
Agricultural and Forestry buildings & operations or demolition of buildings		x			96.00	96.00	0.00%			
Telecommunications Code Systems Operators		x			462.00	462.00	0.00%			
All other Prior Approval		x			96.00	96.00	0.00%			
With Operational development		x			206.00	206.00	0.00%			

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Medium Term Financial Strategy 2022-23
Fees and Charges
Strategic Planning Infrastructure Committee

Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory Discretionary	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
<u>Reserved Matters</u>										
Application for approval of reserved a condition following grant of planning permission		x			462.00	462.00	0.00%			
matters following outline approval full fee due if the full fee already paid then £462 due.										
<u>Approval/Variation/discharge of condition</u>										
Application for removal or variation of		x			234.00	234.00	0.00%			
Request for confirmation that one or more planning conditions have been complied with - householder		x			34.00	34.00	0.00%			
All other development		x			116.00	116.00	0.00%			
Change of Use of a building to use as one or more separate dwelling houses, or other cases										
Number of dwellings not more than 50 £462 each dwelling		x			462.00	462.00	0.00%			
Number of dwellings More than 50		x			22,859.00	22,859.00	0.00%			
Other Changes of Use of a building or land		x			462.00	462.00	0.00%			

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Medium Term Financial Strategy 2022-23
Fees and Charges
Strategic Planning Infrastructure Committee

Fees and Charges April 2022 - March 2023	* Includes VAT	Statutory / Discretionary	2020-2021 Actuals	2021-2022 Current Estimate	Current Charges 2021-2022	Proposed Charges 2022-2023	% Change	2021-2022 + / - Income	2022 - 2023 Estimate	Comments
			£	£	£	£	%	£	£	
Development Control - Planning and Conservation (contd.)										
Advertising										
Relating to the business on the premises		x			132.00	132.00	0.00%			
Advance signs which are not situated on or visible from the site, directing the public to a business		x			132.00	132.00	0.00%			
Other advertisements		x			462.00	462.00	0.00%			
Application for a Non-material Amendment Following a Grant of Planning Permission										
Applications in respect of householder developments		x			34.00	34.00	0.00%			
Applications in respect of other developments		x			234.00	234.00	0.00%			
Permission in Principle - Site Area		x			402.00	402.00	0.00%			
Development and Conservation Control Total			1,319,146	1,452,260				5,150	1,457,410	
Grand Total			4,307,656	5,477,730				12,660	5,490,390	

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Strategic Planning and Infrastructure Committee

8 February 2022

Short term options to utilise Park & Ride Sites post service closure

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Jeff Kitson, Parking Services Manager
Lead Officer and Report Author	Jeff Kitson, Parking Services Manager
Classification	Public
Wards affected	All

Executive Summary

This report sets out the alternative short-term uses for the Park & Ride sites following the Committee's decision on 7 December 2021 for officers to investigate alternative uses following Arriva's decision to end the bus service on 19 February 2022. In due course, a report exploring a range of medium and long-term options for the sites will come forward to the appropriate Committee.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. That officers relocate the Covid-19 mobile testing unit (MTU) to the Willington Street site from February 2022.
2. That officers engage with EMS Mobile Healthcare in relation to the NHS Galleri Trials to allow use of the Willington Street site from May 2022.
3. That officers promote the Willington Street car park for event parking and apply market rate charges to event organisers.

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	7 December 2021
Strategic Planning and Infrastructure Committee	8 February 2022

Short term options to utilise Park & Ride Sites post service closure

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Impacts on the council's priorities of: <ul style="list-style-type: none"> Embracing Growth and Enabling Infrastructure 	Jeff Kitson Parking Services Manager
Cross Cutting Objectives	None identified in the short term.	Jeff Kitson Parking Services Manager
Risk Management	Refer to paragraph 5.1. and 5.2 of the report.	Jeff Kitson Parking Services Manager
Financial	Accepting the recommendations will generate modest income, however it remains difficult to accurately estimate levels until demand is tested.	Maxine Mahon Finance Manager
Staffing	No further implications on staffing identified.	Jeff Kitson Parking Services Manager
Legal	None identified.	Jeff Kitson Parking Services Manager
Privacy and Data Protection	None identified.	Jeff Kitson Parking Services Manager
Equalities	The recommendations may have varying impacts on different communities within Maidstone. An EqIA should be considered for service delivery changes.	Equalities and Communities Officer
Public Health	None identified.	Jeff Kitson Parking Services Manager

Crime and Disorder	There are no crime and disorder implications.	Jeff Kitson Parking Services Manager
Procurement	None identified.	Jeff Kitson Parking Services Manager
Biodiversity and Climate Change	The closure of the Park & Ride will have a significant impact on car usage and increase on carbon emissions in the town centre due to the loss of public transportation. Alternatives are being investigated to promote active travel and reduce car dependency in the town centre.	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 This report sets out the alternative short-term uses for the Park & Ride sites to circa 31 March 2023 following the Committees decision on 7 December 2021 for officers to investigate alternative uses following Arriva's decision to end the bus service on 19 February 2022.
- 2.2 Medium and long-term proposals are under investigation and a report exploring a range of options will come forward to the appropriate Committee in due course.
- 2.3 The London Road site is leased by Maidstone Borough Council and there are restrictions in permitted use of the land under the agreement. Therefore, the alternative short-term options in this report are focused on the Willington Street site with London Road being a consideration within medium and longer term proposals.
- 2.4 Paid parking has previously been trialled within Willington Street car park in 2018 with limited success as existing car parks for visitor parking within Mote Park are considered to be adequate to deal with day-to-day demand. Additional parking demand is only evident during large events held at Mote Park.
- 2.5 Use of the site for general parking was also considered in 2018 and public surveys conducted at the time identified that 70% of car park users would not use the facility and instead find alternative means of travel from where they started their journey. Therefore, with considerably less base level patronage in 2022 from that recorded in 2018, it is not recommended to retain general parking, as there is no evidence of a market base outside existing park visitors that will recover costs or support other sustainable transport from this location in the short term.
- 2.6 Investigation into the potential of secure commercial vehicle storage at the Willington Street site has not identified a demand. Many Kent business who

require secure vehicle storage such as recovery operators, main dealerships and enforcement companies already have suitable arrangements in place with no interest from the market identified in a short-term solution.

3. AVAILABLE OPTIONS

- 3.1 Due to the limited commercial demand for the sites in the short-term, consideration may be given to closing both locations from 19 February 2022 and awaiting the presentation of medium and long-term proposals to the Committee.
 - 3.2 Due to the contractual limitations of use at the London Road site it is prudent to transfer the Covid-19 mobile testing unit (MTU) to the Willington Street site from February 2022. Although this activity does not generate income for Maidstone Borough Council, the MTU does provide an important community service in the fight against Covid-19 by offering PCR testing to the public.
 - 3.3 Officers have been in discussions with EMS Mobile Healthcare in relation to the NHS Galleri Trials taking place across Kent throughout 2022. The Galleri Trials are a national project which presents an opportunity to support the local community by hosting a pioneering project to support the early diagnosis of cancer in healthy volunteers. The NHS unit is self-sufficient requiring no independent power, internet, or water. Full details can be found in Appendix 1.
 - 3.4 Mote Park has events planned between June 2022 and September 2022. As restrictions from the pandemic are lifted, these events are likely to be very popular and invariably create parking demand. The Willington Street car park is ideally located within the park to provide well-lit and secure parking to support these events. Access to Willington Street is well served by the primary road network and so directing visitors to this location will likely reduce levels of town centre congestion and provide an opportunity to generate income.
 - 3.5 Historically officers have been approached by Maidstone Studios to provide overflow parking when audience shows are taking place at the studios. With the Willington Street site free from February 2022, this provides an opportunity to engage with Maidstone Studios for event parking to reduce local congestion and parking related problems in residential areas.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is recommended to engage with the market to apply a combination of solutions in the short term to reduce overall costs in relation to the Willington Street site.
- 4.2 Early use of the site by the MTU for Covid-19 testing from February 2022 and by the NHS Galleri Trials from May 2022 will provide an important contribution to the community.

- 4.3 From June 2022 the site can be used for Mote Road event parking as this site offers good access to the park and would assist in reducing traffic levels entering the town centre during large events.
 - 4.4 If required by Maidstone Studios for event parking, the site will provide good secure parking whilst relieving congestion in residential areas in close proximity to Maidstone Studios.
 - 4.5 It is recommended to apply market rate charges to event organisers for on-site parking and this income can be used to offset costs. However, it remains difficult to accurately estimate levels until demand is tested.
-

5. RISK

- 5.1 Although there are risks associated with providing access to the sites by third parties, organisers will be required to arrange for public liability insurance.
 - 5.2 There is a risk of anti-social behavior at both sites if they remain underutilised for extended periods.
 - 5.3 The risks associated with these proposals, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.
-

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Consultation formed part of the Alternatives to Park and Ride report to the Strategic Planning and Infrastructure Committee in November 2018. Elements of this consultation are referenced in section 2.5 of this report.
-

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Officers to engage with the Covid-19 mobile testing unit (MTU) and EMS Mobile Healthcare in relation to the NHS Galleri Trials to allow use of the Willington Street site. Officers will also engage with event organisers to promote the Willington Street car park for event parking.
 - 7.2 A future report will be presented to the appropriate Committee setting out options for medium and long term uses of the sites at both Willington Street and London Road.
-

8. REPORT APPENDICES

- Appendix 1 - NHS Galleri Trials.

9. BACKGROUND PAPERS

None.

CANCER PREVENTION TRIALS UNIT

Presenting an opportunity for you to support your local community by hosting a pioneering project to support early cancer diagnosis.

TOGETHER WE CAN DO SO MUCH...



The Galleri blood test, developed by GRAIL, can **detect early-stage cancers** through a simple blood test, and will be piloted with 140,000 participants in partnership with NHS England.

The NHS-Galleri Trial will be a large national trial of the Galleri test in healthy volunteers in England. It is led by GRAIL Bio UK Ltd in partnership with the NHS and implemented by EMS Healthcare and your local cancer alliance.

South East London has been carefully selected as one of the first regions in England to offer this test to the local community.

We look to you for your support by hosting this pioneering study which will help the NHS reach their goal of increasing the proportion of cancers caught early.



South East London Cancer Alliance

is an NHS partnership that works to transform the diagnosis, treatment, and care for cancer patients in the local area.

These partnerships enable care to be more effectively planned across local cancer pathways.

Our long-term ambition is to take every opportunity to prevent cancer and ensure outstanding cancer care is provided across South East London.



NHS-Galleri Trial Large Unit Site Information & Requirements



Visual representation of the facility front.



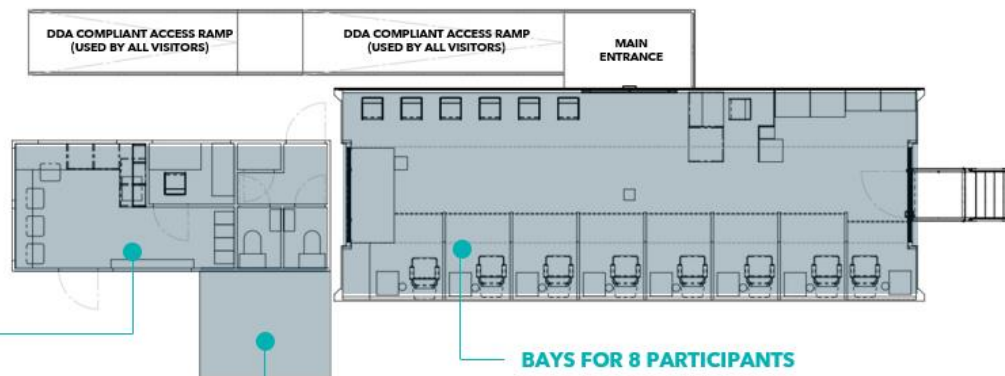
Visual representation of the facility rear.

TRAILER SPECIFICATION

- Air Conditioning w/ Climate Control
- Air Exchange System
- Fully Compliant Access Ramp
- Reception/Waiting Area (COVID-secure)
- One-way System

STAFF WELFARE UNIT

- Participant/Staff Toilets
- Kitchen Area
- Storage
- Admin Facilities



GENERATOR

A hybrid generator which will provide power to the whole facility. It's high-capacity battery storage will allow for overnight supply with minimal noise and air pollution. All housed within a secure ISO container.

BAYS FOR 8 PARTICIPANTS

Each participant will be welcomed into a bay for sampling. Our staff will be responsible for their bay throughout the day ensuring cleanliness and participant comfort is to the highest standard.



All facilities are self-sufficient meaning no additional power, internet or water services are required from the sites. The only requirement is space and the overall footprint of the site is approximately: **27m x 9m** (excl. Parking)

All heavy machinery will be removed from site following the completion of the install.

STRATEGIC PLANNING & INFRASTRUCTURE COMMITTEE

8 February 2022

Conservation Area Appraisal and Management Plan Work Programme Report

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Rob Jarman – Head of Planning and Development
Lead Officer and Report Author	Deanne Cunningham – Team Leader (Heritage Landscape and Design) Christopher Rainsford and Jeremy Fazzalano – Principal Conservation Officers
Classification	Public
Wards affected	All

Executive Summary

This report identifies the work undertaken to date in respect of the conservation area appraisal and management plan work programme, advises and provides an update of those activities currently in progress. It also recommends the next work programme to commence in 2022 subject to resourcing.

Purpose of Report

The purpose of this report is to update the committee on the progress of the two-year work programme for Maidstone’s conservation area as agreed at the meeting of the SPI committee on 10 September 2019. To recommend the next work programme subject to resources.

This report makes the following recommendations to this Committee:

- That the contents of the report be noted; and
- The recommendations on the future work programme as set out in 6.1 of this report are agreed, with final approval for adoption of conservation area appraisals and management plans delegated to the Head of Planning and Development.

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	8 February 2022

Conservation Area Appraisal and Management Plan Work Programme Report

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims.	Head of Planning and Development
Cross Cutting Objectives	The report recommendations support the achievements of the Heritage is Respected cross cutting objective by preparing appraisals and management plans for the borough's conservation areas.	Head of Planning and Development
Risk Management	Refer to Section 5	Head of Planning and Development
Financial	The current programme was originally funded with £24,000 from the Business Rates Retention Scheme and was used to increase the hours of the part-time officer from two to three days per week. This came to an end at the close of 2021.	Head of Planning and Development
Staffing	There will be staffing implications, and these are set out in section 3	Head of Planning and Development
Legal	Accepting the recommendations will fulfil the Council's duties under the Planning (Buildings and Conservation Areas) Act 1990 and the The Town and Country Planning (General Permitted Development) (England) Order 2015.	Cheryl Parks Mid Kent Legal Services (Planning)
Privacy and Data Protection	Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules.	Head of Planning and Development
Equalities	The preservation of the historic environment is of a positive benefit for all members of the community, helping achieve a strong sense of belonging. Community engagement and an equalities assessment would be carried out as part of the development of individual management plans to consider issues such as	Equalities and Corporate Policy Officer

	accessibility.	
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	No direct implications have been identified.	Head of Planning and Development
Procurement	No procurement will be required	Head of Planning and Development

2. INTRODUCTION AND BACKGROUND

- 2.1 There are 41 designated conservation areas in Maidstone Borough. Of these only 13 had an appraisal, management plan or both prior to the implementation of the current programme. Since the implementation of the programme seven combined appraisals and management plans have been added and two more will be added on completion of work associated with the public consultation events which concluded in December 2021
- 2.2 In September 2019 Members agreed a two year work programme covering 2019-2021 for the production of documents for additional areas, to be resourced through the Business Rates Retention Scheme. That programme came to an end in December 2021 with all work completed on programme.
- 2.3 The work programme also included revision of the Boughton Monchelsea conservation area boundaries, which was approved under delegated powers on 25 March 2020.
- 2.4 Adopted appraisals and management plans are:
- Harrietsham
 - Lenham Elmstone Hole
 - Maidstone Chillington House
 - Maidstone Ashford Road
 - Maidstone Town Centre
 - Sutton Valence
 - Yalding
- 2.5 Appraisals and Management plans undergoing public consultation are:
- Lenham Village
 - Headcorn

These have been signed off by the Head of Planning.

POLICY CONSIDERATIONS

- 2.6 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to review their conservation areas from time to time, to formulate and publish proposals for their preservation and enhancement and consult the public in the area in question, taking account of views expressed (Sections 69(2) and 71(1 and 2)).
- 2.7 National planning policy guidance advises that a conservation area appraisal can be used to help authorities to develop a management plan and appropriate policies for the Local Plan, and that a good appraisal will consider features that made a positive or negative contribution to the area, thereby identifying opportunities for beneficial change or planning protection (PPG, Para 025).
- 2.8 Historic England advises that an up to date conservation area appraisal and management plan is the most appropriate way for a local authority to fulfil the above duties (Designation, Appraisal and Management of Conservation Areas, January 2019).

WORK COMPLETED TO END OF 2021

- 2.9 The drafting of the nine appraisals and management plan authorised by the Committee was completed in October 2021 with the final two documents, under this programme, being sent out for public consultation in November 2021. The consultation period ended on 22 December and the comments will be reviewed and the documents amended as necessary prior to being signed off by the Head of Planning.

PLAN OF WORK

- 2.10 The next priority is to produce appraisals and management plans for the rural service centres not already covered, Marden and Staplehurst.
- 2.11 In addition to the above, it is recommended that a checklist be provided to enable parish councils to assist in progressing work on conservation area appraisal management plans in their areas.
- 2.12 It is then proposed to move on to Hollingbourne, the one larger village which does not currently have an appraisal and management plan for its conservation area. Any actions arising from the resulting Management Plan, such as boundary changes and Article 4 Directions will clearly divert resources away from completing the programme as proposed
- 2.13 There is also a need to update the list of locally scheduled heritage assets. This will entail a considerable exercise in public consultation and internal administration to carry out but it is an undertaking made in the Local Plan Review.

3. AVAILABLE OPTIONS

3.1 As there is no longer funding for this area of work the future programme will be subject to the capacity of the full-time Principal Conservation Officer (PCO) and the new part-time PCO who will be funded from the Recovery and Renewal fund which will enable the continuation of the original 2 days per week for another financial year. This means that work on this programme will be balanced against competing priorities of caseload, specialist input into the Local Plan review, which is a high priority for the department, and other work objectives.

3.2 Alternative options include:

- Putting the programme on hold.
- To prioritise other conservation areas based on different priorities, or considerations not covered by this report.

It is anticipated that, given the anticipated resource over the next year, one appraisal and management plan can be completed during this period, depending on current workload and the size of the conservation areas in question and whether any appraisal work has already been undertaken.

If Article 4 Directions to restrict permitted development rights are taken forward this will require an extensive consultation exercise which may result in additional threats to a conservation area should residents choose to implement inappropriate works prior to them being restricted. In terms of additional actions, boundary changes should take priority over Article 4 Directions, as an amended boundary would then necessitate a review of the Article 4.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 The preferred option is to continue with a much reduced programme of work to complete one large Conservation Area in 2022/23, starting with Staplehurst. This will enable the Council to continue to fulfil its duties in relation to the requirement to produce and review appraisals and management plans for its designated conservation areas.

Alongside this the team will produce a checklist and scope the resource implications for providing a training workshop and managing the process to enable Parish Councils and/or local interest groups to start the assessment process in their local conservation area. The work will commence in April 2022.

5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6 NEXT STEPS

- 6.1 If the committee agrees the recommendations in this report and supports additional resources, the relevant members and Parish Councils will be informed of the plans for the 2022 works programme and the work will be programmed to commence from April 2022
-

7. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Maidstone Conservation Areas status

8. BACKGROUND PAPERS

None

APPENDIX 1 - MAIDSTONE CONSERVATION AREAS STATUS

Conservation Area	Appraisal (CAA)	Management Plan (CAMP)
Bearsted	Combined CAAMP 22.03.10	
Bearsted Holy Cross Church		
Boughton Malherbe		
Boughton Monchelsea the Green	26.03.08	11.04.17
Boughton Monchelsea the Quarries	27.02.09	
Boughton Monchelsea Cock Street	27.02.09	
Boxley Village		
Boxley Abbey		
Broomfield		
Detling	26.03.08	
East Farleigh Dean Street		
East Farleigh Lower Road		
Grove Green		
Harrietsham		
Headcorn		
Hollingbourne Broad Street		
Hollingbourne Eyhorne Street		
Hollingborne Upper Street		
Leeds Lower Street		
Leeds Upper Street		
Lenham Village		
Lenham Sandway		
Lenham Elmstone Hole	Due 2021	
Lenham Liverton Street		
Linton	26.03.08	22.03.10
Loose Valley		
Maidstone All Saints	2003	2003
Maidstone Ashford road	Drafted 2020	
Maidstone Centre	Drafted 2020	
Maidstone Chillington House	Drafted 2020	
Maidstone Holy Trinity	02.10.07	22.03.10
Maidstone Rocky Hill		
Marden		
Otham	27.02.09	
Staplehurst		
Sutton Valence	Drafted 2020	
Teston		
Wateringbury		
West Farleigh		
Wormshill		
Yalding	Due 2021	

Agenda Item 17

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

8 February 2022

Article 4 Direction for Bearsted Conservation Area

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Rob Jarman – Head of Planning and Development
Lead Officer and Report Author	Deanne Cunningham – Team Leader (Heritage Landscape and Design) Jeremy Fazzalero – Principal Conservation Officer
Classification	Public
Wards affected	Bearsted

Executive Summary

This report follows a request by councillors for an Article 4 Direction for Bearsted Conservation Area to prevent the demolition of certain types of boundary treatment from being demolished without planning permission. It sets out the options, risks and next steps.

Purpose of Report

The purpose of this report is to provide an overview of the current situation in the conservation area and suggests options for implementing an Article 4 Direction, the risks and next steps.

This report makes the following recommendations to this Committee:

1. That the contents of the report be noted
2. The committee agrees that a review of the conservation area boundary is undertaken and an Article 4 Direction is applied

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	8 February 2022

Article 4 Direction for Bearsted Conservation Area

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims.	Head of Planning and Development
Cross Cutting Objectives	The report recommendations support the achievements of the Heritage is Respected cross cutting objective.	Head of Planning and Development
Risk Management	Refer to Section 5	Head of Planning and Development
Financial	There is no specific funding identified for this area of work and it would need to be included in the work programme for Conservation Area appraisals and management plans.	Section 151 Officer & Finance Team
Staffing	There will be staffing implications, and these are set out in section 3	Head of Planning and Development
Legal	Accepting the recommendations will fulfil the Council's duties under the Planning (Buildings and Conservation Areas) Act 1990 and the The Town and Country Planning (General Permitted Development) (England) Order 2015.	Head of Planning and Development
Privacy and Data Protection	Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules.	Head of Planning and Development
Equalities	The preservation of the historic environment is of a positive benefit for all members of the community, helping achieve a strong sense of belonging. Community engagement and an equalities assessment would be carried out as part of the development of individual management plans to consider issues such as accessibility.	Head of Planning and Development
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Head of Planning and Development

Crime and Disorder	No direct implications have been identified.	Head of Planning and Development
Procurement	No procurement will be required	Head of Planning and Development

2. INTRODUCTION AND BACKGROUND

- 2.1 The Bearsted Conservation Area was first designated by the Kent County Council on 3 July 1970 and revised on 19 October 1977 as part of a general review of conservation areas in the Borough. Prior to this review, the question of extending the boundary of the Conservation Area has been raised by Bearsted Parish Council on a number of occasions. The assessments that resulted in the 1990s led to the designation of a new conservation area on 9 June 1992: Bearsted (Holy Cross Church) Conservation Area. In addition, it was determined to expand the Bearsted Conservation Area to include the site surrounding Snowfield on 29 October 1999.
- 2.2 The Conservation Area Appraisal revealed that significant damage to the character of the Conservation Area had been occasioned by alterations to unlisted single dwelling houses carried out under permitted development rights granted by the Town and Country Planning (General Permitted Development) Order (GPDO). Such alterations include re-roofing in inappropriate materials and replacement windows and doors of inappropriate design or materials (they are often in uPVC). Whilst individually such alterations may be minor, their cumulative impact is substantial.
- 2.3 There are no Article 4 Directions currently in force within the Bearsted Conservation Area or the Bearsted Holy Cross Conservation Area. The lack of pavements around The Green is an important factor in the character of the conservation area. There are a variety of boundary treatments including, hedges, ragstone walls, brick walls, and decorative cast iron railings which make a positive contribution to the character of the conservation area.
- 2.4 Concern has been raised regarding the loss of boundary walls, in particular ragstone walls in the conservation area. These features have been identified in the conservation area appraisal as being positive features that contribute to its special character. It should be noted that some of the existing ragstone walls have poor quality pointing which detracts from the character of the conservation area. Councillors have suggested an Article 4 Direction be imposed to prevent such works being carried out without planning permission.

3. POLICY CONSIDERATIONS

- 3.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to review their conservation areas from time to time, to formulate and publish proposals for their preservation and enhancement and consult the public in the area in question, taking account of views expressed (Sections 69(2) and 71(1 and 2)).
- 3.2 National planning policy guidance advises that a conservation area appraisal can be used to help authorities to develop a management plan and appropriate policies for the Local Plan, and that a good appraisal will consider features that made a positive or negative contribution to the area, thereby identifying opportunities for beneficial change or planning protection (PPG, Para 025).
- 3.3 The legal framework for Article 4 Directions is set out in The Town and Country Planning (General Permitted Development) Order 2015 which sets out the procedures for Article 4 directions.
- 3.4 An Article 4 direction restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of developments. Once in effect, a planning application may be required for development that would otherwise have been permitted development. Once adopted, planning permission would be required for the types of building works or uses listed in the direction. Article 4 directions are used to control works that could threaten the character of a conservation area. They are not necessary to prevent works to listed buildings as listed building consent would be required for before any harmful works could be carried out. This also applies to curtilage listed structures such as walls. Article 4 directions are more likely to be effective if the Council undertakes regular monitoring for compliance and appropriate enforcement, and if reviewed when circumstances change.
- 3.5 Historic England's guidance on *Conservation Area Appraisal, Designation and Management* provides further discussion on the use of and implementation of Article 4 Directions:

'Minor developments such as domestic alterations and extensions can normally be carried out without planning permission under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Article 4 of the GPDO gives local planning authorities the power to limit these 'permitted development rights' where they consider it necessary to protect local amenity or the wellbeing of the area. Using the provisions of Article 4 of the GPDO brings certain types of development back under the control of a local planning authority so that potentially harmful proposals can be considered on a case by case basis through planning applications.'

- 3.6. The Council will need to consider carefully whether to consult the public at the outset since:

"In some cases, a lengthy consultation period may provoke the carrying out of the very works which the direction would control. If this seems likely, the direction should be served and consultation undertaken subsequently".

4. AVAILABLE OPTIONS

- 4.1 The Bearsted CAAMP recommends boundary changes to the conservation area, however, these have not been progressed to date. It will be necessary to review the boundary of the conservation area prior to issuing the direction.

The Town and Country Planning (General Permitted Development) Order 2015 which sets out the procedures for non-immediate and immediate Article 4 directions. This will require a public consultation and the Council will need to give notice as soon as practicable after the direction has been made. The notice must include a description of the development to which the direction relates, or the site to which it relates, specify a period of at least 21 days stating the date on which that period begins within which any representations may be made to the local authority; and specify the date on which it is proposed that the direction will come into force. The Council must also send a copy of the direction and notice with a map of the area to the Secretary of State.

4.2 There are several options for consideration:

- **Non-immediate Article 4 Direction**

The Council could implement a non-immediate Article 4 Direction to restrict permitted development rights, however this will require an extensive consultation exercise which may result in additional threats to the conservation area should residents choose to implement inappropriate works prior to them being restricted. Furthermore, should the conservation area boundary be extended in the future, an additional Article 4 Direction will be required to include the buildings within the extended area. Non-immediate directions can be used where the threat from the exercise of permitted development rights is not immediate, or where permitted development rights cannot be withdrawn by an immediate direction

- **Immediate Article 4 Direction**

The Council could implement an immediate Article 4 Direction, however there are compensation risks that would need to be considered and as stated above, this will require an extensive consultation exercise that may result in additional threats to the conservation area. Immediate directions can only be used to withdraw a small number of permitted development rights. Furthermore, should the conservation area boundary be extended in the future, an additional Article 4 Direction will be required to include the buildings within the extended area.

- **Conservation Area Review**

The third option is to review the conservation area boundary as recommended in the appraisal which could include issuing an Article 4 direction alongside the review. -If Article 4 Directions to restrict permitted development rights are taken forward this will require an extensive consultation exercise which may result in additional threats to a conservation area should residents choose to implement inappropriate works prior to them being restricted. In terms of additional actions, boundary changes should take priority over Article 4

Directions, as an amended boundary would then necessitate a review of the Article 4. If this work is included in the conservation area appraisal programme, it will mean other proposed work will have to be delayed. See Conservation Area Appraisal Management Plan Work Programme report for further information.

5. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 5.1 The preferred option would be to carry out a review of the conservation area boundary and then consider a non-immediate Article 4 Direction, resources permitting. An immediate Article 4 Direction is not recommended for the reasons set out above.
-

6. RISK

- 6.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

7. NEXT STEPS

- 7.1 If the committee agrees with the recommendation of this report the work will need to be added to the programme of conservation area appraisals and management plans considered elsewhere on this agenda. The relevant members and Parish Councils will be informed of the plans for the 2022 works programme.

Agenda Item 18

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

08 February 2022

Local Plan Review Update

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Philip Coyne (Interim Director of the Local Plan Review) and Rob Jarman (Head of Planning and Development)
Lead Officer and Report Author	Mark Egerton (Strategic Planning Manager)
Classification	Public
Wards affected	All

Executive Summary

At the 10 March 2020 meeting of this committee, Members resolved that officers provide a short, written update at each meeting of this committee, concerning any slippage and/or progress on delivering the Local Plan Review on the timetable agreed. This report provides the requested update.

Purpose of Report

Noting

This report makes the following recommendations to this Committee:

1. That the report is noted

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	08 February 2022

Local Plan Review Update

1. INTRODUCTION AND BACKGROUND

- 1.1 At the 10th March 2020 meeting of the Strategic Planning and Infrastructure (SPI) Committee, Members resolved that officers should provide a short-written update at each meeting of the committee, concerning any slippage and/or progress on delivering the plan on the timescale agreed. This report provides the requested update.
- 1.2 Having completed public consultation on the Local Plan Review Regulation 19 'Draft for Submission' documents on 12th December, work is ongoing processing and analysing the approximately 2,250 representations received.
- 1.3 At the 6th October Full Council meeting, in addition to approval to commencement of the Regulation 19 Consultation exercise, agreement was given to the subsequent submission of the Local Plan Review documents to the Secretary of State for Levelling Up, Housing and Communities. This submission was however contingent upon the schedule of Main Modifications resulting from the Regulation 19 consultation being brought back to this Committee for final approval.
- 1.4 In light of the above, and the numbers of representations received to the consultation, consideration has been given to the timing of that committee, and it is intended for the Main Modifications to be considered at a special meeting on 21st March 2022. This will enable the Local Plan Review to be a single agenda item and for the analysis of responses and proposed schedule of Main Modifications to be completed and submitted in accordance with the adopted Local Development Scheme.
- 1.5 Processing of the representations has been described and clarified in previous reports and verbal updates to this committee. It is the case that the majority of processing has now been completed, allowing greater resource focus on the various stages of analysis. However, as noted in previous reports and updates, processing commenced whilst the consultation was still ongoing in order that analysis could be commenced shortly after the completion of the consultation, and this has therefore been ongoing for a number of weeks.
- 1.6 In recent updates to this committee on the Local Plan Review, initial findings of the analysis have been provided. The latest position has not changed as analysis has progressed, with the overall majority of representations being made on the Lidsing Garden Community proposal. A large number of representations have also been made on Heathlands Garden Community proposal and, to a lesser extent, the continued inclusion of the Invicta Barracks site as carried forward from the 2017 Adopted Local Plan.
- 1.7 The majority of representations seek to highlight concerns over the garden community proposals, with a particular focus on landscape impacts (including the impact on the Kent Downs Area of Outstanding Natural

Beauty), transport impacts, including provision of transport infrastructure and need for mitigations, and infrastructure requirements. For Lidsing, there remains a particular concern regarding the impacts on nearby communities and infrastructure within Medway's administrative area.

- 1.8 Engagement and the progression of technical work with key consultees and Garden Community promoters has been continuing. This may result in further Statements of Common Ground being brought to this committee prior to submission. It is also anticipated that further transport information may be available for submission as work in this regard continues, with a particular focus on garden community impacts as the basis for ongoing work around satisfactory mitigations. In particular, this will seek to ensure focus on matters raised in Regulation 19 representations.
- 1.9 The transport work and other infrastructure work, along with other key matters, such as landscape and more detailed masterplanning and design work, will continue with regard to the main developments of Invicta Barracks, Heathlands and Lidsing. This will satisfy a dual purpose of providing reassurance to the Local Plan Review examination Planning Inspector of ongoing work, whilst complying with the requirements of the Regulation 19 policies that commit to undertaking more detailed work as part of the production of Supplementary Planning Documents.

2. RISK

- 2.1 This report is presented for information only has no direct risk management implications. Risks associated with the LPR are dealt with through the usual operational framework and have been previously reported.

3. REPORT APPENDICES

- 3.1 None
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**STRATEGIC PLANNING &
INFRASTRUCTURE COMMITTEE**

8 February 2022

**Maidstone Design and Sustainability Development Plan
Document Update**

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Philip Coyne Interim Director: Local Plan Review
Lead Officer and Report Author	Philip Coyne Interim Director: Local Plan Review
Classification	Public
Wards affected	All

Executive Summary

At the 21 September 2021 meeting of this committee, it was agreed that officers be authorised to procure and contract for the preparation of a Design and Sustainability Development Plan Document (DPD), which will form part of the Council's Local Development Scheme. This authorisation was subject to a resolution which provided for an all-member engagement session prior to a contract being formally entered into. However, as a result of severe pressure within the consultancy market for this type of work, the commissioning process was prolonged and there now exists a very real danger that commencement of work on this document before April of this year could compromise the final stages of work on the local plan review, which needs to be brought before this committee and submitted to the Secretary of State for Levelling Up, Housing and Communities by the end of March 2022. This report therefore seeks the agreement of the committee for officers to enter into a contract prior to the required all-member engagement session in order to ensure that the Council can retain the proposed contractor selected through the procurement process. Should the committee agree this course of action, it will be subject to an assurance from officers that the all-member engagement session will be conducted prior to any significant work on the DPD commencing.

Purpose of Report

Decision.

This report makes the following recommendations to this Committee:

That this committee authorises officers to enter into a contract for the preparation of the Design and Sustainability Development Plan Document, in advance of the all-member session required by the 21 September 2021 resolution of this committee, but subject to an assurance from officers that this all-member engagement session will be conducted in advance of any significant work being undertaken post-contract.

Timetable	
<i>Meeting</i>	<i>Date</i>
Strategic Planning and Infrastructure Committee	8 February 2022

Maidstone Design and Sustainability Development Plan Document Update

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The Design and Sustainability DPD will contribute directly to the Homes and Communities and Safe, Green and Clean priorities through the provision of policies which will enable the Council to require higher quality developments in a manner which will maximise design, sustainability and the establishment of new communities with access to high quality formal and informal open spaces.	Interim Local Plan Review Director
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>A specific focus of the DPD proposed in this report will be the achievement of improved levels of bio-diversity net gain, with better quality natural and semi-natural open spaces. The provision of better quality open spaces within new developments and open spaces linking developments will contribute to reduction of health inequalities through encouragement of walking and cycling.</p>	Interim Local Plan Review Director
Risk Management	The commissioning of the DPD will go through the Council's normal procurement processes and a management framework will be agreed at the outset of the commission which will ensure that risk levels are maintained within the range normally acceptable to the Council.	Interim Local Plan Review Director
Financial	The Policy & Resources Committee made £140k available for this project at its meeting on 23 June 2021. These resources may be carried forward for utilisation in the next financial year if work on the project is	Section 151 Officer & Finance Team

	delayed. Note that there are further costs for examination, which will need to be funded separately.	
Staffing	This project will be managed by the Interim Director for the Local Plan Review whose costs are currently provided for within the Local Plan Review budget. Project management and other support will be contained within existing staffing budgets.	Interim Local Plan Review Director
Legal	Any necessary agreements or contracts entered into must be in accordance with the Council's Financial and Contract Procedure Rules and should be in a form approved by the Head of Legal Partnership.	Russell Fitzpatrick (MKLS (Planning))
Privacy and Data Protection	Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules.	Policy and Information Team
Equalities	We recognise the content of the DPD may have varying impacts on different communities within Maidstone. Therefore, the DPD will have associated equalities impact assessment.	Equalities and Communities Officer
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	The proposed DPD will be focused in significant part upon good design, which will incorporate measures to reduce crime and increase public safety.	Interim Local Plan Review Director
Procurement	On accepting the recommendations, the Council will then follow a procurement exercise for commissioning the DPD work. We will complete those exercises in line with financial procedure rules.	[Head of Service & Section 151 Officer]
Biodiversity and Climate Change	A specific role of the proposed DPD will be an increase in biodiversity net gain and the promotion of development principles which maximise sustainability and contribute positively to the climate change agenda.	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1. At its meeting on 23rd June 2021, the Policy and Resources Committee agreed a budget of £140,000 to undertake work to strengthen the 'non-spatial' policy framework within the Council's Local Development Scheme. Subsequently, at its meeting on 21st September 2021 (the September Report), this committee authorised officers to procure and contract for the preparation of a Design and Sustainability Development Plan Document (DPD) to be adopted as part of the Maidstone Local Development Scheme.
- 2.2. The September Report provided this committee with an outline of the nature of the DPD and the topics that would be contained therein. The report also advised members of the likelihood that following engagement with the market and more detailed discussions with the appointed consultant, it would be likely that the overall brief for the work would be refined.
- 2.3. As a result of the scope for the brief to change, the committee resolved that there should be an all-member briefing around the revised scope of the DPD prior to the Council entering into contract with the successful consultant.
- 2.4. In accordance with the detail contained within the September Report, an initial process of market engagement was undertaken in conjunction with the council's procurement officers between 1st October and 15th October 2021. However, this exercise resulted in no expressions of interest being submitted. As a result, discussions were held with a number of the companies who had visited the procurement portal but had failed to register an interest. The feedback from these discussions was that whilst there was indeed interest in the commission, many of the companies were stretched in terms of the pressures of existing contracts, in some cases exacerbated by staffing issues. One of the impacts of these pressures was that companies were reluctant to devote resource to commissions which were not at formal tender stage.
- 2.5. In the context of the above discussions, a formal tender process was conducted between 15th November and 8th December. As part of this process, officers received feedback indicating that whilst there was interest in the commission, some companies were struggling with timescales, with one request received for an extension of the timescale. As a result of this, a further tender period was advertised between 10th December and 14th January.
- 2.6. In the event, only one tender was received. However, this proposal was from an international multi-disciplinary built environment consultancy, with a very significant track record. Officers have subsequently interviewed the company and are confident that they have the background and breadth of skills to undertake this work successfully.
- 2.7. Members will be aware that the local plan review is currently at a critical stage. Following the regulation 19 consultation exercise some 2250 representations were received. Work in analysing these representations in

readiness for reporting to this committee and submission to the Secretary of State for Levelling Up Housing and Communities before the end of March this year, is continuing at pace.

- 2.8. As part of the interviews with the proposed consultant, it was clear that the spatial planning team will need to devote significant time in the 'clienting' role at the commencement of the contract. This will be critical in ensuring that the DPD scoping is clearly agreed at the outset and that members are sighted on, and given opportunity to input to, its proposed content.
- 2.9. However, given the pressures that the spatial planning team is currently under in meeting the March deadline for submission of the local plan review, attempting to devote the necessary time to this commission at the moment will run the very significant risk of compromising the deadline for submission of the local plan review.
- 2.10. For the reasons above, it is proposed that commencement of work on the Design and Sustainability DPD be delayed until April of this year. Members will appreciate that in a very strong consultancy market, it is important that we keep the proposed contractor engaged and give them the confidence to start to organise their time and resource in readiness for an April start. However, to do this, we will need to enter into a contract before it is possible to undertake member engagement work as per the September 2021 resolution of the committee. Therefore, the committee is requested to agree that the contract be entered into in advance of the all-member session required by the resolution, subject to an assurance from officers that following early work with the consultant to refine the scope and content of the brief, this will be shared with members for input before any significant work commences.

3. AVAILABLE OPTIONS

- 3.1 Option 1: That this committee agrees to a delay in commencement of work on the Design and Sustainability DPD and authorises officers to enter into a contract prior to an all-member engagement. This agreement would be subject to an assurance from officers that this engagement will be undertaken in advance of significant work on the DPD commencing
- 3.2 Option 2: That this committee instructs officers to continue commissioning the Design and Sustainability DPD in line with the September 2021 resolution of the committee.
- 3.3 Option 3: That this committee instructs officers to delay entering into the contract for the Design and Sustainability DPD until after submission of the local plan review at the end of March, in order that the September resolution of the committee can be complied with.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is Option 1, as this will enable officers to enter into a contract for the preparation of the Development Plan Document subject to a delayed start, which will subsequently avoid the redeployment of resource away from the local plan review. This option would also be subject to an assurance by officers that prior to commencement of significant work on the DPD, a member engagement event will be held to consider its scope and content.
 - 4.2 The selection of Option 2 would risk a delay in submission of the local plan review with all the potential consequences with which members of this committee are familiar. This option would also risk compromising our ability to retain the preferred contractor.
 - 4.3 Option 3, as with option 2 above, would run the risk of the Council losing the preferred contractor for the work at a point where the market is very strong, and with no guarantee as to the likely outcome of any re-commissioning exercise.
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5. RISK

- 5.1 The risk of failing to vary the September 2021 resolution of this committee, as detailed above, is that the Council either compromises the time critical submission of the local plan review, or risks having to re-tender the commission for the Development Plan Document with no guarantee as to the likelihood of obtaining appropriate tenders.
 - 5.2 Any risk around the variation of the September 2021 resolution vis-à-vis member engagement can be managed between officers and members and is therefore entirely within the parameters of the Council's normal risk appetite.
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6. APPENDICES

- 6.1 None

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

8 February 2022

Response to Swale Borough Council Local Plan Review 'Issues and Preferred Options' Consultation

Final Decision-Maker	STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE
Lead Head of Service	Phil Coyne (Interim Director Local Plan Review), Rob Jarman (Head of Planning and Development)
Lead Officer and Report Author	Mark Egerton (Strategic Planning Manager)
Classification	Public
Wards affected	All

Executive Summary

Swale Borough Council has consulted on its Local Plan Review Regulation 18 'Issues and Preferred Options'. This report summarises the key implications for Maidstone Borough and includes a proposed response to the consultation as Appendix A. The report recommends that Members agree the response to the consultation.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. That Members note the consultation on the Swale Borough Council Local Plan Review Regulation 18 'Issues and Preferred Options'
2. That the response to the Swale Borough Council Local Plan Review Regulation 18 'Issues and Preferred Options' consultation is noted and agreed

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	8 February 2022

Response to Swale Borough Council Local Plan Review 'Issues and Preferred Options' Consultation

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p>Impact on Corporate Priorities</p>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations will enable the Council to ensure that plans elsewhere in Kent do not materially harm its ability to achieve each of the corporate priorities.</p>	<p>Rob Jarman (Head of Planning & Development)</p>
<p>Cross Cutting Objectives</p>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations support the achievements of the four cross cutting objectives by ensuring that the actions of neighbouring authorities do not materially harm the council's ability to achieve these objectives.</p>	<p>Rob Jarman (Head of Planning & Development)</p>
<p>Risk Management</p>	<p>The recommendations seek to reduce the risk associated with the production of the Local Plan Review by ensuring that plans in a neighbouring authority are not in conflict with our own and those set out in government policy.</p>	<p>Rob Jarman (Head of Planning & Development)</p>

Financial	The recommendations seek to reduce the risk and potential financial cost of the Local Plan Review by ensuring that plans in a neighbouring authority are not in conflict with our own.	Section 151 Officer & Finance Team
Staffing	We will deliver the recommendations with our current staffing.	Rob Jarman (Head of Planning & Development)
Legal	As part of its duty to co-operate, the Borough Council must engage constructively, actively and on an ongoing basis with neighbouring Council in the preparation of development plan documents in order to maximise the effectiveness of the activity of plan preparation. Swale Borough Council are consulting with the Maidstone Borough Council on the development of their local development plan. Maidstone Borough Council is responding to that consultation. Whilst there are no legal implications arising from the response, accepting the recommendations will help to fulfil the Council's duties under s.33A of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended).	Russell Fitzpatrick MKLS (Planning)
Privacy and Data Protection	Accepting the recommendations will not increase the volume of data held by the Council.	Policy and Information Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities and Communities Officer
Public Health	No implications identified	[Public Health Officer]
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Rob Jarman (Head of Planning & Development)
Procurement	N/A	Rob Jarman (Head of

		Planning & Development)
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and accepting the recommendations aligns with associated actions of the Biodiversity and Climate Change Action Plan	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 Swale Borough Council's Local Plan (Bearing Fruits 2031) was adopted in July 2017 and sets out the development strategy for Swale up to 2031. As required by the NPPF this plan should be reviewed after five years and in 2018 Swale Borough Council (SBC) commenced work on its Local Plan Review.
- 2.2 Between April and June 2018, SBC undertook a Regulation 18 consultation entitled 'Looking Ahead'. This was followed in February 2021 with a consultation on the 'Pre-Submission Local Plan (Regulation 19)'. A response was sent by Maidstone Borough Council, which was agreed by this committee on 13 April 2021.
- 2.3 In the event, a decision was taken by SBC to re-run their Regulation 18 Consultation. This latest consultation, on 'Issues and Preferred Options', has been undertaken in order to 'enable the implications of the most recent revisions to the NPPF (July 2021) to be considered'. A further Regulation 19 consultation is then expected to take place in February 2022.
- 2.4 A full copy of the SBC Issues and Preferred Options consultation document is available here - [https://services.swale.gov.uk/assets/Planning%20Policy%202019/Reg%2018%20October%202021/FINAL%20SBLP%20\(Oct%202021\)%20Issues%20and%20Options.pdf](https://services.swale.gov.uk/assets/Planning%20Policy%202019/Reg%2018%20October%202021/FINAL%20SBLP%20(Oct%202021)%20Issues%20and%20Options.pdf)
- 2.5 The SBC Issues and Preferred Options consultation took place between 29 October 2021 and 29 November 2021. Due to a technical issue with the IT system that is used by Maidstone, Swale and several other local authorities, Maidstone Officers were not alerted to this consultation. However, given the ongoing working relationship and cooperation between the two authorities, officers have quickly become aware of the issue, and we are accordingly, in a position to respond to this now. This approach has also been agreed by officers in Swale and the matter is being investigated by Mid Kent ICT Services to ensure that it does not reoccur.
- 2.6 The consultation is primarily focussed on the development strategy for Swale borough and comprises a series of sub-headings with questions. The consultation is also accompanied by a suite of evidence base documents. This includes:
- Employment Land Review
 - GTAA

- Local Landscape Designation Review
- Landscape Sensitivity Study
- Strategic Housing Land Availability Assessment (SHLAA)
- Local Housing Needs Assessment (standard method)
- Strategic Housing Market Assessment (SHMA)
- Strategic Flood Risk Assessment (SFRA - Level 1)
- Sequential Test
- Retail & Leisure Needs Assessment
- Settlement Hierarchy Study
- Transport modelling
- Air Quality modelling
- Assessment of New Settlements submission sites (Strategic Development Option sites)
- Open Space Assessment Study
- GBI Strategy
- Biodiversity Baseline Report
- Local Green Space Designations
- Viability Study

2.7 MBC and SBC have engaged in ongoing duty to cooperate throughout the development of their respective plans. This has resulted in a draft Statement of Common Ground, which was published by MBC with its recent Regulation 19 Local Plan Review Draft for Submission documents. As noted above, MBC has also responded to the previous SBC Local Plan Review consultations. Focus has therefore been on reference back to those responses, as well as the key changes associated with this latest consultation.

2.8 The document contains proposals regarding vision, objectives, employment and retail, climate change, place-shaping and design, and housing types, for example and none of these would initially result in MBC wishing to raise issues. However, a primary focus of this consultation is on how Swale propose to meet their borough's housing need, as well as reasonable alternative spatial development strategies. The consultation document notes that *"there are limited opportunities to allocate development on unconstrained land and that some difficult choices will need to be made noting that there are other factors at play such as services, facilities and infrastructure"*.

2.9 The document notes *"Should the council have a case to support not being able to meet its full need, it would need to negotiate unmet need being delivered in other areas in order to secure a sound local plan"*. Whilst the document sets out a vision and objectives that imply that need will be met within Swale Borough, the document nonetheless asks whether SBC should attempt to justify not complying with the Government's Standard Method for calculating housing need, due to constraints. It also asks whether SBC *"should consider asking our neighbours to provide for our unmet development needs?"*. The question is caveated, and the risks are clearly set out, but this, nonetheless, is a clear question.

2.10 The document also sets out *"five potential development options across a spectrum of opportunities to meet the development needs within Swale"*. Possible hybrid solutions are also noted. The five development options are:

1. Business as usual (development focused on extensions to main settlements with a focus on the Thames Gateway area.)
 2. More even distribution of the additional development requirements across the borough's main urban centres and rural areas.
 3. More even distribution of the final requirements across the main urban centres (when combined with allocations in the current local plan, Bearing Fruits.)
 4. More of the overall development requirements at the eastern end of the borough.
 5. Focus our development requirements on Strategic Development Sites and/or urban extensions primarily located within existing rural areas.
- 2.11 It is apparent within the document that consideration has also been given to the key evidence base documents when considering the potential spatial approaches. Indeed, the key evidence documents suggest that SBC can meet its needs within its borough, without asking adjoining boroughs to take on their need. Furthermore, Option 3 (above) is considered to be SBC's preferred option within the document itself.
- 2.12 Option 3 would include East Faversham as an urban extension of Faversham and, in addition to a windfall allowance, would allocate homes to Sheppey (14%), Sittingbourne (10.5%), Faversham (35%) and rural areas (10.5%)
- 2.13 It is apparent that Option 3 has been considered favourably when taking into account the evidence and future needs of the borough.
- 2.14 Taking the above matters into account, it is considered appropriate to provide a focussed response to SBC that will make light of previous representations made by MBC, as well as the Duty to Co-operate and Statement of Common Ground, but also seeks to safeguard MBC's position and priorities. The response is contained as Appendix A.
-

3. AVAILABLE OPTIONS

- 3.1 Option 1: That officers submit a formal response to the consultation as appended to this report. This will enable a comprehensive response and for MBC's views to be taken into consideration by SBC in the formulation of its Regulation 19 draft prior to the submission of its Local Plan for examination. This will also enable that response to be referenced in future iterations of the current Statement of Common Ground between the two authorities.
 - 3.2 Option 2: That MBC makes no response. This will mean that the SBC Local Plan Review is progressed without MBC's views and interests being taken into account.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 For the reasons set out above, it is recommended that Option 1 is followed and that a formal response is made by officers as appended to this report.

5. RISK

5.1 The risk associated with these proposals, as well as any risks should the Council not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. REPORT APPENDICES

6.1 The following documents are to be published with this report and form part of the report:

- Appendix 1: Draft Response to the SBC Local Plan Review Regulation 19 Consultation.
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BACKGROUND DOCUMENTS

Minutes and reports for Strategic Planning and Infrastructure Committee 21 April 2021, including response to Swale Regulation 19 Local Plan consultation - https://maidstone.gov.uk/home/primary-services/council-and-democracy/primary-areas/meetings,-minutes-And-agendas/tier-3-primary-areas/whats-new?sq_content_src=%2BdXJsPWh0dHBzJTnBJTJGJTJGJbWVldGluZ3MubWFpZHN0b25lLmdvdi51ayUyRmlITGlzdERvY3VtZW50cy5hc3B4JTNGQ0lkJTNEjUyJTl2TUlkJTNEzQ0MyUyNlZlciUzRDQmYWxsPTE%3D

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9th February 2022

Dear Jill,

Swale Council Local Plan - Regulation 18 Issues and Preferred Options Consultation

Thank you for providing Maidstone Borough Council with an opportunity to provide comments to the above consultation, following recent IT issues.

It is noted that the consultation is relatively focussed on updates to the Local Plan in response to the new NPPF, as well as setting out options for the proposed spatial strategy. Maidstone Borough Council has submitted comments to previous Regulation 18 and Regulation 19 consultations undertaken by Swale Borough Council and would ask that these continue to be taken into account as the Swale Local Plan Update is progressed.

We also note the good work that has been taking place between the two authorities regarding the ongoing duty to cooperate, resulting in a Statement of Common Ground being published by Maidstone Borough Council as part of its recent Regulation 19 Draft for Submission Local Plan Review.

With the above in mind, Maidstone Borough Council is generally supportive of the approaches that are being taken by Swale Borough Council, including in its latest consultation document. It is also apparent that a significant amount of evidence is also being produced in support of the emerging proposals.

With regard to the emerging evidence base, it is noted in particular that Swale Borough Council has sufficient land to accommodate its housing needs and that the viability assessment confirms the ability to achieve overall development viability in this regard. This should be considered against the NPPF requirements around making effective use of land and achieving appropriate densities.

We note the ongoing transport modelling and look forward to working with Swale to understand the implications of the forthcoming spatial strategy on Maidstone's transport network, with particular regard to the A249. We also note the Employment Land Review and the proposals to utilise existing sites to meet needs.

Swale Borough Council has also sought to set out the various land constraints associated with the borough, and these comprise national designations that would severely restrict development, as well as local designations.

Local designations, such as those seeking to protect the overall character of an area, would not normally be used as a reason for a local planning authority not to meet its housing needs. Indeed, such designations occur in many local authority areas, including in Maidstone Borough, and these normally assist in setting the degree, location and design of development on a site-by-site basis.

National policy makes it clear that local housing needs should normally be calculated using the standard methodology that applies across the country, and those needs should be met in full. It is also clear that those needs are expected to be met within the borough where that need arises. Whilst the consultation document itself makes it clear that needs should be met within Swale Borough, it also includes various references to asking other authorities to meet Swale's housing needs.

Given that the evidence presented with the consultation indicates that Swale can accommodate its needs within its own boundaries, a change in approach now, away from Swale meeting its own needs, is highly likely to be unsuccessful. It is considered that the authority would need to present fresh, compelling evidence demonstrating why meeting needs within the administrative boundary is now no longer possible, despite the previous evidence, including circumstances set out above.

The consultation document itself is clear that there are five potential spatial options for meeting needs within the borough and these options have been considered in detail, including setting out sites that could contribute to growth. The consultation document itself also selects Option 3 as the preferred option, given that it performs favourably when taking into account the evidence and future needs of the borough. We therefore assume that Swale will continue to meet its needs within its Borough.

We look forward to continuing to work positively with Swale Borough Council and fulfilling our respective requirements in regarding the duty to cooperate.

Yours sincerely,

Mark Egerton

Strategic Planning Manager

Strategic Planning and Infrastructure Committee

08/02/2022

MBC Response to the Kent Minerals and Waste Plan Refresh

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Rob Jarman
Lead Officer and Report Author	Helen Garnett
Classification	Public
Wards affected	All

Executive Summary

Consultation on the proposed refresh of the Kent Minerals and Waste Plan 2013-30 commenced on the 16 December 2021 and will run through to 09 February 2022. This report outlines the key changes proposed to the Kent Minerals and Waste Plan (2013-30) through its proposed 'Refresh' of that document, highlighting key matters arising from the plan refresh which are of relevance to Maidstone Borough Council. It recommends that members agree a formal response to the consultation, as drafted by officers and appended to this report.

Purpose of Report

To inform members of the key changes proposed through the refresh of the Kent Minerals and Waste Plan and to seek agreement to submit the response appended to this report.

This report makes the following recommendations to this Committee:

1. That Members note the current consultation on the proposed refresh of the Kent Minerals and Waste Plan
2. That Members resolve to agree the proposed response to this consultation at Appendix 1 of this report.

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	08 February 2022

MBC Response to the Kent Minerals and Waste Plan Refresh

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations will enable the Council to ensure that plans at county council level do not materially harm its ability to achieve each of the corporate priorities.</p>	Rob Jarman
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations support the achievements of the four, cross cutting objectives by ensuring that plans from a neighbouring authority do not materially harm the council's ability to achieve these objectives.</p>	Rob Jarman
Risk Management	<p>The recommendations seek to reduce the risk associated with the production of a Local Plan Review by ensuring that plans produced by the county council are not in conflict with our own and those set out in government policy.</p>	Rob Jarman
Financial	<p>The recommendations seek to reduce the risk associated with the production of the Local Plan Review by ensuring that plans at county level are not in conflict with our own.</p>	Section 151 Officer & Finance Team
Staffing	<p>We will deliver the recommendations with our</p>	Rob Jarman

	current staffing.	
Legal	As part of its duty to co-operate, the Borough Council must engage constructively, actively and on an ongoing basis with the County Council in the preparation of development plan documents in order to maximise the effectiveness of the activity of plan preparation. The Kent County Council are consulting with the Borough Council on an update/refresh to the Kent Minerals and Waste Plan 2013-30, which also forms part of Maidstone BC Local Development Plan Documents. The Borough Council has been consulted on and is responding to that consultation. Whilst there are no legal implications arising from the response, accepting the recommendations will help fulfil the Council's duties under s.33A of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations (2012) as amended.	Russell Fitzpatrick MKLS (Planning)
Privacy and Data Protection	Accepting the recommendations will not increase the volume of data held by the Council.	Policy and Information Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment.	Equalities & Communities Officer
Public Health	No implications identified.	Jolanda Gjoni
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Rob Jarman
Procurement	N/A	Rob Jarman
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered. This report and the key changes proposed align with the broad aims of the Biodiversity and Climate Change Action Plan and promotion of waste reduction and circular economy.	James Wilderspin

2. INTRODUCTION AND BACKGROUND

- 2.1 This report sets out the key issues arising from the proposed refresh of the Kent Minerals and Waste Plan 2013-30. The Minerals and Waste Plan was adopted in July 2016, with subsequent changes arising from an early partial review being adopted in 2020 for which KCC engaged with MBC through its statutory consultation process.
- 2.2 The Kent Minerals and Waste Plan forms part of the Development Plan for Maidstone and sets out planning policies relating to minerals supply and waste management. All applications on minerals and waste related development are assessed by Kent County Council against the adopted plan, and other types development affecting minerals and waste sites are assessed by Maidstone Borough, having regard to the Kent Minerals and Waste Plan.
- 2.3 The main changes arising from this proposed review centre around the following updates:
- Updates to the NPPF in 2018, 2019 and 2021 and associated Planning Practice Guidance;
 - updates to legislation and policy concerning the need to adapt to, and mitigate, climate change and associated low carbon growth;
 - the inclusion of a new policy relating to the management of low-level radioactive waste; and,
 - updates to reflect policy and legislation concerned with achieving a circular economy where more waste is prevented or reused.

The full proposed amends can be found here - <https://letstalk.kent.gov.uk/hub-page/mineralsandwaste>. So far as Maidstone Borough Council are concerned, there are no material changes proposed to the mineral allocations and safeguarding policies.

- 2.4 The changes proposed to be introduced to policy CSW 3 (Waste Reduction), which seek to include the need for consideration of the circular waste economy in determining applications, are of particular interest to Maidstone Borough Council. CSW3 and its supporting text is proposed to include a greater requirement for waste created during development to be considered in planning applications. Notably, this includes: a new requirement for the retention of existing buildings over demolition and redevelopment; a new requirement for details of the re-use of waste materials in new development; and a new requirement for details of waste storage and how construction waste will be handled to be submitted at planning application stage. The Head of Service considers that a planning condition to this effect is unlikely to meet the legal tests.
- 2.5 Whilst these new requirements would place additional burden on the assessment of planning applications, with the possibility for a need to amend the local list to require a Waste Management Supplement as part of Design and Access Statements, they nevertheless represent a logical approach to reducing the carbon footprint of development within the borough.

- 2.6 Additionally, the supporting text to policy CSW3 states that financial contributions from applicants for developments which rely on the council's waste management services may be sought to assist with the provision of infrastructure.
- 2.7 Waste management is one of Maidstone Borough Council's priorities for residential development developer contributions in the Local Plan Regulation 19 consultation document (Policy LPRSP13 – Infrastructure Delivery (criteria 4 viii)). the Infrastructure Development Plan (2021) (IDP), which is part of the evidence base supporting the Local Plan Review, addresses new waste management schemes (see the infrastructure delivery schedule at p.45). The specific waste management schemes identified in the IDP for delivery are:
- the expansion of the Tovil Household Waste & Recycling Centre site (p.102)
 - the provision of a new Household Waste Recycling Centre in the east of the borough (p.104)
- 2.8 The Minerals and Waste Plan does not include allocations, but does carry forward existing allocations. These allocations are a strong material consideration in the determination of planning applications and could be grounds for refusal if the criteria set out in policy DM7 of that plan. No changes are proposed to policy DM7 at this time.
- 2.9 In summary, whilst MBC is supportive of the Kent Minerals and Waste Plan 2013-30 (refresh) and the proposed changes to waste management during delivery and operation of development, there is a need for the clarification sought in the proposed response at Appendix 1.
-

3. AVAILABLE OPTIONS

- 3.2 Option 1: That members agree the proposed response to the consultation at appendix 1 of this report. This would mean that Maidstone would be protecting its interests and priorities.
- 3.4 Option 2: That members do not agree a response to the consultation. This would mean that KCC would continue production of its Development Plan Document without relevant input from Maidstone Borough Council at this stage.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 For the reasons set out above, it is recommended that Option 1 is followed and that members agree the proposed response as appended to this report.
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5. RISK

5.1 The risk associated with these proposals, as well as any risks should the Council not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Draft Response to the KCC Minerals and Waste Plan regulation 18 consultation.
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7. Backgrounds Documents

- Infrastructure Development Plan (2021)
(https://drive.google.com/file/d/1m8TtWo4iSNd0QjYIuzkaLm7lp_OGquG4/view)
- Minerals and waste planning policy
(<https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy#tab-1,2,3,4>)

Bryan Geake
Minerals and Waste Planning Policy
1st Floor
Invicta House
Maidstone
ME14 1XX

Maidstone Borough Council

Maidstone House,
King Street,
Maidstone, Kent ME15 6JQ

 maidstone.gov.uk
 [maidstonebc](https://twitter.com/maidstonebc)
 [maidstoneboroughcouncil](https://www.facebook.com/maidstoneboroughcouncil)

By email to: mwlp@kent.gov.uk

Date: 09/02/2022

Dear Bryan

Kent Minerals and Waste local Plan 2013-30; Regulation 18 Consultation Draft

Thank you for consulting Maidstone Borough Council (MBC) on the draft refresh of the Kent Minerals and Waste Plan (2013-30). Maidstone Borough Council's comments on the draft plan are detailed below.

The Planning and Compulsory Purchase Act 2004 (as amended) places a legal duty on planning authorities to engage constructively, actively, and on an ongoing basis, to ensure the effectiveness of Local Plan preparation in relation to strategic issues. Effective and ongoing joint working between strategic policy-making authorities is integral to the production of a positively prepared and justified strategy. MBC and KCC have consistently and positively engaged on their respective plan making processes and MBC therefore considers that the duty to cooperate in plan-making between the two authorities has been satisfied to date and that cooperation is ongoing.

MBC are supportive of the plan as a whole and the overall aims of the policy refresh, however MBC are of the view that Policy CSW 3 (Waste Reduction) requires further consideration. The proposed new wording of the policy requires that for applications submitted to Maidstone Borough Council additional information be supplied at application stage. This will likely mean that MBC is required to add to their Local List a requirement for a Waste Management Supplement to accompany Design and Access Statements. Additionally, the Head of Service considers that a planning condition to this effect is unlikely to meet the legal tests.

I hope these comments are helpful and look forward to continuing, constructive dialogue on strategic issues as part of the duty to cooperate as our respective Local Plans progress.

Yours sincerely,

Rob Jarman

Head of Planning and Development

Maidstone Borough Council, King Street, Maidstone, Kent ME15 6JQ

STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE

08 February 2022

SoCG in relation to the East Sussex, Brighton and Hove, and South Downs National Park Authority Minerals and Waste Plan

Final Decision-Maker	Strategic Planning and Infrastructure Committee
Lead Head of Service	Rob Jarman, Head of Planning and Development
Lead Officer and Report Author	Helen Garnett – Principal Planning Officer, Strategic Planning
Classification	<p>Public Report with Exempt Appendix</p> <p>Exempt Appendix Appendix 1: Draft Statement of Common Ground between Maidstone Borough Council & Tunbridge Wells Borough Council.</p> <p>The appendix contains exempt information as classified in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).</p> <p>The public interest in maintaining this exemption outweighs the public interest in its disclosure. As the Statement of Common Ground is a draft document and is currently unsigned and contains sensitive cross boundary matters. The draft document contains information affecting the business affairs of other authorities. The Statement of Common Ground will be published once agreed and signed by both parties.</p>
Wards affected	All

Executive Summary

This report brings before committee a draft Statement of Common Ground (SoCG) relating to the East Sussex County Council, Brighton and Hove City Council and South Downs National Park Authority review of their adopted Minerals and Waste Local Plan. It outlines the background to the SoCG, sets out the relationship between mineral resources in that area and West Sussex, Kent County Council and Maidstone Borough Council, and highlights the key matters considered in the draft SoCG,

The report recommends that members agree the draft SoCG as set out in Appendix 1.

Purpose of Report

To provide background to the Statement of Common Ground and to seek agreement for the signing of the statement as appended to this report.

This report makes the following recommendations to this Committee:

1. That members agree the statement of common ground between Maidstone Borough Council, Kent County Council, East Sussex County Council, Brighton and Hove City Council, West Sussex County Council, and the South Downs National Park Authority, as appended to this report.

Timetable

Meeting	Date
Strategic Planning and Infrastructure Committee	08 February 2022

SoCG in relation to the East Sussex, Brighton and Hove, and South Downs National Park Authority Minerals and Waste Plan

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <p>Embracing Growth and Enabling Infrastructure Safe, Clean and Green Homes and Communities A Thriving Place</p> <p>Accepting the recommendation will ensure the Council's position is set out and the objectives are considered.</p>	Rob Jarman
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>Accepting the recommendation will ensure the Council's position is set out and the objectives are considered.</p>	Rob Jarman
Risk Management	<p>The recommendations seek to reduce the risk associated with the production requirements for the Local Plan Review and other forthcoming strategic planning documents.</p>	Rob Jarman
Financial	<p>Funding has been set aside for the Local Plan Review in the Medium Term Financial Strategy. This includes funding for the specific work described in this report.</p>	Mark Green
Staffing	<p>We will deliver the recommendations with our current staffing.</p>	Rob Jarman
Legal	<p>Accepting the recommendations will fulfil the Council's duties under Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning)</p>	Cheryl Parks Mid Kent Legal Services (Planning)

	(England) Regulations (2012).	
Privacy and Data Protection	The recommendations do not require the collection of personal data held by the Council, therefore will not require a data protection impact assessment.	Policy and Information Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
Public Health	No implications identified	[Public Health Officer]
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Rob Jarman
Procurement	N/A	[Rob Jarman & Section 151 Officer]
Biodiversity and Climate Change	The implications of the recommendation within this report on biodiversity and climate change are not considered to be significant.	Biodiversity and Climate Change Manger

2. INTRODUCTION AND BACKGROUND

- 2.1 Strategic plan-making authorities are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters.
- 2.2 Furthermore, Planning Practice Guidance states that where there is a Statement of Common Ground associated with a Minerals and Waste Plan in two-tier areas, that "district councils within the county are expected to be treated as additional signatories on the statement of common ground for county council minerals and waste plans."
- 2.3 Whilst the draft Statement of Common Ground which is the subject of this report is not directly associated with the Kent Minerals and Waste plan, it nevertheless has implications for land within Kent and Maidstone Borough. It is for this reason that Kent County and Maidstone Borough Councils are co-signatories of the statement.
- 2.4 As is required by the NPPF, minerals authorities are required to make provision for a steady and adequate supply of minerals. Duly, East Sussex County Council (ESCC), Brighton and Hove City Council (BHCC) and South Downs National Park Authority (SDNPA) Minerals and Waste Local Plan Review [the plan review] considers need across a range of aggregate types.

- 2.5 Soft sand is primarily used for construction purposes and is an important aggregate which cannot be substituted. However, as indicated in the SoCG, the area which is subject to the plan review has limited reserves that will not meet the identified need of the three authorities. In addition, the reserves which are viable are located within the South Downs National Park where stringent landscape impact controls limit their scope for extraction.
- 2.6 Because of these limited reserves, it is understood that development in the plan review area has made reliance on soft sand reserves from outside ESCC, BHCC & SDNPA, mainly from Kent and West Sussex. Whilst it is not possible to ascertain the extent of cross boundary movement between West Sussex/Kent extraction sites and the plan review area, strong transport links would suggest that historical sales in Kent and West Sussex have incorporated material being transported across county boundaries into the plan review area.
- 2.7 Maidstone's involvement arises from the fact that the main viable soft-sand sites in Kent are located within its borough. Consequently, any decision made on soft sand extraction which seeks to make reliance on sources from outside the plan review area would consider land within the borough of Maidstone.
- 2.8 The draft Statement of Common ground seeks to formalise this position; to allow the plan review to use an assumption that reliance is being made on soft-sand supplies from outside the area.
- 2.9 In terms of implications for Kent, the Kent Minerals and Waste Plan (Adopted 2020) makes provision for a robust supply of soft sand as outlined in table 1 of the draft SoCG and therefore no additional extraction in Kent is proposed.
- 2.10 Section 4 of the draft SoCG sets out the key points of agreement between parties and relating to Maidstone are points 4 and 5. Point 4 states that KCC will plan to maintain the current reserve base of soft sand. Point 5 acknowledges the role that supplies in Kent have in meeting the wider need of the South East.
- 2.11 Given it is likely that historical extraction has been higher owing to wider South East demand for soft-sand, existing forecasts for Kent have already accounted for this and this additional demand has been factored into the Kent Minerals and Waste Plan 2020. The draft SoCG reflects this position and therefore the implications of this agreement for Maidstone are limited as it merely reaffirms the need maintain current mineral site allocations and extraction rates.
- 2.12 The SoCG is in draft form and may be subject to minor amendments and updates. These will be dealt with in line with the protocol agreed at the March 2021 SPI committee.

3. AVAILABLE OPTIONS

- 3.1 The SPI Committee are asked to agree the draft Statement of Common Ground between Maidstone Borough Council, Kent County Council, East Sussex County Council, Brighton and Hove City Council, West Sussex County

Council, and the South Downs National Park Authority, as appended to this report.

- 3.2 Alternatively, Members may choose to amend the draft statement of common ground, however any such changes are likely to need to be ratified by the other co-signatories.
 - 3.3 Alternatively, members could not agree to the draft statement of common ground, however this could undermine MBC's ability to demonstrate effective and ongoing duty to cooperate with prescribed bodies at examination of its own plan.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That members agree the Statement of Common Ground as appended to this report.
-

5. RISK

- 5.1 The risk associated with these proposals, including the risks should the Council not act as recommended, have been considered in line with the Council's Risk management Framework.
 - 5.2 Whilst this SoCG is not directly associated with the Local Plan Review, The Planning Inspector appointed to examine the Maidstone Local Plan Review will nevertheless consider whether a council has complied with the duty to co-operate as a whole, as set out in the NPPF and relevant legislation. Failure to meet the Council's duty will potentially impact on the examination and adoption of the Local Plan Review.
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6. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Exempt Appendix 1: Draft Statement of Common Ground between Maidstone Borough Council, Kent County Council, East Sussex County Council, Brighton and Hove City Council, West Sussex County Council, and the South Downs National Park Authority.
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted