

## **MAIDSTONE BOROUGH COUNCIL**

### **STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 21 SEPTEMBER 2021**

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

**Also Present:** Councillor J Sams

42. **APOLOGIES FOR ABSENCE**

There were no apologies.

43. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

44. **URGENT ITEMS**

There were no urgent items.

45. **NOTIFICATION OF VISITING MEMBERS**

Councillor J Sams was present as a Visiting Member for Item 19 – Local Plan Review Update.

46. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

47. **DISCLOSURES OF LOBBYING**

Councillors Clark, Garten, Mrs Grigg, McKay, Munford, Russell, Spooner and Springett stated that they had been lobbied on the following items:

- Housing Land Supply Position 2021
- Local Plan Review Update
- Maidstone Design and Sustainability Development Plan Document

48. **EXEMPT ITEMS**

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

49. MINUTES OF THE MEETING HELD ON 6 JULY 2021

**RESOLVED:** That the Minutes of the Meeting held on 6 July 2021 be approved as a correct record and signed.

50. PRESENTATION OF PETITIONS

There were no petitions.

51. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

52. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

53. COMMITTEE WORK PROGRAMME

The Director of Finance and Business Improvement stated that a report on Flood Risk Alleviation works would be presented to the Committee at its 12 October 2021 meeting.

**RESOLVED:** That the Committee Work Programme be noted.

54. CHANGE TO THE ORDER OF BUSINESS

The Chairman stated that Item 19 – Local Plan Review Update would be taken before Item 13 – Reports of Outside Bodies to accommodate the public speaker in attendance.

55. LOCAL PLAN REVIEW UPDATE

Prior to the report's introduction, Councillor Peter Coulling addressed the Committee on behalf of the Coordinating Team, Maidstone KALC.

The Strategic Planning Manager introduced the report, referencing the Local Development Scheme (LDS) as agreed by the Committee in July 2021, which provided for a public consultation on the Regulation 19 'draft for submission' documents in October 2021.

The statutory regulations concerning the Local Plan Review (LPR) were highlighted, with the public consultation to take place over the minimum 6-week period. The Committee would consider the responses received before the Regulation 19 'draft for submission' documents were submitted to the Secretary of State.

The importance of the accompanying evidence base was reiterated, as some of these documents were already publicly available, for example as shown from the Committee's consideration of the Regulation 18 Preferred Approaches stage of the LPR. These had been updated where necessary,

with further evidence such as various technical studies and Statements of Common Ground, to be presented to the Committee at its next meeting.

In referencing the previously agreed protocol for Duty to Cooperate (DtC) processes, the Committee strongly felt that there should not be any exempt papers at its next meeting due to the level of public interest.

The Head of Policy, Communications and Governance advised that the decision of whether any report is exempt at publication rested with the proper officer, alongside the importance of following the processes in place for considering such reports. The rules surrounding exempt papers, including draft papers, were briefly outlined.

The Committee reiterated its preference for publicly accessible papers at the point of publication.

**RESOLVED:** That

1. The report be noted; and
2. The Statements of Common Ground be made publicly available for the 4 October 2021 meeting of the Committee, subject to approval by the Proper Officer and Legal Officer.

56. REPORTS OF OUTSIDE BODIES

**RESOLVED:** That the Reports of Outside Bodies be noted.

57. OTHAM NEIGHBOURHOOD PLAN (REGULATION 19)

The Planning Policy Officer introduced the report and highlighted that the Otham Neighbourhood Plan had been subject to referendum on the 8 July 2021; 98.8% of the votes received were in favour of the plan.

In accordance with the agreed Neighbourhood Planning Protocol, it was proposed that a recommendation be made to full Council.

**RESOLVED:** That

1. The result of the referendum held on 8 July 2021 on the Otham Neighbourhood Plan be noted; and
2. Council be recommended to make the Otham Neighbourhood Plan.

58. 1ST QUARTER FINANCIAL UPDATE & PERFORMANCE MONITORING REPORT

The Director of Finance and Business Improvement introduced the financial update of the report, noting that there had been a positive variance generated through Planning fees but that parking income had been lower than expected. As a result, an underspend of £78,000 was projected for the remainder of the financial year.

The Corporate Insight, Communities and Governance Manager introduced the performance update of the report. One Key Performance Indicator (KPI) had missed the target by more than 10%; Percentage of Priority 2 Planning Enforcement Cases. It was noted that the workload for the enforcement team had increased over the past 12 months, with two officers recruited in May 2021 in response. The good performance of the remaining KPIs was highlighted.

In response to questions, the Head of Planning and Development confirmed that the two additional officers had provided adequate resource for the enforcement team. Since 1 July 2021 the performance on Priority 2 cases had risen by 86%. An enforcement case was deemed closed once the appropriate actions had been taken, which depended heavily on the nature and severity of the perceived breach.

The Committee questioned the method used to calculate whether a case remained open or was closed, due to the actions of and the time taken by the relevant parties in resolving the issue and the associated impact on public perception. The definition of the KPI would be circulated to the Committee.

The Committee were informed that the Chairman and Vice-Chairman would be discussing the progression of enforcement cases with the Head of Planning and Development in the near future.

**RESOLVED:** That

1. The Revenue position as at the end of Quarter 1 for 2021/22, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. The Capital position at the end of Quarter 1, be noted; and
3. The Performance position as at Quarter 1 for 2021/22, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.

59. **RECOVERY AND RENEWAL ACTIONS**

The Head of Policy, Communications and Governance introduced the report, referencing the £860,000 in central government funding to respond to the Covid-19 pandemic. The Recovery and Renewal Action Plan had been developed through a series of Member Briefings and consultations, followed by its consideration at the Policy and Resources Committee in July 2021.

The Council's other Service Committees had been asked to review the actions within their remit, with the feedback provided to be presented at the October 2021 Policy and Resources Committee Meeting.

Appendix A to the report outlined the actions proposed, which focused on providing additional resources within planning related services.

In response to questions, the Head of Planning and Development stated that the resources for the 'Heritage and Landscape' action could, partly, provide for improved facilities, such as an improved digitised database for Tree Protection Orders (TPO) to improve productivity. However, a request was made for the Council's website to be more easily accessible for those wishing to research TPOs, alongside prioritisation for recruiting additional staff members where required.

It was stated that the actions proposed would allow for greater resilience within the service moving forward and the Committee expressed support for the actions proposed.

**RESOLVED:** That

1. The actions at Appendix A to be report be considered; and
2. The support for the actions as proposed at Appendix A to the report be presented to the Policy and Resources Committee for consideration on 20 October 2021.

60. HOUSING LAND SUPPLY POSITION 2021

The Senior Planner introduced the report, stating that 1354 dwellings had been built within the last year which meant that the Council had now met its housing undersupply from previous years.

There had been a small decrease in the delivery of small sites, which was currently being attributed to the effects of the Covid-19 pandemic.

The Department of Levelling Up, Housing and Communities (formerly known as the MHCLG) had amended the national Housing Delivery Test (HDT) for 2021 which reduced the Council's annual target for that year only by 361 dwellings in light of the Covid-19 pandemic. The Council was likely to achieve a 166% performance rate on the HDT however.

The Council remained in a robust position by having a 5.6-year housing supply against the 5-year Housing Land Supply Test. However, due to the current supply constraints on labour and materials being experienced it was possible that it may take longer for developers to complete a dwelling's construction. The issue would be monitored.

The Committee expressed support for the value achieved against the 5-year Housing Land Supply Test.

**RESOLVED:** That the report be noted.

61. MAIDSTONE DESIGN AND SUSTAINABILITY DEVELOPMENT PLAN DOCUMENT

The Interim Local Plan Review Director introduced the report and referenced the £140,000 in additional funding provided by the Policy and Resources Committee to develop non-spatial policies.

A Design and Sustainability Development Plan Document (DPD) was proposed, to reflect and address the issues previously raised by Councillors which included the importance of design quality, sustainability and biodiversity. Areas that would be least affected by any changes to planning, building or environmental regulations at national level would be chosen to maximise the DPD's longevity.

Due to the significant volume of work currently being undertaken by the Strategic Planning team, and the requirements of a DPD to fulfil all the normal evidence base, consultation and examination conditions of a Local Plan Review, together with the importance of achieving value for money, the DPD would be commissioned out, most likely to a multi-disciplinary consultancy. A two-stage tender process was proposed to provide flexibility within the project's scope, however the public consultations required would be managed directly by the Council and would be presented to the Committee for approval at a later date. It was hoped that the DPD would be adopted in 2024.

In response to questions, the Interim Local Plan Review Director and the Head of Planning and Development stressed the importance of providing a strong evidence base for any proposed policies that would guide development principles across the Borough. The Committee supported the proposed DPD and felt that all Councillors should be able to contribute to its scope and development through a series of Member workshops.

**RESOLVED:** That

1. Officers procure and contract for the preparation of a Design and Sustainability Development Plan Document to be adopted as part of the Development Plan; and
2. An all-Member briefing be arranged before the consultant's appointment; followed by a series of briefings as the process progresses.

62. DURATION OF MEETING

6.30 p.m. to 8.26 p.m.