

MAIDSTONE BOROUGH COUNCIL

PLANNING AND INFRASTRUCTURE POLICY ADVISORY COMMITTEE

MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2023

Present:

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|---------------------------|--|
| Committee Members: | Councillor Mrs Blackmore (Chairman) and Councillors Clark, English, Garten, Munford, Spooner, Springett and Young |
| Lead Members: | Councillor Cooper (Lead Member for Planning and Infrastructure) |

138. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Grigg, Kimmance and Trzebinski.

139. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor English for Councillor Kimmance
Councillor Garten for Councillor Trzebinski

140. URGENT ITEMS

There were no urgent items.

141. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

142. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

143. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

144. EXEMPT ITEMS

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

145. MINUTES OF THE MEETING HELD ON 11 JANUARY 2023

RESOLVED: That the Minutes of the meeting held on 11 January 2023 be approved as a correct record and signed.

146. PRESENTATION OF PETITIONS

There were no petitions.

147. QUESTION AND ANSWER SESSION FOR LOCAL RESIDENTS

There were no questions from local residents.

148. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

149. FORWARD PLAN RELATING TO THE COMMITTEE'S TERMS OF REFERENCE

RESOLVED: That the Forward Plan relating to the Committee's Terms of Reference be noted.

150. 3RD QUARTER FINANCIAL UPDATE & PERFORMANCE MONITORING REPORT

The Lead Member for Planning and Infrastructure introduced the report setting out the financial and performance position for the services reporting into the Committee as at 31 December 2022 (Quarter 3).

It was noted that:

- There was an underspend against the budget of £697,000 at the end of Quarter 3 with a projected underspend of £307,000 at the end of the 2022/23 financial year. These variances reflected, inter alia, over-performance in relation to the Council's car parks and salaries slippage across all planning functions. Although services within the Committee's remit were projected to underspend this year, a balanced position for the Council as a whole was projected for the current financial year. However, the prospects for 2023/24 remained challenging.
- Currently there was no capital spend, but the Medway Street flood barrier project would be rolled forward to 2023/24.
- Unfortunately, the Council had been unsuccessful in its bid for funding from the UK Shared Prosperity Fund for improvements at junction 7 on the M20 and feedback would be provided.
- 40% (4 of 10) targetable quarterly key performance indicators (KPIs) reportable to this Committee achieved their Quarter 3 targets. Compared to the last Quarter (Quarter 2 2022/23), performance for 40% (4 of 10) KPIs had improved, 10% (1 of 10) had no change and 30% (3 of 10) had declined. Variances throughout the year were becoming apparent and these were being kept under review.

The Lead Member and the Head of Finance responded to questions relating to the connection, if any, between the closure of the Park and Ride service and the increase in car park income; the criteria for the submission of bids to the UK Shared Prosperity Fund and the oversight of projects to ensure that they are delivered as expected and achieve value for money; and the possible use of

unspent funds to complete work on Conservation Area Appraisals and Management Plans.

The Lead Member undertook to provide feedback on the definition of "Rural" for Rural Shared Prosperity Fund purposes.

The Head of Finance agreed to implement Red, Amber, Green (RAG) status reporting when providing updates on UK Shared Prosperity Fund projects.

RESOLVED:

1. That the Revenue position as at the end of Quarter 3 for 2022/23, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted.
2. That the Capital position at the end of Quarter 3 be noted.
3. That the Performance position as at Quarter 3 for 2022/23, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.
4. That the Recovery and Renewal Update, attached at Appendix 3 to the report, be noted.
5. That the UK Shared Prosperity Fund Update, attached at Appendix 4 to the report, be noted.

Note: Councillor Spooner joined the meeting during consideration of this item (6.46 p.m.). He said that he had no disclosures of interest or of lobbying.

151. WATER SUPPLY CONSULTATIONS

The Lead Member for Planning and Infrastructure introduced the report concerning three consultations running concurrently on water supply management and maintenance of supply into the future which closed that day. It was noted that:

- The consultations were as follows:

Water Resources South East – Draft Best Value Regional Plan
South East Water – Draft Water Resources Management Plan
Southern Water – Draft Water Resources Management Plan

- The Water Resources Management Plans (WRMPs) were a Government requirement of water companies and had to be produced every five years. The proposed WRMPs covered the period 2025-75.
- Water Resources South East (WRSE) was a south east regional alliance of the six operating water companies within its geographical area. It was not directly involved in the provision of water supply. Like the WRMPs produced by the water companies, the Best Value Regional Plan produced by WRSE assessed the water needs of the region and identified strategic solutions to the problems identified. The Plan covered the same timeframe as the WRMPs and was also a requirement within the water regulatory system.

- Each consultation followed a standard approach, and the proposed responses were set out in Appendix 1 to the report.

The Chairman of the Overview and Scrutiny Committee who was present as a Substitute thanked the Lead Member and the Officers for involving the Water Management Cycle Working Group in the responses to the consultations and cited this as a good example of joined-up working.

RESOLVED TO RECOMMEND TO THE LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE: That the proposed responses to the three water supply consultations set out in Appendix 1 to the report be approved subject to the following additions/amendments:

| Page | Question | Response |
|---------------------------|----------|---|
| 51/52 | 5 | Amend to include reference to windfall development. |
| 54 | 9 | Amend to include the villages of Loose and Coxheath. |
| 55 | 3 | Add words to complete the final sentence (impact on its calculations). |
| 56 | 7 | Amend to include the villages of Loose and Coxheath. |
| 57 | 1 | Add an explanation to the effect that the Council feels that this is an appropriate approach. |
| 57/58 | 4 | Amend to include reference to windfall development. |
| 58/59 | 6 | Add a sentence to the effect that the Council would support the provision of national grants to retrofit properties for modern water saving appliances. |
| 59 | 7 | Add a caveat to the effect that the interventions should be proportionate and should not significantly detrimentally affect the service user. |
| Additional Recommendation | | Add a statement to the effect that the Council will encourage developers to work with water companies on innovative water saving measures. |

152. REFORMS TO NATIONAL PLANNING POLICY

The Lead Member for Planning and Infrastructure introduced the report concerning a public consultation launched by the Department for Levelling-Up Housing and Communities into proposed changes to current national planning policy as outlined in the National Planning Policy Framework (NPPF) 2021 and proposed changes to be made to national planning policy because of the Levelling-Up and Regeneration Bill that was progressing through Parliament. It was noted that:

- The consultation would close at 11.45 p.m. on 2 March 2023.
- Changes to current national planning policy included plan making, housing supply and delivery, design codes and design of development, Green Belt, climate change, natural environment, implementation of proposed changes and updates to the glossary of terms.

- Changes to national planning policy because of the Levelling-Up and Regeneration Bill currently passing through Parliament included developer accountability, more build out, protecting the environment and climate change, plan making, National Development Management policies and Levelling-Up.
- The Government had asked 58 questions and proposed responses were set out in Appendix 1 to the report. Typographical and other minor corrections would be made to the responses before submission.

Members thanked the Officers for a comprehensive set of responses but wished to recommend a few changes.

RESOLVED TO RECOMMEND TO THE LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE: That the proposed responses to the national planning policy consultation set out at Appendix 1 to the report be agreed subject to the following additions/amendments:

| Page | Question | Response |
|-------|----------|--|
| 83/84 | 2 | Add a paragraph to express the Council's concern that the high number of residential developments brought about by permitted development rights conversions is not appropriately factored into the housing calculations and as a result the Council's housing number is being disproportionately inflated. |
| 87 | 13 | To be re-edited. |
| 89 | 23 | Add a paragraph to specify that the Council would like there to be more national planning policy support for the delivery and protection of bungalows. |

153. GYPSY, TRAVELLER AND TRAVELLING SHOWPEOPLE DPD – SCOPING, ISSUES AND OPTIONS (REGULATION 18A) CONSULTATION AND CALL FOR SITES EXERCISE

The Lead Member for Planning and Infrastructure introduced the report providing background to the Gypsy, Traveller and Travelling Showpeople Development Plan Document (DPD); outlining the contents of the Scoping, Issues and Options consultation document; summarising the key findings of the Interim Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA); and outlining the reasons for undertaking an additional, targeted, Call for Sites exercise alongside the public consultation. It was noted that:

- The Council had a statutory responsibility to assess and plan for the housing needs of all residents in the Borough, including the Gypsy, Traveller and Travelling Showpeople population.
- The emerging Local Plan Review (LPR) did not plan for the needs of the Gypsy, Traveller and Travelling Showpeople population so the decision was taken to address the matter comprehensively and robustly through a separate DPD – based on the emerging evidence indicating a high accommodation need requirement, plus a relatively low number of sites submitted for this purpose during the 2019 Call for Sites exercise.

- The Regulation 18a Scoping, Issues and Options consultation document was the first step in public consultation on this DPD. Its aim was to set out the indicative interim accommodation needs of the Borough's Gypsy, Traveller and Travelling Showpeople population; to identify the challenges faced by the authority in this regard; and to ask how best to plan to meet the identified accommodation needs.
- Underpinning the DPD was a Gypsy, Traveller and Travelling Showpeople Accommodation Assessment or GTAA. This was currently in interim form and would require further work. It had been undertaken by specialist independent consultants – Opinion Research Services. The final GTAA and associated need figures were expected later this year once the final site survey work and interviews had concluded.
- The interim GTAA expressed accommodation needs in terms of numbers of pitches and plots required over the period 2019 to 2040. Whilst the interim GTAA showed an unadjusted need for several hundred pitches, the need that the authority would be required to find pitches for would be significantly less. The remainder could be delivered through criteria-based policies. The need figures would be adjusted as the GTAA was finalised.
- The Regulation 18a document represented the first stage in public consultation on this DPD. It was a high-level document, asking a series of questions on what the final DPD ought to contain and therefore fulfilled government requirements.
- Respondents were free to answer as many questions as they liked, using the online objective system or by completing and returning a response form by email or post. There would also be a page on the Council's "Let's Talk Maidstone" website, where people could provide comments using a map.
- Alongside the Regulation 18a consultation, it was proposed to undertake a further targeted Call for Sites exercise – seeking to identify and assess any additional land that might be suitable to provide sites for future Gypsy, Traveller and Travelling Showpeople accommodation.

In response to questions/comments:

The Officers/Lead Member undertook to:

- Re-order the bullet points under Section 10 of the Regulation 18a Gypsy, Traveller and Travelling Showpeople DPD to better reflect the Council's proposed approach to the site selection process.
- Liaise with the Communications Team and the Lead Member for Public Engagement to ensure that an inclusive approach is taken to consultation on the DPD, and that the consultation process is proportionate and accessible.
- Use the evidence as it emerged to assess the need for affordable Gypsy and Traveller accommodation.

The Officers/Lead Member explained that:

- In terms of the Call for Sites assessment exercise, Hedgerows were already included as a general constraint and reference was also made to Agricultural Land and the various types and quality of it. To be consistent, the same methodology would be used as when the Strategic Land Availability Assessment for housing was undertaken as part of the Local Plan Review.
- Unauthorised occupied sites formed part of the interim assessment and permissions granted since the assessment would reduce the need.
- It was particularly important to involve the Gypsy and Traveller community in the process and Opinion Research Services were being used as they had the experience to maximise the level of engagement.
- If the number of sites coming forward did not meet the assessed need, then it would be necessary to look at other sources of supply outside the Borough under the Duty to Cooperate arrangements.

RESOLVED TO RECOMMEND TO THE LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE:

1. That the Gypsy, Traveller and Travelling Showpeople Development Plan Document – scoping, issues and options (Regulation 18a) (Appendix 1 to the report) is agreed, together with the additional comments arising in the discussion, including references to communications and public engagement, for a seven-week public consultation between 28 February and 17 April 2023.
2. That a targeted Call for Sites exercise takes place concurrent to the Regulation 18a consultation (Appendices 4 and 5 to the report).
3. That the Interim Local Plan Review Director be given delegated authority to finalise the format of the Gypsy, Traveller and Travelling Showpeople DPD Scoping, Issues and Option Document for presentation to the Lead Member for Planning and Infrastructure, including any minor corrections required.

154. DURATION OF MEETING

6.30 p.m. to 8.20 p.m.