

# **MAIDSTONE BOROUGH COUNCIL**

## **EXECUTIVE**

### **MINUTES OF THE MEETING HELD ON WEDNESDAY 25 JANUARY 2023**

#### **Attendees:**

<b>Committee Members:</b>	<b>Councillors Burton (Chairman), Cooper, Parfitt-Reid, Perry, Russell and S Webb</b>
<b>Visiting Members:</b>	<b>Councillor English</b>

#### 109. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Round.

#### 110. URGENT ITEMS

While there were no urgent items, the Chairman noted that updated papers had been published for Item 12 - Report of the Overview and Scrutiny Committee - The Council's Performance against the Waste and Recycling Strategy and Item 21 - Maidstone Local Development Scheme (LDS) Update.

#### 111. NOTIFICATION OF VISITING MEMBERS

Councillor English was present as a Visiting Member in his capacity as the Chairman of the Overview and Scrutiny Committee, to introduce Item 12 - Report of the Overview and Scrutiny Committee - The Council's Performance against the Waste and Recycling Strategy.

#### 112. DISCLOSURES BY MEMBERS OR OFFICERS

There were no disclosures by Members or Officers.

#### 113. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

#### 114. EXEMPT ITEMS

**RESOLVED:** That all Items be taken in public unless any Member of the Committee wished to specifically refer to any of the information contained within Item 25 – Exempt Appendices to Item 23 – Property Acquisition for 1,000 affordable homes programme (Staplehurst) or Item 26 – Exempt Appendices to Item 24 – Property Acquisition for 1,000 affordable homes programme (Bridge), in which case the Executive would enter into closed session due to likely disclosure of exempt information.

#### 115. MINUTES OF THE MEETING HELD ON 21 DECEMBER 2022

**RESOLVED:** That the Minutes of the meeting held on 21 December 2022 be approved as a correct record and signed.

116. PRESENTATION OF PETITIONS

There were no petitions.

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

There were no questions from Local Residents.

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

There were no questions from Members.

119. MATTERS REFERRED TO THE EXECUTIVE FOR RECONSIDERATION

There were no matters referred to the Executive for reconsideration.

120. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - THE COUNCIL'S PERFORMANCE AGAINST THE WASTE AND RECYCLING STRATEGY

The Chairman of the Overview and Scrutiny Committee introduced the report and outlined the context and aim of the Committee's review into the Council's Performance against the Waste Strategy, 2018-2023. The Executive were asked to consider the resulting recommended actions, which cut across several portfolios. The urgent update provided Officer comments on the actions.

In response to questions, the Chairman of the Overview and Scrutiny Committee explained that recommendation 1 could be managed by contacting local manufacturers directly with the request of reviewing their packaging, and lobbying local supermarkets which may have excessive requirements for the packaging of their products. The purpose of recommended action 4, which concerned the measurement of waste produced per person, was to enable the volume of waste produced to be monitored and communications tailored accordingly. The information would be calculated statistically rather than by measuring actual volume produced per household. Recommendation 5 which concerned the addition of questions to the residents' survey aimed to identify the reasons for residents not recycling, for example whether it was due to a lack of understanding, or a lack of facility. It was confirmed that collaboration had taken place between the Council and Kent County Council, both via the working group and representation at the waste forum.

**RESOLVED:** That the report be considered by the Executive, and a response provided to the Overview and Scrutiny Committee.

121. MATTERS REFERRED TO THE EXECUTIVE BY ANOTHER COMMITTEE

There were no matters referred to the Executive by another Committee.

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

There were no matters which related to a serious service failure or nuisance.

123. RECEIPT OF WRITTEN REPRESENTATIONS FROM MEMBERS OF THE COUNCIL

There were no written representations from Members of the Council.

124. EXECUTIVE FORWARD PLAN

**RESOLVED:** That the Forward Plan be noted.

125. MEDIUM TERM FINANCIAL STRATEGY AND SAVING PROPOSALS 2023/24

The Lead Member for Corporate Services introduced the report and explained that the Policy Advisory Committees (PACs) had each considered the item within their terms of reference and provided comments and feedback. Although the PACs had agreed with the recommendations put forward, there had been discussion on the level of staff salary increases and the available options to fund the increase.

The Executive expressed concern regarding the impact on staff of the rising cost of living, and the increase in inflation since the budget-setting process started. It was requested that further information be provided to model the use of the core spending guarantee to supplement staff salary increases.

The Chief Executive advised that it was important to balance the risk of using the funding guarantee to supplement staff salary, as it was a one-off sum being granted for 2023/24, and not guaranteed for future years. Officers would model the scenario as requested, as well as alternative options for funding staff salary increases. An assessment of the risk for each option would be carried out, and the report presented to the Corporate Services PAC for comment before being considered by the Executive.

The Director for Finance, Resources and Business Improvement added that the risks would be fully assessed for the Executive to consider at its next meeting, and the impact on other areas of using the funding guarantee to supplement staff salaries would be explored.

**RESOLVED:** That

1. The revenue budget proposals set out in Appendix A and B to the report be approved and that, given the concerns expressed by the Executive for staff coping with cost-of-living pressures (inflation at 10-11%), the Executive ask that by using additional revenue support provided by the government from the core spending guarantee officers include in the 2023/24 budget report to CS PAC on 6 February 2023 and Executive on 8 February 2023 a further 2% to supplement the budget for pay; and
2. An hourly rate of £258 for legal services be approved.

See Record of Decision.

126. MEDIUM TERM FINANCIAL STRATEGY – CAPITAL PROGRAMME

The Lead Member for Corporate Services introduced the report and updated the Executive that the recommendations had been supported by the Corporate Services Policy Advisory Committee.

In response to questions, the Director of Finance, Resources and Business Improvement confirmed that the funding guarantee did not form part of the Capital Programme and therefore any change to the use of the funding would not cause an impact on the figures presented in the report.

**RESOLVED:** That

1. The capital strategy principles set out in paragraph 2.6 be agreed;
2. The capital funding projection set out in Appendix 2 to the report be agreed;
3. The capital programme 2023/24 onwards as set out in Appendix 3 to the report be agreed;
4. In agreeing Appendices 2 and 3, a prudential borrowing limit of £193.6 million over the period of the programme which will be recommended to Council as part of the Treasury Management Strategy 2023/24 be noted.

See Record of Decision.

127. COUNCIL TAX BASE 2023/24 AND COLLECTION FUND ADJUSTMENT.

**RESOLVED:** That

1. Pursuant to this report and in accordance with the Local Authority (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by this Authority as its Council Tax Base for the year 2023-24 will be as £67,161.69;
2. In accordance with the Local Authority (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by this Authority as the Council Tax Base for each parish area for the year 2023-24 will be as identified in Appendix 2 to the report; and
3. The 2022-23 Council Tax projection and proposed distribution detailed in Appendix 3 of this report be agreed.

See Record of Decision.

128. EQUALITIES POLICY AND ACTION PLAN - UPDATE

**RESOLVED:** That

1. Progress on the Equalities Objectives and Action Plan update at Appendix 1 to the report be noted;
2. The changes to the Equalities Policy at Appendix 2 of the report be agreed;

3. The revised actions for the Equalities Action Plan at Appendix 3 of the report be agreed; and

4. The inclusion of Poverty as an additional protected characteristic be agreed.

See Record of Decision.

129. MAIDSTONE LOCAL DEVELOPMENT SCHEME (LDS) UPDATE

**RESOLVED:** That the updated Local Development Scheme 2023-2025 incorporating an updated timetable following review by the Local Plan Inspector, attached as Urgent Update: Appendix 1 to the report, be recommended for adoption by Council.

See Record of Decision.

130. PROVISION OF CYCLE RAMP OFF CHURCH ROAD OTHAM

**RESOLVED:** That

1. The provision of the cycle ramp be approved; and

2. The provision of the link way be approved.

See Record of Decision.

131. PROPERTY ACQUISITION FOR 1,000 AFFORDABLE HOMES PROGRAMME (STAPLEHURST)

**RESOLVED:** That

1. The financial returns for the proposed acquisition as shown in Appendix 1, which is part 2 of the report, which support the Housing Development and Regeneration Investment Plan and the overall Development Strategy be approved;

2. The Director of Finance, Resources and Business Improvement be granted delegated authority to:

a) Negotiate terms for the purchase of the site, for the sum as shown in the Exempt Appendix 1 of this report.

b) Procure and enter into all such deeds, agreements, contracts, and documents which may be required to facilitate the purchase of the site and the subsequent redevelopment works required to deliver the scheme referred to in this report. Including (but not limited to) any related appointments such as suitably qualified consultants and Contractor.

- c) Subject to satisfactory conclusion of all due diligence, to negotiate and finalise and complete all legal formalities, deeds and agreements which may be required to facilitate the purchase.
3. The Head of Mid Kent Legal Services be authorised to appoint the solicitors required to negotiate and complete the necessary contract documentation, deeds and agreements associated with the purchase and construction works on the terms as agreed by the Director of Finance, Resources & Business Improvement; and
  4. Post completion of the procurement process, to employ the necessary consultants to progress the planning application. To appoint a contractor to bring forward for approval to this Committee a detailed project delivery and investment plan (prior to the development itself commencing).

See Record of Decision.

132. PROPERTY ACQUISITION FOR 1000 HOMES PROGRAMME (BRIDGE)

**RESOLVED:** That

1. The financial returns for the proposed acquisition as shown in Exempt Appendix 2 of the report, which supports the Housing Development and Regeneration Investment Plan and overall Development Strategy, be approved;
2. The Director of Finance, Resources and Business Improvement be granted delegated authority to:
  - a) Negotiate terms for the purchase of the proposed acquisition for the sum as shown in the Exempt Appendix 2 of this report.
  - b) Procure and enter into all such deeds, agreements, contracts and documents which may be required to facilitate the purchase of the site, and the subsequent redevelopment works required to deliver the scheme referred to in this report. Including (but not limited to) any related appointments such as a suitably qualified consultants and Contractor.
  - c) Subject to satisfactory conclusion of all due diligence to negotiate and finalise and complete all legal formalities, deeds and agreements which may be required to facilitate the purchase.
3. The Head of Mid Kent Legal Services be authorised to appoint Solicitors to negotiate and complete the necessary contract documentation, deeds and agreements associated with the purchase and construction works on the terms as agreed by the Director of Finance, Recourses & Business Improvement; and
4. Post completion of the procurement process to appoint a contractor, to bring forward for approval a detailed project delivery and investment plan (prior to the development itself commencing).

See Record of Decision.

133. EXEMPT APPENDICES TO PROPERTY ACQUISITION FOR 1,000 AFFORDABLE HOMES PROGRAMME (STAPLEHURST)

**RESOLVED:** That the item be taken alongside Item 23 – Property acquisition for 1,000 affordable homes programme (Staplehurst) due to the related content.

134. EXEMPT APPENDICES TO PROPERTY ACQUISITION FOR 1,000 HOMES PROGRAMME (BRIDGE)

**RESOLVED:** That the item be taken alongside Item 24 – Property acquisition for 1000 affordable homes programme (Bridge) due to the related content.

135. DURATION OF MEETING

6.30 p.m. to 7.34 p.m.