

# EXECUTIVE MEETING

Date: Wednesday 25 January 2023  
Time: 6.30 p.m.  
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Burton (Chairman), Cooper, Parfitt-Reid, Perry, Round, Russell, and S Webb

*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.*

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## **AGENDA**

Page No.

1. Apologies for Absence
2. Urgent Items
3. Notification of Visiting Members
4. Disclosures by Members or Officers
5. Disclosures of Lobbying
6. To consider whether any items should be considered in private due to the possible disclosure of exempt information
7. Minutes of the Meeting Held on 21 December 2022 1 - 4
8. Presentation of Petitions (if any)
9. Questions from Local Residents to the Leader or Individual Lead Member (as appropriate)
10. Questions from Members to the Leader or Individual Lead Member (as appropriate)
11. Matters Referred to the Executive for Reconsideration (if any)
12. Report of the Overview and Scrutiny Committee - The Council's Performance against the Waste and Recycling Strategy 5 - 52
13. Matters Referred to the Executive by another Committee

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**Issued on 17 January 2023**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

14. Any Matter Relating to a Serious Service Failure or Nuisance (if any)	
15. Receipt of Written Representations from Members of the Council (if any)	
16. Executive Forward Plan	53 - 61
17. Medium Term Financial Strategy and Saving Proposals 2023/24	62 - 92
18. Medium Term Financial Strategy – Capital Programme	93 - 113
19. Council Tax Base 2023/24 and Collection Fund Adjustment.	114 - 129
20. Equalities Policy and Action Plan - Update	130 - 161
21. Maidstone Local Development Scheme (LDS) Update	162 - 184
22. Provision of Cycle Ramp Off Church Road Otham	185 - 194
23. Property acquisition for 1,000 affordable homes programme (Staplehurst)	195 - 204
24. Property Acquisition for 1000 homes programme (Bridge)	205 - 217

## **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 specified having applied the Public Interest Test.**

### **Head of Schedule 12A and Brief Description**

25. Exempt Appendices to Property acquisition for 1,000 affordable homes programme (Staplehurst)	Paragraph 3 – Financial/ Business Affairs	218 - 220
26. Exempt Appendices to Property Acquisition for 1,000 homes programme (Bridge)	Paragraph 3 – Financial/ Business Affairs	221 - 223

## **INFORMATION FOR THE PUBLIC**

In order to ask a question at this meeting, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on 23 January 2023). 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](mailto:committee@maidstone.gov.uk) by 4 p.m. one clear working day before the meeting (i.e. by 4 p.m. on 23 January 2023). You will need to tell us which agenda item you wish to speak on.

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## **MAIDSTONE BOROUGH COUNCIL**

### **EXECUTIVE**

#### **MINUTES OF THE MEETING HELD ON WEDNESDAY 21 DECEMBER 2022**

##### **Attendees:**

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

##### 88. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillor Cooper.

##### 89. URGENT ITEMS

It was noted that there were updated documents circulated for Item 7 – Minutes of the Meeting Held on 23 November 2022, and for Item 18 – Procurement Policy Changes.

##### 90. NOTIFICATION OF VISITING MEMBERS

Councillor Jeffery indicated his wish to speak on Item 10 – Questions from Members to the Leader or Individual Lead Member (as appropriate).

##### 91. DISCLOSURES BY MEMBERS OR OFFICERS

There were no disclosures by Members or Officers.

##### 92. DISCLOSURES OF LOBBYING

Councillor Round indicated that he had been lobbied on Item 17 – Fees and Charges 2023/24, Item 19 – Mid Kent Waste Collection Contract, and Item 20 – Granada House Refurbishment.

##### 93. TO CONSIDER WHETHER ANY ITEMS SHOULD BE CONSIDERED IN PRIVATE DUE TO THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION

**RESOLVED:** That all items be taken in public, unless the discussion on either Item 19 – Mid Kent Waste Collection Contract, or Item 20 – Granada House Refurbishment required reference to the details in the relevant exempt appendix, at which point the Executive would resolve to go into private session.

##### 94. MINUTES OF THE MEETING HELD ON 23 NOVEMBER 2022

**RESOLVED:** That the Minutes of the meeting held on 23 November 2022 be approved as a correct record and signed.

##### 95. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

96. QUESTIONS FROM LOCAL RESIDENTS TO THE LEADER OR INDIVIDUAL LEAD MEMBER (AS APPROPRIATE)

There were no questions from Local Residents.

97. QUESTIONS FROM MEMBERS TO THE LEADER OR INDIVIDUAL LEAD MEMBER (AS APPROPRIATE)

Councillor Jeffery asked the following question of the Lead Member for Environmental Services:

*'At the last council meeting you informed the Council that there were 1777 missed bin collections from April to September this year.*

*Subsequent correspondence from officers have confirmed that the council "can only measure against reported missed collections and this will not include each individual flat if they did not report it directly" and "Where the service fails to complete for unavoidable reasons, such as major breakdowns, it will be at the council's discretion whether these will be treated as missed collections."*

*As it seems that the council is not able to collect this data accurately at the moment, demonstrating that your quoted figure of 1777 missed bin was wrong, are you able to tell me when it will be able to accurately count missed bin collections and what additional measures you are putting in place to establish the real size of the problem in the meantime?*

The Lead Member for Environmental Services responded to the question.

There was no supplementary question.

The full response was recorded on the webcast and made available to view on the Maidstone Borough Council website.

To access the webcast recording, please use the link below:

<https://youtu.be/XsqWKGgkchq?t=301>

98. MATTERS REFERRED TO THE EXECUTIVE FOR RECONSIDERATION (IF ANY)

There were none.

99. ISSUES ARISING FROM OVERVIEW AND SCRUTINY (IF ANY)

There were none.

100. MATTERS REFERRED TO THE EXECUTIVE BY ANOTHER COMMITTEE

There were none.

101. ANY MATTER RELATING TO A SERIOUS SERVICE FAILURE OR NUISANCE (IF ANY)

There were none.

102. RECEIPT OF WRITTEN REPRESENTATIONS FROM MEMBERS OF THE COUNCIL (IF ANY)

There were none.

103. EXECUTIVE FORWARD PLAN

**RESOLVED:** That the Executive Forward Plan for the Period 1 December 2022 to 31 March 2023 be noted.

104. FEES AND CHARGES 2023/24

**RESOLVED:** That

1. The Fees and Charges as set out in the appendices 1, 3, 4 and 5 of the report be approved for use in the next of budget making; and
2. That plans for exploring further opportunities for fees and charges relating to Legal Services, Moorings, Parking, and the Town Hall, be reported to the January 2023 Executive meeting.

See [Record of Decision](#)

105. PROCUREMENT POLICY CHANGES

**RESOLVED:** That the following be approved:

- (a) Procurement Sustainability Policy, attached at amended Appendix 1 to the report;
- (b) Social Value Procurement Policy, attached at amended Appendix 2 to the report;  
and
- (c) Modern Slavery Statement, attached at amended Appendix 3 to the report.

See [Record of Decision](#)

106. MID KENT WASTE COLLECTION CONTRACT

**RESOLVED:** That

1. The Mid Kent Waste Contract is awarded to Bidder A;
2. The Director of Finance, Resources and Business Improvement is given the delegated authority to issue a Letter of Intent to Bidder A to enable contract mobilisation to commence; and
3. £5.8 million capital funding is allocated for the purchase of Maidstone's waste collection fleet.

See [Record of Decision](#)

107. GRANADA HOUSE REFURBISHMENT

**RESOLVED:** That

1. The proposed refurbishment works to Granada House up to the Total Scheme Cost as outlined in Table 1 withing the Exempt Appendix 1 – Financial Summary to the report be carried out;
2. Contract be entered into, in consultation with the Leader of the Council and the Lead Member for Housing and Health, with the preferred contractor to carry out the refurbishment works to Granada House;

3. a) Officers explore fully with Pelling's (the appointed Employers Agent) and the appointed contractor the merits of providing solar PV to the property as a way of off-setting electrical use;  
  
b) This option and additional expenditure (as outlined in Table 2 within Exempt Appendix 1 – Financial Summary) is only pursued after consultation, post contract award with the Lead Member for Housing and Health;
4. The Director of Finance, Resources and Business Improvement is granted delegated authority to enter into any related appointments, legal actions, deeds, contracts and agreements which may be required to facilitate the refurbishment works required; and
5. The Head of Mid Kent Legal Services is authorised to appoint the Solicitors required to negotiate and complete the necessary contract documentation, deeds and agreements associated with the refurbishment works on the terms as agreed by the Director of Finance, Resources and Business Improvement.

See [Record of Decision](#)

#### 108. DURATION OF MEETING

6.30 p.m. to 7.05 p.m.

**Executive**

**25 January 2023**

## **Report of the Overview and Scrutiny Committee – Recommended actions arising from the review into the 'Council's Performance against the Waste Strategy, 2018-2023'**

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Overview and Scrutiny Committee	20 December 2022
Planning Committee	19 January 2023
Executive	25 January 2023

<b>Will this be a Key Decision?</b>	No
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Executive
<b>Lead Director</b>	Angela Woodhouse, Director of Strategy, Insight & Governance
<b>Lead Officer and Report Author</b>	Oliviya Parfitt, Democratic Services Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

### **Executive Summary**

This report provides an outline of the Overview and Scrutiny Committee's review into the Council's Performance against the Waste and Recycling Strategy, 2018-2023, and the recommended actions arising which relate to the Lead Members on the Executive, for the Executive to consider.

### **Purpose of Report**

Decision

### **This report makes the following recommendations to the Executive: That**

1. Consideration be given to the Overview and Scrutiny Committee's recommended actions to the Executive, and determine which, if any, will be agreed.

# Report of the Overview and Scrutiny Committee – Recommended actions arising from the review into the 'Council's Performance against the Waste Strategy, 2018-2023'

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Accepting the recommendations may materially improve the Council's ability to achieve all corporate priorities and have been put forward by the Overview and Scrutiny Committee following its review into the Council's Performance against the Waste and Recycling Strategy, 2018-2023.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions.</p>	Director of Strategy, Insight & Governance
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>Accepting the recommendations may materially improve the Council's ability to achieve all cross-cutting objectives and have been put forward by the Overview and Scrutiny Committee following its review into</p>	Director of Strategy, Insight & Governance



	<p>the Council's Performance against the Waste and Recycling Strategy, 2018-2023.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions.</p>	
<b>Risk Management</b>	See Section 5 of the report	Director of Strategy, Insight & Governance
<b>Financial</b>	<p>The recommendations of the Overview and Scrutiny review will need to be delivered within already approved budgetary headings. If any new funding is required for implementation this will need to be addressed as part of the annual budget process.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions.</p>	Section 151 Officer & Finance Team
<b>Staffing</b>	<p>The delivery of any of the recommendations produced by the Overview and Scrutiny Committee will be subject to consideration by the relevant Senior Officers for the applicable Service Area.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions.</p>	Director of Strategy, Insight & Governance
<b>Legal</b>	In accordance with Part 1A of the Local Government Act 2000 (as amended by the Localism Act 2011) the Council is operating under Executive Arrangements. These arrangements must include provision for the appointment of one or more Overview and Scrutiny Committees to review and scrutinise the Executive Decisions made, or other actions taken relating to the exercise of the Authority and/or Executive Functions – LGA 2000, Section 9F.	Interim Team Leader (Contentious and Corporate Governance)

	<p>The Overview and Scrutiny Committee has exercised this power through its review and associated recommended actions for presentation to the Executive.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions; should further advice be required at a later stage, such as at a future decision-making stage relating to the recommended actions, this would need to be raised by the relevant Senior Officers.</p>	
<b>Information Governance</b>	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Senior Information Governance Officer
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
<b>Public Health</b>	<p>We recognise that the recommendations will not negatively impact on population health or that of individuals.</p> <p>An update on any further implications arising from public health will be given at the meeting.</p>	Public Health Officer
<b>Crime and Disorder</b>	No impacts identified.	Director of Strategy, Insight & Governance
<b>Procurement</b>	No impacts identified.	Director of Strategy, Insight & Governance
<b>Biodiversity and Climate Change</b>	<p>The implications of this report on biodiversity and climate change have been considered and aligns with the actions 4.1 to 4.5 of the Biodiversity and Climate Change Action Plan.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and</p>	Biodiversity and Climate Change Manager

	contains officer comments on the recommended actions.	
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## 2. INTRODUCTION AND BACKGROUND

- 2.1 Across the 2 and 3 November 2022, the Council's Overview and Scrutiny Committee (OSC) conducted a review into the 'Council's Performance against the Waste and Recycling Strategy, 2018-2023' (the review). These meetings were attended by the relevant Council Officers and Lead Members, with the agenda papers and minutes for those meetings accessible through section 9 of this report.
- 2.2 The OSC produced a total of 27 recommended actions from the review, of which 24 fall within the Executive's remit, 2 fall within the Planning Committee's terms of reference, and 1 sits as a post-review evaluative recommendation to the OSC.
- 2.3 A breakdown of the recommended actions by relevant Member and External Organisation has been listed below:

Lead Member (LM) on the Executive	Number of Recommendations
LM for Environmental Services	9
LM for Communities and Public Engagement	7
LM for Planning and Infrastructure	6
External Organisations	2
Shared Recommendations (where the recommendation sits across multiple portfolios or decision-makers)	3

- 2.4 The recommended actions are contained within Appendix 1, alongside each action's 'intended outcomes' and relevant Lead Officer/s. This is to provide the Committee's reasoning in putting forward each action, alongside providing a clear record of which Officers and Members have responsibility for the applicable service areas.
- 2.5 The Executive is asked to consider these recommended actions, alongside the comments made by the relevant Lead Officer/s within Appendix 2 to the report.

- 2.6 Appendix 2 is the Overview and Scrutiny Committee Recommendation Action and Implementation Plan (SCRAIP), which enables officers to comment on the recommended actions. This ensures that the Executive is given the relevant information to effectively consider the recommended actions and is standard practice as part of the Overview and Scrutiny function.
- 2.7 The Executive should also be aware of recommendations 17 and 18, as these were referred to the Planning Committee on the 19 January 2022 and are similar to recommendations 20 and 24 for the Lead Member for Planning and Infrastructure. A verbal update on the Planning Committee's consideration of the former will be given at the Executive Meeting for information.
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### **3. AVAILABLE OPTIONS**

- 3.1 Option 1 – Agree to implement the recommended actions.

If agreed, the relevant Lead Officers will implement the agreed actions or conduct further work, as appropriate. For example, if recommended action 3 is agreed it would not be actioned until after the commencement of the new waste collection service in 2024.

- 3.2 Option 2 – Amend the recommended actions.

The Executive could choose to amend (and then agree) the recommended actions, although this may mean that the Officers are required to provide further comments on the amended actions suitability and/or feasibility.

- 3.3 Option 3 - Reject the recommended actions.

The Executive could choose not to implement the recommended actions, however this may mean that an opportunity to improve the Council's performance against the Waste and Recycling Strategy, as applicable to this Committees' terms of referenced, is missed.

- 3.4 The OSC will be formally informed of the decision taken by the Executive, with further information outlined below in points 6.2, 7.2 and 7.3.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 There is no preferred option from an officer perspective, as this report has been produced to support the OSC in presenting its recommended actions to the Executive as the relevant decision-maker. The OSC unanimously agreed the recommended actions for the Executive.
- 4.2 As outlined above in points 2.4 and 2.6, the reasons for the recommended actions are contained within the 'intended outcomes' section for each action. The comments from the Lead Officer/s are included within appendix 2.
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## **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. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 This is the first time that this issue has been presented to the Executive, although the Lead Member for Environmental Services and the Lead Member for Communities and Public Engagement attended either the 2 and/or 3 November OSC Meetings, to contribute to the evidence collection process.
- 6.2 The actions taken by the OSC in conducting the review are briefly outlined in points 2.1 and 2.2 of this report, with full details provided in appendix 1 to this report.
- 6.3 As outlined in points 7.2 and 7.3 below, the outcome of this report's consideration will be reported to the OSC at its next meeting.

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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 This will depend on the types of recommended action, and whether they are agreed.

For the actions that can be agreed and implemented, the relevant Officers will implement the actions when appropriate.

For the actions that require further consideration, such as those that recommend actions by the Head of Development for example, further work will take place before any corresponding actions are implemented.

- 7.2 The Overview and Scrutiny Committee will be provided with a formal response on behalf of the Executive, which will outline the Executive's consideration of this report and associated appendices and which actions were agreed, if any. This is a legal requirement, where an Overview and Scrutiny Committee has formally published a report to the Executive resulting from a review.
- 7.3 Consideration could be given as to whether the Overview and Scrutiny Committee receives a further update post-implementation of any agreed actions. However, this would not need to be decided at this point.
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## **8. REPORT APPENDICES**

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

- Appendix 1: Report of the Overview and Scrutiny Committee – The Council’s Performance against the Waste and Recycling Strategy, 2018-2023.
  - Appendix 2: SCRAIP concerning the recommended actions for the Lead Members on the Executive.
    - An urgent update (to follow) will be provided with further comments on recommendations 20-24.
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## **9. BACKGROUND PAPERS**

Agenda and Minutes for the Overview and Scrutiny Committee Meeting held on 2 November 2022: [Your Councillors - Maidstone Borough Council](#)

Agenda and Minutes for the Overview and Scrutiny Committee Meeting held on 3 November 2022: [Your Councillors - Maidstone Borough Council](#)

# **The Council's Performance against the Waste and Recycling Strategy, 2018- 2023**

**December 2022**



A review conducted by the Maidstone Borough  
Council Overview and Scrutiny Committee

## Report Contents

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## **Introduction**

In October 2022, the Council's Overview and Scrutiny Committee (the Committee) agreed to review the Council's Performance against the Waste and Recycling Strategy 2018 – 2023 (The Strategy), ahead of the strategy's refresh in 2023. The review was scheduled for November 2022.

This report outlines the review timeline and resulting recommended actions produced by the O&S Committee.

## **Rationale**

The review topic was originally put forward by the Head of Environmental Services and Public Realm and arose from the Wider Leadership Team workshop on Overview and Scrutiny, held early in the 2022/23 municipal year.

In considering the proposed review topic, the Committee expressed that waste collection services were an important service to Local Residents; the aim of the review would be to identify positive improvements to the service ahead of the Strategy's refresh in 2023.

It was further hoped that the review would increase both Member and Public knowledge of the service provided, facilitate service improvements, and highlight the importance of communicating the service's provision.

The lines of enquiry were agreed as follows, to reflect the key considerations of the service's provision:

- a) Assess customer satisfaction with the service, including interaction with customer services and educational communications, to identify improvements;*
- b) To identify which actions within the Waste Strategy correspond with actions within the Biodiversity and Climate Change strategy, and make recommendations to improve their shared achievement;*
- c) Explore options for increasingly recycling rates through assessing the best practice of other Local Authorities with similar waste collection service. This will also include reducing overall waste; and*
- d) To review the impact of shared waste collection facilities within/from new Housing Development on the achievement of Waste Strategy targets.*

## **Methodology and Approach**

The Committee agreed to hold additional Committee meetings to facilitate the review, which was better suited to Member availability as the Committee meets in the evening. The review took place across two meetings, in quick succession to support and maintain the momentum of the review.

The meetings were held on 2 and 3 November 2022, with the below written information provided to support and provide contextual background to the review. It also provided an evidence base from which the attending witnesses could be questioned.

Written information supplied:

- The Council's Waste and Recycling Strategy, 2018-2023
- Recycling Data across the period 2018-2022
- Relevant excerpt from the Council's Biodiversity and Climate Change Action Plan
- Summary of Waste Services related Communications from January 2021-October 2022
- Data on Stage 1 and 2 complaints relating to Waste Services
- Relevant excerpt of the results from the Residents Survey 2022 – Waste & Recycling Summary
- Table of Top Performing Local Authorities 2020/21 (with similar waste collection services to those provided at the Council)
- Information relating to developments with Shared Waste Collection Facilities

(See Appendix 2 to this report for the links to access this information)

To support the review, the meetings were structured to enable the Committee to consider the lines of enquiry from an 'internal' and 'external' perspective. This allowed the Committee to receive verbal evidence in a focused manner.

## **Internal – 2 November 2022**

- a) Assess customer satisfaction with the service, including interaction with customer services and educational communications, to identify improvements;*
- b) To identify which actions within the Waste Strategy correspond with actions within the Biodiversity and Climate Change strategy and make recommendations to improve their shared achievement.*

### **Attending Witnesses:**

#### **Officers**

Louise Goodsell, Customer Services Manager

Julie Maddocks, Communications Manager

James Wilderspin, Biodiversity and Climate Change Manager

Graham Gosden, Waste Crime Manager

Jennifer Stevens, Head of Environmental Services and Public Realm

#### Members

Councillor Lottie Parfitt-Reid, Lead Member for Communities and Public Engagement

Councillor Martin Round, Lead Member for Environmental Services

### **External – 3 November 2022**

*a) Explore options for increasing recycling rates through assessing the best practice of other Local Authorities with similar waste collection services. This will also include reducing overall waste; and*

*b) To review the impact of shared waste collection facilities within/from new Housing Development on the achievement of Waste Strategy targets.*

#### Attending Witnesses:

##### Officers

Jennifer Stevens, Head of Environmental Services and Public Realm

Austin Mackie, Major Projects Team Leader

##### Members

Councillor Martin Round, Lead Member for Environmental Services

It should be noted that external attendees were invited to attend, however due to unforeseen circumstances and limited availability, these representatives were unable to attend the meeting. The external considerations of the review were therefore considered in discussion with the internal attendees.

### **Recommended Actions and Intended Outcomes**

The Committee's recommended actions and intended outcome for each action are listed below. These are categorised by the relevant decision-maker, Council body or Officer as applicable. The Lead Officer for the actions, where applicable, has also been included.

The direct link to a specific evidence base, where relevant, has been included in addition to the intended outcomes. This will assist in demonstrating the Committee's evaluation of the evidence provided in formulating the recommended actions. A summary of the witnesses' evidence to the review is provided in the next section of the report, with a table of the recommended actions in appendix 1.

## RECOMMENDED ACTIONS FOR THE LEAD MEMBER FOR ENVIRONMENTAL SERVICES

### **1. To lobby local manufacturers and retailers to reduce the amount of waste they produce.**

#### Intended Outcomes

The Committee felt that local manufacturers and retailers should be lobbied to reduce the amount of waste they produced, with one example given relating to the amount of plastic packaging and/or wrapping used in products.

### **2. To promote of waste collection facilities, waste minimisation and the implementation of the national deposit scheme, as a topic for review at the next Local Government Association Conference.**

#### Intended Outcomes

The Committee felt that this action would increase the visibility and importance of the issue, using a platform that is widely accessible and has close links to local and central government. This action would also coincide with, and support, the action above in lobbying at a local level.

The statements made by the Lead Member for Environmental Services in relation to the importance of partnership working and lobbying contributed to this recommended action. This took place during the evidence collection (2 November 2022) process.<sup>1</sup>

### **3. That when available, the data concerning recycling rates including good and poor performance across the borough, be presented to the Committee to ensure it remains informed following the review's conclusion.**

#### Intended Outcomes

During the evidence collection process (2 November 2022), the Committee were advised by the Head of Environmental Services and Public Realm that the waste collection service's contract re-procurement would include improved technology. This technology would allow for improved data on waste collection across the borough, that would allow for a direct, targeted communications approach in the future. Further, this would reflect the importance of ensuring that the Committee remained informed of the increased data available and the service's performance following the review.<sup>2</sup>

Lead Officer: Head of Environmental Services and Public Realm

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<sup>1</sup> See Minutes of the Meeting held on 2 November 2022, p. 4. See Appendix 2 for access link.

<sup>2</sup> See Minutes of the Meeting held on 2 November 2022, p. 4. See Appendix 2 for access link.

**4. To measure the volume of waste produced, including per person, alongside the monitoring of recycling rates.**

Intended Outcomes

The Committee felt that this would ensuring the amount of overall waste produced is being monitored, alongside the monitoring of recycling rates.

Lead Officer: Head of Environmental Services and Public Realm.

**5. To include questions on the types of actions that would and would not assist in increasing recycling rates within the Residents Survey.**

Intended Outcomes

The Committee felt that this action would help the Council in ascertaining which types of actions residents would find beneficial in supporting an increase in recycling rates.

Lead Officer: Head of Environmental Services and Public Realm

**6. To promote improved communication between Kent County Council and the Council on highway maintenance, with particular reference to the Statutory Undertakings Team at the former.**

Intended Outcomes

The Committee felt that this would make sure that the issues are appropriately addressed through the Lead Members involvement in the Kent Waste Form, minimise any impacts to waste collection routes during times of highway maintenance, as Kent County Council (KCC) is the local highways authority and provide for improved communication between the two local authorities.

During the evidence collection process (3 November 2022), the Head of Environmental Services and Public Realm outlined the good level of co-operation between KCC and the Council in avoiding waste collection routes, with the majority of issues arising from unexpected road closures. The Committee felt that increased communications between the authorities would help ensure that service delivery was not affected by road closures.<sup>3</sup>

Lead Officer: Head of Environmental Services and Public Realm

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<sup>3</sup> Minutes of the Meeting held on 2 and 3 November, p. 3 and 3 respectively. See Appendix 2 of the report for access link.

**7. To consider methods to provide information relating to waste collection to Ward Cluster meetings similarly to that provided within the Town Centre Street Scene Meetings.**

Intended Outcomes

During the evidence collection process (3 November 2022), the Committee were advised by the Head of Environmental Services and Public Realm that it was possible for information relating to waste collection service to be reported to the Ward Cluster Meetings. The Committee felt that this would assist in replicating the positive performance and information shared of the street scene meetings and could lead to increased communications on waste collection across other areas of the borough.<sup>4</sup>

Lead Officer: Head of Environmental Services and Public Realm

**8. For Officers to be requested to review the public realm design guide and include specific reference to Policy CSW 3 (Kent Waste and Minerals Local Plan 2013-2030), as part of the Design & Sustainability Development Plan Document, in relation to the provision of public waste collection facilities.**

Intended Outcomes

The Committee felt that a review of the documents would support waste collection services and improved recycling rates from publicly accessible facilities, by ensuring that these were fit for purpose.

During the evidence collection process (3 November 2022), the Major Projects Team Leader advised that this was an example of how public spaces could be improved, given that residents were now spending an increased amount of time in their local areas. The Head of Environmental Services and Public Realm gave an example where the Council's Street Cleansing Team had previously had to replace inadequate public collection facilities.<sup>5</sup>

Lead Officers: Head of Environmental Services, Interim Local Plan Review Director/Head of Spatial Planning and Economic Development as applicable.

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<sup>4</sup> Minutes of the Meeting held on 3 November, p. 4. See Appendix 2 of the report for access link.

<sup>5</sup> Minutes of the Meeting held on 3 November, pp. 2-3 see Appendix 2 of the report for access link.

**9. To publicise the Council's enforcement action taken against those that seriously and/or recurrently breach the Council's rules on recycling and waste disposal.**

Intended Outcomes

To publicise and highlight the positive enforcement action taken by the Council against those individuals that breach the Council's rules on recycling and waste disposal. The communications produced in relation to fly-tipping were used as a comparative example.

Lead Officers: Communications Team in consultation with the Waste Collection Team.

RECOMMENDED ACTIONS FOR THE LEAD MEMBER FOR COMMUNITIES AND PUBLIC ENGAGEMENT

**10. See Recommendation 1 for the Lead Member for Environmental Services, as the recommended action cuts across both Lead Members portfolios and areas of responsibility.**

**11. The production of further recycling focused communications, that are accessible with inclusive language, with the use of descriptive pictures.**

Intended Outcomes

To assist in both the maintenance and improvement of the Council's recycling rates, by ensuring that the Council's communications were accessible and inclusive to all of the borough's residents.

Lead Officers: Communications Team in consultation with the Waste Collection Team.

**12. The production of further communications on food storage.**

Intended Outcomes

The Committee felt that additional food communications on food storage would prevent unnecessary food wastage and provide helpful tips for residents. The previous food-related initiatives provided by the Council were highlighted to the Committee during the evidence collection process (2 November 2022).<sup>6</sup>

Lead Officers: Communications Team in consultation with the Waste Collection Team

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<sup>6</sup> Minutes of the Meeting held on 2 November 2022, p. 1. see Appendix 2 of the report for access link

**13. Increased messaging from the Council on shared waste collection facilities, including within flats.**

Intended Outcome

The Committee felt that increased messaging from the Council in this area would assist in improving the use of shared waste collection facilities, including within flats, to in turn increase the recycling rates of those facilities. This was highlighted by the Committee in the context of the ongoing work between the Council and Housing Associations to support this aim, which was highlighted by the Waste Manager during the 2 November 2022 meeting.<sup>7</sup>

Lead Officers: Communications Team in consultation with the Waste Collection Team

**14. To introduce a webpage on the Council's website that outlines which materials can be recycled, and at which locations.**

Intended Outcomes

The Committee felt that this would provide easily accessible information to residents on which materials can and cannot be recycled, and where those materials can be recycled.

During the evidence collection (2 November 2022) the importance of helpful communications in maintaining and improving the service's performance was highlighted. The Head of Environmental Services and Public Realm further advised that the Council would assist in the promotion of alternative recycling facilities.<sup>8</sup>

Lead Officers: Communications Team in consultation with the Waste Collection Team

**15. That the Overview and Scrutiny Committee be provided with Customer Services Complaints data (relating to Waste Services) on a quarterly basis.**

Intended Outcomes

The Committee felt that this would enable it to ascertain whether there were any particular issues and investigate solutions to those issues, as a direct link to line of enquiry A for the review.

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<sup>7</sup> Minutes of the Meeting held on 2 November 2022, p. 3. see Appendix 2 of the report for access link

<sup>8</sup> Minutes of the Meeting held on 2 November, p. 3 see Appendix 2 of the report for access link.



**16. See recommended action 9, as this cuts across both portfolios for the Lead Members for Communities and Public Engagement and Environmental Service.**

RECOMMENDED ACTIONS FOR THE PLANNING COMMITTEE

**17. That the Planning Committee Members receive training in accordance with recommendation two of appendix 8 of the written information provided to the committee in conducting the review.**

Intended Outcomes:

To increase Planning Committee Member's knowledge in relation to Policy CSW 3, to assist in ensuring that waste collection and waste collection facilities are appropriately considered.

This was an action proposed by the Major Projects Team Leader during the evidence collection process (3 November 2022).<sup>9</sup>

The training would cover, for example:

- The importance of applying the waste hierarchy (as part of the wider 'sustainability circle') when assessing relevant planning applications
- The wider value of planning officers adopting a positive role in terms of aligning with Corporate approaches
- The national policy context
- Existing local MBC/KCC policy and guidance
- The scope of waste related consideration that can be material to the consideration and determination of a planning application

**18. That Consideration be given to implementing additional conditions, where appropriate, concerning the waste collection facilities from commercial establishments that may generate high levels of waste.**

Intended Outcomes:

The Committee felt that this would support the Planning Committee's consideration of applications where high levels of waste may be generated from the site to the benefit of the local surroundings and to support the Council's waste collection services and overall strategy.

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<sup>9</sup> Minutes of the Meeting held on 3 November, p. 3 See Appendix 2 of the report for access link.

## RECOMMENDED ACTION FOR THE LEAD MEMBER FOR PLANNING AND INFRASTRUCTURE

- 19. See recommended action 8, as this cuts across both portfolios for the Lead Members for Planning and Infrastructure and Environmental Services.**

That the Lead Member for Planning and Infrastructure recommend that the Head of Development Management be recommended to:

- 20. Give consideration to recommended action 18, as applicable to the consideration of planning applications.**
- 21. Amend the Development Management Officer report templates used for Planning Committee agendas to include a prompt on waste considerations, as soon as possible.**

### Intended Outcomes

To ensure that Officers due consideration to waste collection facilities when presenting reports to the Planning Committee.

This supports the below recommendation on training provision and was an action suggested by the Major Projects Team Leader during the evidence collection process (3 November 2022).<sup>10</sup>

Additional Lead Officer: Major Projects Team Leader

- 22. Initiate a design review process in accordance with recommendation one of appendix 8 of the written information provided to the committee in conducting the review, alongside any supplementary planning guidance as required.**

### Intended Outcomes

The Committee felt that this action would ensure that waste management is considered as part of any design review, where appropriate, with a formal process initiated as these reviews are currently carried out on an ad-hoc basis. This would be supplemented with planning guidance as required to support the process.

This was an action proposed by the Major Projects Team Leader during the evidence collection process (3 November 2022).<sup>11</sup>

Additional Lead Officer: Major Projects Team Leader

Design Review Process to be initiated for the relevant schemes, to include waste management.

<sup>10</sup> Minutes of the Meeting held on 3 November, p. 4 See Appendix 2 of the report for access link

<sup>11</sup> Minutes of the Meeting held on 3 November, p. 3 See Appendix 2 of the report for access link.

**23. Give higher prominence to Policy CSW 3 of the Kent Minerals and Waste Plan within the assessment of planning applications.**

Intended Outcomes

The Committee felt that this would promote the policy's consideration within planning applications to improve waste collection services. During the evidence collection process (3 November 2022), the Major Projects Team Leader advised that this policy could be considered where applicable, during the Council's assessment of planning applications.<sup>12</sup>

Additional Lead Officer: Major Projects Team Leader

**24. That the Development Management Officers receive training in accordance with recommendation two of appendix 8, of the written information provided to the committee in conducting the review**

Intended Outcomes:

To increase Planning Committee Member's knowledge in relation to Policy CSW 3, to assist in ensuring that waste collection and waste collection facilities are appropriately considered.

This was an action proposed by the Major Projects Team Leader during the evidence collection process (3 November 2022),<sup>13</sup> and is linked to the above action.

Additional Lead Officer: Major Projects Team Leader

The training would cover, for example:

- The importance of applying the waste hierarchy (as part of the wider 'sustainability circle') when assessing relevant planning applications
- The wider value of planning officers adopting a positive role in terms of aligning with Corporate approaches
- The national policy context
- Existing local MBC/KCC policy and guidance
- The scope of waste related consideration that can be material to the consideration and determination of a planning application

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<sup>12</sup> Minutes of the Meeting held on 3 November, p. 3 See Appendix 2 of the report for access link.

<sup>13</sup> Minutes of the Meeting held on 3 November, p. 3 See Appendix 2 of the report for access link.

## RECOMMENDED ACTIONS FOR EXTERNAL ORGANISATIONS

### **One Maidstone:**

- 25. That One Maidstone be recommended to include street cleaning provisions within their next bid (concerning town centre management)**

#### Intended Outcomes

The Committee noted that this is an existing service provided by One Maidstone in their management of the town centre. The Committee recommended that this function be retained by including it within the organisation's next bid (if applicable) for the town centre's management.

### **Kent County Council:**

- 26. That Kent County Council be recommended to provide a substitute representative when their initial representative is unable to attend a meeting of the Committee.**

#### Intended Outcome

The Committee felt that a representative of Kent County Council should attend a meeting of the Committee. At the commencement of the 3 November 2022 meeting, the Democratic Services Officer advised that a KCC representative was unable to attend the meeting, but that an informal offer of engagement had been received.

## RECOMMENDED ACTION FOR THE OVERVIEW AND SCRUTINY COMMITTEE – POST REVIEW EVALUATION

- 27. That pending the receipt of data relating to waste collection services following the new contract's commencement, the Committee consider whether any further public information and/or amendment to Council policy should be recommended.**

#### Intended Outcome

This would support the Committee in considering whether any further public information should be produced, or if any other Council policies should be amended post-review.

The above recommended could be considered as part of a future evaluation into the review's impact and is reflective of good practice in reviewing the Overview and Scrutiny Committee's functionality, benefit, and areas for improvement.

## **Summary of Verbal Evidence from Witnesses**

The below summaries have been produced from the Minutes of the meetings held on 2 and 3 November 2022.

### Louise Goodsell, Customer Services Manager

The Communications manager attended the meeting held on the 2 November 2022 to support the Committee in its review.

### Julie Maddocks, Communications Manager

The Communications manager provided a written summary of Waste Services related Communications from January 2021-October 2022, for the Committee to consider ahead of the review as part of its agenda papers.

At the meeting, the Committee questioned the Communications Manager on the waste-related communications produced. The Communications Manager outlined the some of the waste-related communications produced, such as the 'Insider Waste Tips', Gov Delivery Stay Connected Newsletter and the proactive approach taken by the Communications Team to provide updates to residents. This included the text messaging system available to residents. This link between the Communications and Customer Services Teams was outlined, as the latter would ask residents if they would like to sign up to the text messaging system when reporting an initial issue.

The Committee recognised that the Communications produced were helpful and made recommendations on further communications to contribute to the maintenance and improvement of the service's good performance.

### James Wilderspin, Biodiversity and Climate Change Manager

The Biodiversity and Climate Change Manager provided an updated excerpt of the Biodiversity and Climate Change Action Plan for the Committee to consider ahead of the meeting as part of its agenda papers.

During the meeting, the Biodiversity and Climate Change Manager identified the communication and engagement support provided to the applicable Council Teams and highlighted the benefits of direct engagement in this area.

### Graham Gosden, Waste Manager

The Waste Manager provided a written summary of the Council's recycling rates for the Committee to consider ahead of the review as part of its agenda papers.

At the meeting, the Committee questioned the Waste Manager on the Waste collection services provided, the various actions taken by the Council and with

external organisations to improve the service's provision and increase recycling rates and the limits of data analytics within the current service provision.

Austin Mackie, Major Projects Team Leader

The Major Projects Team Leader provided a written summary of the considerations across Development Management and Waste; the document was referenced extensively by the Committee in interviewing the Major Projects Team Leader on the 3 November 2022.

In response to questions from the Committee, the Major Projects Team Leader provided information and advice on the potential actions that could be taken to promote and improve waste collection services. Examples included reference to the ongoing Regulation 18A public consultation on the proposed Design and Sustainability Development Plan Document, the determination of planning applications in relation to vehicle turning circles and the requirement for conditions to a planning consent to be reasonable, increased training for both Officers and Members and amendments to the planning committee report template.

Jennifer Stevens, Head of Environmental Services and Public Realm

As the relevant Head of Service, this officer contributed significantly to the review. The Head of Environmental Services and Public Realm provided written evidence within the Committee's agenda papers for the review meetings and attended both meetings.

In response to questions from the Committee, the Head of Environmental Services and Public Realm provided a wide range of information relating to waste collection services. This included information on the service's delivery, oversight, communications, actions taken with partners and other organisations, including Kent County Council as the Highways and Waste Disposal Authority, enforcement action taken by the Council, and how service disruptions were managed.

## **Thanks to Witnesses**

The Overview and Scrutiny Committee would like to extend its thanks to those Officers and Members that supported the review, either through providing written evidence and/or attending a meeting of the Committee.

These individuals are listed below:

Louise Goodsell, Customer Services Manager

Julie Maddocks, Communications Manager

James Wilderspin, Biodiversity and Climate Change Manager

Graham Gosden, Waste Manager

Austin Mackie, Major Projects Team Leader

Jennifer Stevens, Head of Environmental Services and Public Realm

The Information Governance and the Policy, Communities and Engagement Teams

Councillor Lottie Parfitt-Reid, Lead Member for Communities and Public Engagement

Councillor Martin Round, Lead Member for Environmental Services

## APPENDIX 1 – TABLE OF RECOMMENDED ACTIONS

The below table outlines the list of recommended actions and intended outcomes as put forward by the Committee as a result of the review.

Please note: The intended outcomes of each action have been included in the body of the report, and where required, the wording has been slightly amended to allow for sufficient explanation of the intended outcomes alongside the evidence presented to the Committee. The sentiments of the intended outcomes have not been amended.

<b>Recommended Actions</b> <b>(Action No. in body of report)</b>	<b>Relevant Lead Member/Committee and Council Officers</b> (as applicable)	<b>Intended Outcome</b>
To lobby local manufacturers and retailers to reduce the amount of waste they produce.  <b>(RA 1 &amp; 10)</b>	Lead Member for Environmental Services and Lead Member for Communities and Public Engagement.	To reduce the amount of waste produced locally.
The promotion of waste collection facilities, waste minimisation and the implementation of a national deposit scheme, as a topic for review at the next Local Government Association Conference.  <b>(RA 2)</b>	Lead Member for Environmental Services.	To increase the visibility and importance of the issue, using a platform that is widely accessible and has close links to local and central government.
When available, the data concerning recycling rates including good and poor performance across the borough, be presented to the Committee to ensure it remains informed following the review's conclusion.  <b>(RA 3)</b>	Lead Member for Environmental Services  Head of Environmental Services and Public Realm.	The Committee were advised that the contract's re-procurement would include improved technology. The technology would allow for improved data on waste collection across the borough, that would allow for a direct, targeted communications approach in the future. Further, this would reflect



APPENDIX 1 – TABLE OF RECOMMENDED ACTIONS

		the importance of ensuring that the Committee remained informed of the increased data available following the review.
To measure the volume of waste produced, including per person, alongside the monitoring of recycling rates. <b>(RA 4)</b>	Lead Member for Environmental Services.  Head of Environmental Services and Public Realm	To ensure that the amount of overall waste produced is being monitored.
The residents survey includes questions on the types of actions that would and would not assist in increasing recycling rates. <b>(RA 5)</b>	Lead Member for Environmental Services and Lead Member for Communities and Public Engagement  Head of Environmental Services and Public Realm.	To find out which types of actions residents would find beneficial in increasing recycling rates,
Improved communication between Kent County Council and the Council on highway maintenance, with particular reference to the Statutory Undertakings Team at the former. <b>(RA 6)</b>	Lead Member for Environmental Services  Head of Environmental Services and Public Realm.	To minimise the impact to waste collection routes during times of highway maintenance and provide improved communication between the two local authorities.

# APPENDIX 1 – TABLE OF RECOMMENDED ACTIONS

<p>To consider methods to provide information relating to waste collection to Ward Cluster meetings, similarly to that provided within the Town Centre Street Scene meetings.</p> <p><b>(RA 7)</b></p>	<p>Lead Member for Environmental Services</p> <p>Head of Environmental Services and Public Realm.</p>	<p>Replicating the positive performance and information sharing of the street scene meetings could lead to increased communications on waste collection across other areas of the borough.</p>
<p>Officers be requested to review the public realm design guide, as part of the Design &amp; Sustainability Development Plan Document, in relation to the provision of public waste collection facilities.</p> <p><b>(RA 8 &amp; 19)</b></p>	<p>Lead Member for Planning and Infrastructure, Lead Member for Environmental Services</p> <p>Head of Environmental Services and Interim Local Plan Review</p> <p>Director/Head of Spatial Planning and Economic Development as applicable.</p>	<p>To support waste collection services and improved recycling rates from publicly accessible facilities, to ensure that these are fit for purpose.</p>
<p>To publicise the Council's enforcement action taken against those that seriously and/or recurrently breach the Council's rules on recycling and waste disposal.</p> <p><b>(RA 9 &amp; 16)</b></p>	<p>Lead Member for Communities and Public Engagement, Lead Member or Environmental Services.</p> <p>Communications Team in consultation with the Waste Collection Team</p>	<p>To publicise and highlight the positive enforcement action taken by the Council against those individuals that breach the Council's rules on recycling and waste disposal.</p>
<p>The production of further recycling focused communications, that are accessible with inclusive language, with the use of descriptive pictures.</p> <p><b>(RA 11)</b></p>	<p>Lead Member for Communities and Public Engagement</p> <p>Communications Team in consultation with the Waste Collection Team.</p>	<p>To assist in both the maintenance and improvement of the Council's recycling rate.</p> <p>To promote the re-use of items where possible and reduce the amount of waste produced.</p>

APPENDIX 1 – TABLE OF RECOMMENDED ACTIONS

<p>The production of further communications on food storage.</p> <p><b>(RA 12)</b></p>	<p>Lead Member for Communities and Public Engagement</p> <p>Communications Team in consultation with the Waste Collection Team.</p>	<p>To prevent unnecessary food wastage and provide helpful tips for residents.</p>
<p>Increased messaging from the Council on shared waste collection facilities, including flats.</p> <p><b>(RA 13)</b></p>	<p>Lead Member for Communities and Public Engagement</p> <p>Communications Team in consultation with the Waste Collection Team.</p>	<p>To assist in improving the use of shared waste collection facilities.</p> <p>To increase the recycling rates of shared collection facilities, particularly given the ongoing work between the Council and Housing Associations to support this aim.</p>
<p>The introduction of a webpage on the Council's website outlining which materials can be recycled, and where.</p> <p><b>(RA 14)</b></p>	<p>Lead Member for Communities and Public Engagement</p> <p>Communications Team in consultation with the Waste Collection Team.</p>	<p>To provide easily accessible information to residents on which materials can and cannot be recycled, and where those materials can be recycled.</p>
<p>The Committee be provided with Customer Services Complaints data (relating to Waste Services) on a quarterly basis.</p> <p><b>(RA 15)</b></p>	<p>Lead Member for Communities and Public Engagement</p> <p>Customer Services Manager</p>	<p>To enable the Committee to ascertain whether there were any particular issues and investigation solutions to those issues, as a direct link to line of enquiry A for the review.</p>

APPENDIX 1 – TABLE OF RECOMMENDED ACTIONS

<p>The Development Management Officers and Planning Committee Members receive training in accordance with recommendation two of Appendix 8 to the report.</p> <p><b>(RA 17 &amp; 24)</b></p>	<p>Head of Development Management and Planning Committee</p>	<p>To increase the knowledge of Development Management Officers and Planning Committee Members in relation to Policy CSW 3, to assist in ensuring that waste collection and waste facilities are appropriately considered.</p>
<p>Consideration be given to implementing additional conditions, where appropriate, concerning the waste collection from commercial establishments that may generate high levels of waste.</p> <p><b>(RA 18 &amp; 20)</b></p>	<p>Head of Development Management and Planning Committee (linked to above recommendation)</p>	<p>To support the Planning Committee's consideration of applications where high levels of waste may be generated, to the benefit of the site's local surroundings and to support the Council's waste collection services and overall strategy.</p>
<p>To amend the Development Management Officer report templates used for Planning Committee agendas, to include a prompt on waste collection considerations.</p> <p><b>(RA 21)</b></p>	<p>Head of Development Management</p>	<p>To ensure that Officers give consideration to waste collection facilities when presenting reports to the Planning Committee.</p>
<p>The initiation of a design review process, in accordance with recommendation one of Appendix 8 to the report, alongside any supplementary planning guidance as required.</p> <p><b>(RA 22)</b></p>	<p>Head of Development Management</p>	<p>To ensure that waste management is considered as part of any design reviews, where appropriate, with a formal process initiated as these reviews are currently carried out on an ad-hoc basis.</p>

APPENDIX 1 – TABLE OF RECOMMENDED ACTIONS

<p>Policy CSW 3 of the Kent Minerals and Waste Plan be given higher prominence within the assessment of planning applications, as advised by the Major Projects Team Leader.</p> <p><b>(RA 23)</b></p>	<p>Head of Development Management</p>	<p>To promote the policy's consideration within planning applications to improve waste collection services.</p>
<p>One Maidstone be recommended to include street cleaning provisions within their next bid.</p> <p><b>(RA 25)</b></p>	<p>One Maidstone</p>	<p>This is an existing service provided by One Maidstone in their management of the town centre; it is recommended to retain this function by including it in the organisations next bid.</p>
<p>Kent County Council be recommended to provide a substitute representative when their initial representative is unable to attend a meeting of the Committee.</p> <p><b>(RA 26)</b></p>	<p>Kent County Council (via their Democratic Services Team).</p>	<p>To encompass the Committee's view that a representative of Kent County Council should attend the meeting when requested to.</p>
<p>Pending the receipt of data relating to waste collection services following the new contract's commencement, the Committee consider whether any further public information and/or amendment to Council policy should be recommended.</p> <p><b>(RA 27)</b></p>	<p>Overview and Scrutiny Committee; Future evaluation of the review's impact.</p>	<p>To support the Committee in considering whether any further public information should be produced, or if any other Council policies should be amended.</p> <p>This could be considered as part of a future evaluation of the review's impact.</p>

### Written Information

Agenda and Minutes for the Overview and Scrutiny Committee Meeting held on 6 October 2022: [Your Councillors - Maidstone Borough Council](#)

Agenda and Minutes for the Overview and Scrutiny Committee Meeting held on 2 November 2022: [Your Councillors - Maidstone Borough Council](#)

The agenda for this meeting contained the information relevant to the 23 November 2022 Meetings. The list of evidence supplied was as follows:

- The Council's Waste and Recycling Strategy, 2018-2023
- Recycling Data across the period 2018-2022
- Relevant excerpt from the Council's Biodiversity and Climate Change Action Plan
- Summary of Waste Services related Communications from January 2021-October 2022
- Data on Stage 1 and 2 complaints relating to Waste Services
- Relevant excerpt of the results from the Residents Survey 2022 – Waste & Recycling Summary
- Table of Top Performing Local Authorities 2020/21 (with similar waste collection services to those provided at the Council)
- Information relating to developments with Shared Waste Collection Facilities

Minutes for the Overview and Scrutiny Committee Meeting held on 3 November 2022: [Your Councillors - Maidstone Borough Council](#)

Agenda and Minutes for the Overview and Scrutiny Committee Meeting held on 22 November 2022:

### Committee Membership during the Review

Councillors:

English (Chairman), Cannon (Vice-Chair), Blackmore, Brice, Cleator, Conyard, Garten, Hastie, Hinder, Jeffery, Knatchbull, McKenna and T Wilkinson.

Contact details for the Committee can be found here:

[Your Councillors - Maidstone Borough Council](#)

## Overview and Scrutiny Committee Recommended Action and Implementation Plan (SCRAIP)

The following recommended actions have arisen from the review into the 'Council's Performance against the Waste and Recycling Strategy, 2018-2023'. This SCRAIP provides comments on the recommendations from the relevant Lead Officer/s such as its feasibility and possible method and timeline for implementation.

<b>Review Title: The Council's Performance against the Waste and Recycling Strategy 2018-2023</b>			
Recommendation & Intended Outcomes	Relevant Lead Member/s (LM)	Officer Response/s	Lead Officer/s
<p><b>1.To lobby local manufacturers and retailers to reduce the amount of waste they produce.</b></p> <p>37</p> <p>Intended Outcomes:</p> <p>The Committee felt that local manufacturers and retailers should be lobbied to reduce the amount of waste they produced, with one example given relating to the amount of plastic packaging and/or wrapping used in products.</p>	<p>LM for Environmental Services</p> <p>LM for Communities and Public Engagement</p> <p>(Recs 1&amp;10)</p>	<p>The Government's new legislation on Extended Producer Responsibilities (EPR) will reform the existing packaging regulations and ensure producers are responsible for the full net cost of managing packaging once it become waste and will apply to household waste. Maidstone, as part of the Kent Resource Partnership, has already contributed to shaping this legislation.</p> <p>The Council will continue to work with colleagues at the Kent Resource Partnership to work with local companies to promote waste reduction. Previous work has included the partnership with Marks and Spencer's.</p> <p>More directly, the Council's commercial waste service works with local businesses to help them reduce their waste and identify opportunities for recycling, including offering a free collection of paper and cardboard.</p>	<p>Head of Environmental Services and Public Realm</p>

<p><b>2.To promote of waste collection facilities, waste minimisation and the implementation of the national deposit scheme, as a topic for review at the next Local Government Association Conference.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that this action would increase the visibility and importance of the issue, using a platform that is widely accessible and has close links to local and central government. This action would also coincide with, and support, the action above in lobbying at a local level.</p> <p>The statements made by the Lead Member for Environmental Services in relation to the importance of partnership working and lobbying contributed to this recommended action. This took place during the evidence collection (2 November 2022) process.<sup>1</sup></p>	<p>LM for Environmental Services</p>	<p>The LGA worked extensively with Members of Parliament and Peers during the passage of the Environment Bill to provide information and research on implications for local government, support with the drafting and tabling of amendments, influence decision makers to secure favourable outcomes for councils and garner cross-party support for amendments that were in the interest of local government.</p> <p>The issues of Extended Producer Responsibility (EPR), Deposit Return Scheme (DRS) and service consistency have already been discussed at length at national level and the LGA have been a leading influence on these topics.</p> <p>It is therefore suggested that it would be more appropriate for the Council to promote these messages more locally.</p> <p>MBC waste collection facilities are promoted in a variety of ways on a very regular basis; these include a monthly dedicated environmental newsletter, press releases (where and when appropriate), and social media messaging across all of the Council's channels.</p>	<p>Head of Environmental Services and Public Realm</p> <p>Communications Manager</p>
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<sup>1</sup> See Minutes of the Meeting held on 2 November 2022, p. 4. – See section 9 of the report for access link.



Appendix 2 - Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP)

		In addition, a dedicated 32-page edition of Borough Insight is planned for Spring 2023 which will focus on environmental issues, biodiversity and sustainability. This will include an eight page 'pull-out' section with FAQs and helpful facts, tips and information and recycling, waste and environmental issues for the reader to keep.	
<p><b>3. That when available, the data concerning recycling rates including good and poor performance across the borough, be presented to the Committee to ensure it remains informed following the review's conclusion.</b></p> <p>Intended Outcomes:</p> <p>During the evidence collection process (2 November 2022), the Committee were advised by the Head of Environmental Services and Public Realm that the waste collection service's contract re-procurement would include improved technology. This technology would allow for improved data on waste collection across the borough, that would allow for a direct, targeted communications approach in the future. Further, this would reflect the importance of ensuring that the Committee remained informed of the increased data available and the service's performance following the review.</p>	LM for Environmental Services	<p>During the mobilisation phase for the new waste collection contract, Officers will work with the contractor to shape the reporting functions and enable the required data to be available for presentation to the Committee. The data is likely to be available from July 2024.</p> <p>Working with the Mid Kent Waste Partnership (Ashford, Maidstone &amp; Swale) waste teams, the communications departments have joined forces to draft and distribute appropriate press releases and promotional messages announcing the new contract and how the service will be implemented and work. These messages included information around reducing emissions and monitoring recycling rates in the future.</p>	<p>Head of Environmental Services and Public Realm</p> <p>Communications Manager</p>

Appendix 2 - Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP)

<p><b>4.To measure the volume of waste produced, including per person, alongside the monitoring of recycling rates.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that this would ensuring the amount of overall waste produced is being monitored, alongside the monitoring of recycling rates.</p>	<p>LM for Environmental Services</p>	<p>This is already monitored for the Borough and the data for kg per household is already available and previously was presented as a KPI. The Communities, Housing and Environment Committee could decide to reinstate this KPI for quarterly review.</p> <p>MBC Communications continues to provide regular updates and information to promote recycling rates and encourage residents and businesses to improve their recycling. This includes monthly newsletters, social media channels, news articles and press releases.</p>	<p>Head of Environmental Services and Public Realm</p> <p>Communications Manager</p>
<p><b>5. To include questions on the types of actions that would and would not assist in increasing recycling rates within the Residents Survey.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that this action would help the Council in ascertaining which types of actions residents would find beneficial in supporting an increase in recycling rates.</p>	<p>LM for Environmental Services</p>	<p>In the most recent survey, additional questions were asked relating to the provision of additional containers for the capture of more recycling. However for future surveys, the motivators and barriers to recycling could be further explored to identify ways to increase the recycling participation and capture rates.</p> <p>Through the environmental newsletter – Stay Connected – the waste team will seek to survey residents on the influencing factors behind their recycling habits to determine what challenges may inhibit recycling.</p> <p>The MBC Communications team will continue to promote and provide information for residents that they may</p>	<p>Head of Environmental Services and Public Realm</p> <p>Communications Manager</p>

		find beneficial to increase recycling rates.	
<p><b>6.To promote improved communication between Kent County Council and the Council on highway maintenance, with particular reference to the Statutory Undertakings Team at the former.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that this would make sure that the issues are appropriately addressed through the Lead Members involvement in the Kent Waste Form, to minimise any impacts to waste collection routes during times of highway maintenance, as Kent County Council (KCC) is the local highways authority and provide for improved communication between the two local authorities.</p> <p>During the evidence collection process (3 November 2022), the Head of Environmental Services and Public Realm outlined the good level of co-operation between KCC and the Council in avoiding waste collection routes, with the majority of issues arising from unexpected road closures. The Committee felt that increased communications between the authorities would help ensure that service delivery was not affected by road closures.</p>	LM for Environmental Services	<p>The Council already works closely with Kent Highways around planned road closures; however, it is recognised that additional work is needed to improve communication directly with local utility companies and their contractors to ensure waste collection arrangements are considered when emergency closures are put in place.</p> <p>The MBC Communications team works with KCC – Kent Resource Partnership to understand and cross- promote the partnership working and projects.</p> <p>The Waste team inform both customer services and communications on issues that may affect waste collections on a daily basis. The communications team then shares the messages as and when appropriate on various channels including social media and press releases if required.</p>	<p>Head of Environmental Services and Public Realm</p> <p>Communications Manager</p>

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<p><b>7.To consider methods to provide information relating to waste collection to Ward Cluster meetings similarly to that provided within the Town Centre Street Scene Meetings.</b></p> <p>Intended Outcomes:</p> <p>During the evidence collection process (3 November 2022), the Committee were advised by the Head of Environmental Services and Public Realm that it was possible for information relating to waste collection service to be reported to the Ward Cluster Meetings. The Committee felt that this would assist in replicating the positive performance and information shared of the street scene meetings and could lead to increase communications on waste collection across other areas of the borough.</p>	<p>LM for Environmental Services</p>	<p>Analysis is due to start on the vast quantity of data held relating to service requests, with a focus on how this can be presented geographically. The Waste Collection Manager will request to attend Ward Cluster meetings to improve the amount of data and information that can be shared relating to the waste and recycling service.</p> <p>The Waste team inform both customer services and communications on issues that may affect waste collections on a daily basis. The communications team then shares the messages as and when appropriate on various channels including social media and press releases if required.</p>	<p>Head of Environmental Services and Public Realm</p> <p>Communications Manager</p>
<p><b>8. For Officers to be requested to review the public realm design guide and include specific reference to Policy CSW 3 (Kent Waste and Minerals Local Plan 2013-2030), as part of the Design &amp; Sustainability Development Plan Document, in relation to the provision of public waste collection facilities.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that a review of the documents would support waste collection</p>	<p>LM for Environmental Services</p> <p>LM for Planning and Infrastructure</p> <p>(Recs 8 &amp; 19)</p>	<p>The Waste Team have provided the relevant information relating to the waste requirements for households to the Planning Team for consideration.</p>	<p>Head of Environmental Services and Public Realm</p> <p>Interim Local Plan Review Director/Head of Spatial Planning and Economic Development as applicable</p>

<p>services and improved recycling rates from publicly accessible facilities, by ensuring that these were fit for purpose.</p> <p>During the evidence collection process (3 November 2022), the Major Projects Team Leader advised that this was an example of how public spaces could be improved, given that residents were now spending an increased amount of time in their local areas. The Head of Environmental Services and Public Realm gave an example where the Council's Street Cleansing Team had previously had to replace inadequate public collection facilities.<sup>2</sup></p>			
<p><b>9. To publicise the Council's enforcement action taken against those that seriously and/or recurrently breach the Council's rules on recycling and waste disposal.</b></p> <p>Intended Outcomes:</p> <p>To publicise and highlight the positive enforcement action taken by the Council against those individuals that breach the Council's rules on recycling and waste disposal.</p> <p>The communications produced in relation to fly-tipping were used as a comparative example.</p>	<p>LM for Environmental Services</p> <p>LM for Communities and Public Engagement</p> <p>(Recs 9 &amp; 16)</p>	<p>Further work will be undertaken to identify opportunities to promote the collaborative work of the Waste and Waste Crime Teams. The upcoming Borough Insight magazine will also be used to ensure residents understand their responsibilities for managing their waste and recycling.</p> <p>The Communications Team is working with the Waste Crime Team to promote their work and outline the consequences of people who breach the Council's rules on recycling and waste disposal. This includes an article in the forthcoming</p>	<p>Head of Environmental Services and Public Realm</p> <p>Communications Team</p>

<sup>2</sup> Minutes of the Meeting held on 3 November, pp. 2-3 – See section 9 of the report for access link.

		Borough Insight Environmental magazine.	
<p><b>11.The production of further recycling focused communications, that are accessible with inclusive language, with the use of descriptive pictures.</b></p> <p>Intended Outcomes:</p> <p>To assist in both the maintenance and improvement of the Council's recycling rates, by ensuring that the Council's communications were accessible and inclusive to all of the borough's residents.</p> <p>44</p>	LM for Communities and Public Engagement	<p>The next Borough Insight Magazine will be focused on sustainability and include a pull-out waste and recycling guide for residents to keep and reference. This will be as visual as possible with use of Maidstone specific images.</p> <p>The Stay Connected environmental newsletter will also be used to reinforce these messages and will continue to utilise more visual imagery to ensure the messages are accessible by a wider audience.</p> <p>The Communications team is currently working with the wasted team to produce a dedicated 32-page edition of Borough Insight; this will focus totally on environmental issues, biodiversity and sustainability.</p> <p>It will include an eight page 'pull-out' section with FAQs and helpful facts, tips and information and recycling, waste and environmental issues for the reader to keep.</p>	<p>Head of Environmental Services and Public Realm</p> <p>Communications Manager</p>
<p><b>12.The production of further communications on food storage.</b></p> <p>Intended Outcomes:</p>	LM for Communities and Public Engagement	This is already promoted within the environmental newsletter and social media; however, will also be captured within the new Borough Insight	Head of Environmental Services and Public Realm

<p>The Committee felt that additional food communications on food storage would prevent unnecessary food wastage and provide helpful tips for residents. The previous food-related initiatives provided by the Council were highlighted to the Committee during the evidence collection process (2 November 2022).</p>		<p>magazine and through the ongoing social media posts.</p> <p>The forthcoming Borough Insight Magazine will also include a section on food related initiatives providing residents and business with helpful facts, tips and information and recycling, waste and environmental issues for residents and businesses across the borough.</p>	Communications Team
<p><b>13.Increased messaging from the Council on shared waste collection facilities, including within flats.</b></p> <p>45 Intended Outcome:</p> <p>The Committee felt that increased messaging from the Council in this area would assist in improving the use of shared waste collection facilities, including within flats, to in turn increase the recycling rates of those facilities. This was highlighted by the Committee in the context of the ongoing work between the Council and Housing Associations to support this aim, which was highlighted by the Waste Manager during the 2 November 2022 meeting.</p>	LM for Communities and Public Engagement	<p>From end of March 2024, there will be a dedicated Special Projects Officer for Mid Kent who will deliver projects focused at improving recycling at communal flats. This will include improved communications as well as targeted interventions to bin stores and communal bins.</p> <p>The Waste Team are also working closely with some local managing agents to provide information for residents and help design bin store improvements to facilitate greater recycling.</p> <p>The Communications team is working with Waste to explore areas where we can focus on the use of shared waste collection facilities and the issues faced by both residents/businesses and the waste team in collecting.</p>	Head of Environmental Services and Public Realm
			Communications Team

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		It will explore messaging to highlight miss-use and advise on the correct use to encourage recycling rates of those facilities.	
<p><b>14.To introduce a webpage on the Council's website that outlines which materials can be recycled, and at which locations.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that this would provide easily accessible information to residents on which materials can and cannot be recycled, and where those materials can be recycled.</p> <p>During the evidence collection (2 November 2022) the importance of helpful communications in maintaining and improving the service's performance was highlighted. The Head of Environmental Services and Public Realm further advised that the Council would assist in the promotion of alternative recycling facilities.<sup>3</sup></p>	LM for Communities and Public Engagement	<p>The Waste Team will work with Digital Team to create a new webpage based on the information within the waste pull-out of the Borough Insight.</p> <p>The Communications Team is working with the above teams.</p>	<p>Head of Environmental Services and Public Realm</p> <p>Communications Team</p>
<b>15.That the Overview and Scrutiny Committee be provided with Customer</b>	LM for Communities and Public Engagement	The formal complaints data will need to be provided by the Information and Governance Team.	Customer Services Manager

<sup>3</sup> Minutes of the Meeting held on 2 November, p. 3 – See section 9 of the report for access link.



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<p><b>Services Complaints data (relating to Waste Services) on a quarterly basis.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that this would enable it to ascertain whether there were any particular issues and investigate solutions to those issues, as a direct link to line of enquiry A for the review.</p>		<p>Customer Services can provide quarterly customer satisfaction data from the surveys sent to customers and pull out any comments highlighting issues with the service.</p>	
<p>That the Lead Member for Planning and Infrastructure recommend that the Head of Development Management be recommended to:</p> <p><b>20. Give consideration to recommended action 18, as applicable to the consideration of planning applications:</b></p> <p><b>(Rec 18) That Consideration be given to implementing additional conditions, where appropriate, concerning the waste collection facilities from commercial establishments that may generate high levels of waste.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that this would support the Planning Committee's consideration of applications where high levels of waste may be generated from the site to the</p>	<p>LM for Planning and Infrastructure</p> <p>(Recs 18 &amp; 20)</p>	<p>Comments <b>TO FOLLOW.</b></p>	<p>Head of Development Management</p>

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benefit of the local surroundings and to support the Council's waste collection services and overall strategy.			
<p>That the Lead Member for Planning and Infrastructure recommend that the Head of Development Management be recommended to:</p> <p><b>21. Amend the Development Management Officer report templates used for Planning Committee agendas to include a prompt on waste considerations, as soon as possible.</b></p> <p>Intended Outcomes:</p> <p>To ensure that Officers due consideration to waste collection facilities when presenting reports to the Planning Committee.</p> <p>This supports the below recommendation on training provision and was an action suggested by the Major Projects Team Leader during the evidence collection process (3 November 2022).<sup>4</sup></p>	LM for Planning and Infrastructure	<p>The Waste Team support this for both domestic and commercial premises.</p> <p>Further comments <b>TO FOLLOW.</b></p>	<p>Head of Environmental Services and Public Realm</p> <p>Head of Development Management &amp; Major Projects Team Leader</p>

<sup>4</sup> Minutes of the Meeting held on 3 November, p. 4 – See section 9 of the report for access link.

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<p>That the Lead Member for Planning and Infrastructure recommend that the Head of Development Management be recommended to:</p> <p><b>22. Initiate a design review process in accordance with recommendation one of appendix 8 of the written information provided to the committee in conducting the review, alongside any supplementary planning guidance as required.</b></p> <p>Intended Outcomes:</p> <p>46 The Committee felt that this action would ensure that waste management is considered as part of any design review, where appropriate, with a formal process initiated as these reviews are currently carried out on an ad-hoc basis. This would be supplemented with planning guidance as required to support the process.</p> <p>This was an action proposed by the Major Projects Team Leader during the evidence collection process (3 November 2022).</p> <p>Design Review Process to be initiated for the relevant schemes, to include waste management.</p>	<p>LM for Planning and Infrastructure</p>	<p>Comments <b>TO FOLLOW.</b></p>	<p>Head of Development Management &amp; Major Projects Team Leader</p>
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<p>That the Lead Member for Planning and Infrastructure recommend that the Head of Development Management be recommended to:</p> <p><b>23. Give higher prominence to Policy CSW 3 of the Kent Minerals and Waste Plan within the assessment of planning applications.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that this would promote the policy's consideration within planning applications to improve waste collection services. During the evidence collection process (3 November 2022), the Major Projects Team Leader advised that this policy could be considered where applicable, during the Council's assessment of planning applications.<sup>5</sup></p>	<p>Lead Member for Planning and Infrastructure</p>	<p>Comments <b>TO FOLLOW.</b></p>	<p>Head of Development Management &amp; Major Projects Team Leader</p>
<p>That the Lead Member for Planning and Infrastructure recommend that the Head of Development Management be recommended to:</p> <p><b>24. That the Development Management Officers receive training in accordance with recommendation two of appendix 8, of the written information provided</b></p>	<p>LM for Planning and Infrastructure</p>	<p>Comments <b>TO FOLLOW.</b></p>	<p>Head of Development Management &amp; Major Projects Team Leader</p>

<sup>5</sup> Minutes of the Meeting held on 3 November, p. 3 – See section 9 of the report for access link.

<p><b>to the committee in conducting the review</b></p> <p>Intended Outcomes:</p> <p>To increase Planning Committee Member's knowledge in relation to Policy CSW 3, to assist in ensuring that waste collection and waste collection facilities are appropriately considered.</p> <p>This was an action proposed by the Major Projects Team Leader during the evidence collection process (3 November 2022),<sup>6</sup> and is linked to the above action.</p> <p>51 The training would cover, for example:</p> <ul style="list-style-type: none"> <li>• The importance of applying the waste hierarchy (as part of the wider 'sustainability circle') when assessing relevant planning applications</li> <li>• The wider value of planning officers adopting a positive role in terms of aligning with Corporate approaches</li> <li>• The national policy context</li> <li>• Existing local MBC/KCC policy and guidance</li> <li>• The scope of waste related consideration that can be material to the consideration and determination of a planning application</li> </ul>			
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<sup>6</sup> Minutes of the Meeting held on 3 November, p. 3 – See section 9 of the report for access link.

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<p><b>25. That One Maidstone be recommended to include street cleaning provisions within their next bid (concerning town centre management)</b></p> <p>Intended Outcomes:</p> <p>The Committee noted that this is an existing service provided by One Maidstone in their management of the town centre. The Committee recommended that this function be retained by including it within the organisation's next bid (if applicable) for the town centre's management.</p>	<p>One Maidstone</p>	<p>This has already been raised through the latest Town Centre Street Scene Meeting and the Public Realm Operations Manager will continue to work closely with One Maidstone to identify improvements that could be captured within the scope of the Bid.</p>	<p>Head of Environmental Services and Public Realm</p>
<p><b>26. That Kent County Council be recommended to provide a substitute representative when their initial representative is unable to attend a meeting of the Committee.</b></p> <p>Intended Outcomes:</p> <p>The Committee felt that a representative of Kent County Council should attend a meeting of the Committee. At the commencement of the 3 November 2022 meeting, the Democratic Services Officer advised that a KCC representative was unable to attend the meeting, but that an informal offer of engagement had been received.</p>	<p>KCC</p>	<p>Whilst a representative was unable to attend the meeting, they have offered to have an informal meeting with Committee representatives. They have also advised that they watched the meetings and so are aware of the points raised.</p>	<p>Head of Environmental Services and Public Realm</p>

## MAIDSTONE BOROUGH COUNCIL FORWARD PLAN FOR THE FOUR MONTH PERIOD 1 JANUARY 2023 TO 30 APRIL 2023

This Forward Plan sets out the details of the key decisions which the Executive or Lead Members expect to take and the non-Key decisions that the Executive or Lead Members expect to take during the next four-month period. The plan will be updated weekly for the relevant period and a new plan for a new four-month period, published monthly on the last Friday of the month.

A Key Decision is defined as one which:

1. Results in the Council incurring expenditure, or making savings, of more than £250,000; or
2. Is significant in terms of its effects on communities living or working in an area comprising two or more Wards in the Borough

The current members of the Executive are:

53	 <p><b>Councillor David Burton</b> Leader of the Council DavidBurton@maidstone.gov.uk 07590 229910</p>	 <p><b>Councillor John Perry</b> Deputy Leader and Lead Member for Corporate Services JohnPerry@Maidstone.gov.uk 07770 734741</p>	 <p><b>Councillor Lottie Parfitt-Reid</b> Lead Member for Communities and Public Engagement LottieParfittReid@Maidstone.gov.uk 07919 360000</p>	 <p><b>Councillor Martin Round</b> Lead Member for Environmental Services MartinRound@maidstone.gov.uk 07709 263447</p>
	 <p><b>Councillor Simon Webb</b> Lead Member for Housing and Health SimonWebb@Maidstone.gov.uk 07878 018997</p>	 <p><b>Councillor Claudine Russell</b> Lead Member for Leisure and Arts ClaudineRussell@Maidstone.gov.uk</p>	 <p><b>Councillor Paul Cooper</b> Lead Member for Planning and Infrastructure PaulCooper@Maidstone.gov.uk 01622 244070</p>	

Anyone wishing to make representations about any of the matters listed below may do so by contacting the relevant officer listed against each decision, within the time period indicated.

Under the Access to Information Procedure Rules set out in the Council's Constitution, a Key Decision or a Part II decision may not be taken, unless it has been published on the forward plan for 28 days or it is classified as urgent:

The law and the Council's Constitution provide for urgent key and part II decisions to be made, even though they have not been included in the Forward Plan.

Copies of the Council's constitution, forward plan, reports and decisions may be inspected at the Maidstone House, King Street, Maidstone, ME15 6JQ or accessed from the Council's website: [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

Members of the public are welcome to attend meetings of the Executive which are normally held at the Town Hall, High St, Maidstone, ME14 1SY. The dates and times of the meetings are published on [www.maidstone.gov.uk](http://www.maidstone.gov.uk) or you may contact the Democratic Services Team on telephone number 01622 602899 for further details.

 **David Burton**  
**Leader of the Council**



Details of the Decision to be taken	Decision to be taken by	Lead Member	Expected Date of Decision	Key	Exempt	Proposed Consultees / Method of Consultation	Documents to be considered by Decision taker	Representations may be made to the following officer by the date stated
<p>Maidstone Local Development Scheme (LDS) Update Update to the adopted Local Development Scheme. The report is also tentatively scheduled to go to Council on 22 February 2023.</p> <p>55</p>	<p>Executive</p> <p>Full Council</p>	<p>Lead Member for Planning and Infrastructure</p>	<p>25 Jan 2023</p> <p>22 Feb 23</p>	<p>Yes</p>	<p>No Open</p>	<p>Planning and Infrastructure Policy Advisory Committee 11 Jan 2023</p>	<p>Maidstone Local Development Scheme (LDS) Update</p>	<p><b>Mark Egerton, Nicola Stokes</b></p> <p>markegerton@maidstone.gov.uk, NicolaStokes@Maidstone.gov.uk</p>

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
<p>Strategic Plan refresh 2023-28 This report proposes refreshed areas of focus for the Council's Strategic Plan for the period 2023-2028.</p> <p>56</p>	Executive	Leader of the Council	8 Feb 2023	Yes	No Open	<p>Economic Regeneration and Leisure Policy Advisory Committee 10 Jan 23</p> <p>Planning and Infrastructure Policy Advisory Committee 11 Jan 23</p> <p>Communities, Housing and Environment Policy Advisory Committee 17 Jan 2023</p> <p>Corporate Services Policy Advisory Committee 18 Jan 23</p>	Strategic Plan refresh 2023-28	<p><b>Anna Collier</b></p> <p>annacollier@maidstone.gov.uk</p>
<p>Maidstone Leisure Centre To decide the future of Maidstone Leisure Centre</p>	Executive	Lead Member for Leisure and Arts	8 Feb 2023	Yes	No Part exempt	<p>Economic Regeneration and Leisure Policy Advisory Committee 7 Feb 2023</p>	Maidstone Leisure Centre	<p><b>Mike Evans</b></p> <p>mikeevans@maidstone.gov.uk</p>

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
<p>Medium Term Financial Strategy and Budget Proposals 2023 - 2024 budget report detailing the budget for 23/24 and associated financials for capital, council tax and NDR To allow sign off of balanced budget by council on 22nd Feb 23</p> <p>57</p>	<p>Executive</p> <p>Full Council</p>	Lead Member for Corporate Services	<p>8 Feb 2023</p> <p>22 Feb 23</p>	Yes	No Open	Corporate Services Policy Advisory Committee 6 Feb 2023	Medium Term Financial Strategy and Budget Proposals 2023 - 2024	<p><b>Adrian Lovegrove</b></p> <p>adrianlovegrove@maidstone.gov.uk</p>
<p>Water Supply Consultations</p> <p>A report on three consultations regarding water supply. Two by utility companies operating in the borough and one from a regional alliance of water companies.</p>	Lead Member for Planning and Infrastructure	Lead Member for Planning and Infrastructure	20 Feb 2023	No	No Open	Planning and Infrastructure Policy Advisory Committee 9 Feb 2023	Water Supply Consultations	<p><b>Mark Egerton, Tom Gilbert</b></p> <p>markegerton@maidstone.gov.uk, tomgilbert@maidstone.gov.uk</p>

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
Award of Arboricultural Services Contract Report to advise committee on the scope of the contract to provide tree pruning, tree safety works, planting and emergency call out service relating to Maidstone Borough Council owned land and tree stock. Committee are asked to endorse the award of contract to the selected company.	Lead Member for Environmental Services	Lead Member for Environmental Services	23 Feb 2023	Yes	No Open	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Award of Arboricultural Services Contract	<b>Andrew Williams</b>  andrewwilliams@maidstone.gov.uk
Commissioning Support from the VCS Support services delivered by VCS	Lead Member for Communities and Public Engagement	Lead Member for Communities and Public Engagement	27 Feb 2023	No	No Open	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Commissioning Support from the VCS	<b>Anna Collier</b>  annacollier@maidstone.gov.uk

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
Charges for Replacement Wheeled Bins Proposal to introduce charges for the replacement of damaged refuse and recycling wheeled bins, in line with the Mid Kent Waste Partnership.	Executive	Lead Member for Environmental Services	22 Mar 2023	No	No Open	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Charges for Replacement Wheeled Bins	<b>Jennifer Stevens</b>  jenniferstevens@maidstone.gov.uk
<b>Review of Housing Assistance Policy</b> (including DFG) This policy addresses a number of services and funding streams delivered from within the Housing and Community Services department, to include the Disabled Facilities Grant and the Help You Home scheme too. The document sets out how these funding streams are utilised to deliver the desired community benefits.	Executive	Lead Member for Housing and Health	22 Mar 2023	Yes	No Open	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Review of Housing Assistance Policy (including DFG)	<b>John Littlemore</b>  johnlittlemore@maidstone.gov.uk

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
<p>Housing Strategy 2022-27</p> <p>The proposed themes for the new housing strategy were approved by the CHE Committee in early 2022, and these have since been subject to public consultation. Therefore the new housing strategy, as drafted, takes account of these consultation responses, and is now ready for consideration for adoption.</p>	Executive	Lead Member for Housing and Health	22 Mar 2023	Yes	No Open	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Housing Strategy 2022-27	<p><b>John Littlemore</b></p> <p>johnlittlemore@maidstone.gov.uk</p>
<p>Property Acquisition for 1,000 Affordable Homes Programme</p> <p>Report regarding acquisition of site for 1,000 Affordable Homes Programme</p>	Executive	Lead Member for Housing and Health	22 Mar 2023	Yes	No Part exempt	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Property Acquisition for 1,000 Affordable Homes Programme	<p><b>Philip Morris</b></p> <p>philipmorris@maistone.gov.uk</p>

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Lead Member</b>	<b>Expected Date of Decision</b>	<b>Key</b>	<b>Exempt</b>	<b>Proposed Consultees / Method(s) of Consultation</b>	<b>Documents to be considered by Decision taker</b>	<b>Representations may be made to the following officer by the date stated</b>
Heather House and Royal British Legion site A report seeking approval to enter into contract with contractors for proposed works to Heather House and Royal British Legion Buildings.	Executive		22 Mar 2023	Yes	No Part exempt	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	Heather House and Royal British Legion site	<b>Philip Morris, Alison Elliott</b>  philipmorris@maidstone.gov.uk, alisonelliott@maidstone.gov.uk
Strategic CIL Assessments & Spend	Executive	Lead Member for Planning and Infrastructure	22 Mar 2023	Yes	No Open	Planning and Infrastructure Policy Advisory Committee 8 Mar 2023	Strategic CIL Assessments & Spend	<b>William Cornall, Rob Jarman, Carole Williams</b>  williamcornall@maidstone.gov.uk, Robjarman@maidstone.gov.uk, carolewilliams@maidstone.gov.uk
1000 Homes Update To update on progress made.	Executive	Lead Member for Housing and Health	22 Mar 2023	No	No Open	Communities, Housing and Environment Policy Advisory Committee 14 Feb 2023	1000 Homes Update	<b>William Cornall</b>  williamcornall@maidstone.gov.uk

# Agenda Item 17

## Executive Meeting

25 January 2023

### Medium Term Financial Strategy and Savings Proposals

#### Timetable

<b>Meeting</b>	<b>Date</b>
Economic Regeneration and Leisure Policy Advisory Committee	10 January 2023
Planning and Infrastructure Policy Advisory Committee	11 January 2023
Communities, Housing and Environment Policy Advisory Committee	17 January 2023
Corporate Services Policy Advisory Committee	18 January 2023
Executive	25 January 2023
Council	22 February 2023

<b>Will this be a Key Decision?</b>	Yes
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Council
<b>Lead Head of Service/Lead Director</b>	Mark Green, Director of Finance, Resources and Business Improvement
<b>Lead Officer and Report Author</b>	Mark Green, Director of Finance, Resources and Business Improvement
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

This report forms part of the process of agreeing a budget for 2023/24 and setting next year's Council Tax. Following consideration by this Committee at its meeting on 8 November 2022 of the draft Medium Term Finance Strategy for 2023/24 – 2027/28, this report sets out budget proposals for services within the remit of the Committee and the other Policy Advisory Committees. These proposals will then be considered by the Executive at its meeting on 25 January 2023. The Executive will subsequently consider all elements of the budget for 2023/24 at its meeting on 8 February 2023, with a view to determining a final set of proposals for submission to Council on 22 February 2023.

Additionally, following a request by the Executive at its meeting on 21 December 2022 that further opportunities for fees and charges relating to Legal Services, Moorings, Parking, and the Town Hall, be explored, this report sets out officer proposals in response.



**Recommendation to the Executive**

1. That the revenue budget proposals set out in Appendix A and B be approved.
2. That an hourly rate of £258 for legal services be approved.

# Medium Term Financial Strategy and Budget Proposals

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	The Medium Term Financial Strategy and the budget are a re-statement in financial terms of the priorities set out in the strategic plan. They reflect the Council's decisions on the allocation of resources to all objectives of the strategic plan.	Section 151 Officer & Finance Team
<b>Cross Cutting Objectives</b>	The MTFS supports the cross-cutting objectives in the same way that it supports the Council's other strategic priorities.	Section 151 Officer & Finance Team
<b>Risk Management</b>	This has been addressed in section 5 of the report.	Section 151 Officer & Finance Team
<b>Financial</b>	The budget strategy and the MTFS impact upon all activities of the Council. The future availability of resources to address specific issues is planned through this process. It is important that the committee gives consideration to the strategic financial consequences of the recommendations in this report.	Section 151 Officer & Finance Team
<b>Staffing</b>	The process of developing the budget strategy will identify the level of resources available for staffing over the medium term.	Section 151 Officer & Finance Team
<b>Legal</b>	Under Section 151 of the Local Government Act 1972 (LGA 1972) the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including securing effective arrangements for treasury management. The legal implications are detailed within the body of the report which is compliant with statutory and legal regulations such as the CIPFA Code of Practice on Treasury Management in Local Authorities.  The Council is required to set a council tax by the 11 March in any year and has a statutory obligation to set a balanced budget. The budget requirements and basic amount of	Interim Team Leader (Contentious and Corporate Governance)

	<p>Council Tax must be calculated in accordance with the requirements of sections 31A and 31B to the Local Government Finance Act 1992 (as amended by sections 73-79 of the Localism Act 2011).</p> <p>The Council is required to determine whether the basic amount of council tax is excessive as prescribed in regulations – section 52ZB of the 1992 Act as inserted under Schedule 5 to the Localism Act 2011. The Council is required to hold a referendum of all registered electors in the borough if the prescribed requirements regarding whether the increase is excessive are met.</p> <p>Approval of the budget is a matter reserved for full Council upon recommendation by the Executive.</p>	
<b>Privacy and Data Protection</b>	Privacy and Data Protection is considered as part of the development of new budget proposals. There are no specific implications arising from this report.	[Policy and Information Team]
<b>Equalities</b>	The MFTS report scopes the possible impact of the Council's future financial position on service delivery. When a policy, service or function is developed, changed or reviewed, an evidence-based equalities impact assessment will be undertaken. Should an impact be identified appropriate mitigations will be identified.	Equalities and Communities Officer
<b>Public Health</b>	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	[Public Health Officer]
<b>Crime and Disorder</b>	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Section 151 Officer & Finance Team
<b>Procurement</b>	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Section 151 Officer & Finance Team
<b>Biodiversity and Climate Change</b>	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Biodiversity & Climate Change Manager

## **2. INTRODUCTION AND BACKGROUND**

### **Medium Term Financial Strategy**

- 2.1 The Medium Term Financial Strategy (MTFS) sets out in financial terms how the Council's Strategic Plan will be delivered over the next five years, given the resources available. In so doing, it establishes the framework for the annual budget setting process.
- 2.2 At its meeting on 16 November 2022, this Committee considered a draft MTFS for the five years 2023/24 to 2027/28. No material amendments were proposed to the MTFS by this Committee or subsequently by the Executive when it considered the MTFS at its meeting on 23 November 2022, so it will now go forward to Council for approval at its meeting on 22 February 2023.
- 2.3 The financial projections underlying the MTFS were prepared under a number of different scenarios, given uncertainty about local government funding and economic conditions generally. In the core scenario (Scenario 4) it was assumed that the Council would increase Council Tax by the maximum possible within the referendum threshold, but there would still be a budget gap of £2.5 million in 2023/24, mainly owing to the impact of inflation on the Council's costs, with a steadily increasing budget gap in subsequent years.
- 2.4 There is now better information about the funding context for 2023/24, given in particular the Chancellor's Autumn Statement on 17 November 2022 and the Provisional Local Government Finance Settlement, announced on 19 December 2022. In addition, savings proposals totalling £1.1 million for 2023/24 have been developed. Whilst the longer term position remains challenging, these recent developments have had a positive impact, such that it is now anticipated that the Council will be able to set a balanced budget for 2023/24, provided that the savings proposals are adopted and Council Tax is increased up to the referendum threshold. Further details are set out below.

### **Autumn Statement 2022**

- 2.5 The Chancellor announced the Autumn Statement on 17 November 2022. The background was the need to demonstrate that the government had a clear plan to meet a shortfall in the public finances of around £55 billion. The shortfall was met through a mix of tax rises and spending cuts, although the real impact of the cuts will not be felt until after 2024.
- 2.6 The key points from the Autumn Statement for local government were as follows.
  - Council Tax referendum limit - The core threshold was increased from 1.99% to 2.99%, and the Adult Social Care precept will be 2% in 2023-24.

- Business rates - The multiplier will be frozen in 2023-24, rather than increasing by inflation as in the past. Local authorities will be fully compensated for the loss of income arising.
  - Business rates reliefs - Retail, Hospitality and Leisure reliefs were extended into 2023-24, and a Supporting Small Business Scheme has been introduced.
  - Business rates revaluation – The revaluation scheduled for April 2023 will go ahead but there will be a more generous transitional scheme.
- 2.7 The effect of the increase in Council Tax referendum thresholds is that lower tier authorities like Maidstone may put up Council Tax by up to 2.99%, whilst upper tier authorities may increase their Council Tax by up to 4.99%. If both Maidstone BC and Kent County Council increase Council Tax by the maximum possible, the additional amounts payable by a Band D Council Tax payer would be as follows:
- Maidstone Borough Council - £8.20
  - Kent County Council - £72.90
- 2.8 Maidstone Borough Council retains around 10% of the business rates that it collects and the baseline contribution to the Council's overall budget is approximately £4 million. The announcement in the Autumn Statement that government will compensate councils for the loss of income from freezing business rates for ratepayers means that, broadly, MBC's share of business rates will increase in line with inflation.

### **Local Government Finance Settlement 2023/24**

- 2.9 The Provisional Local Government Finance Settlement for 2023/24 was announced on 19 December 2022. This reiterated the key measures in the Chancellor's Autumn Statement relevant to local government. The main items of new information relevant to Maidstone Borough Council are as follows.

New Homes Bonus will be paid in 2023/24, but will be based on housing completions in 2021/22 only. Formerly NHB also included a legacy payment based on historic housing completions.

Services Grant will reduce in 2023-24, in part because there will no longer be an increase in National Insurance Contributions and no related compensation (the increase in NICs was originally planned by Chancellor Sunak, then reversed).

Lower Tier Services Grant – not payable in 2023/24 – the funding will be used along with New Homes Bonus to pay for the Funding Guarantee (see below).

- 2.10 It is proposed to create a new one-off Funding Guarantee, which will ensure that all authorities see at least a 3% increase in their Core Spending Power, before any decision they make about organisational efficiencies, use of reserves, and council tax levels. Core Spending Power is the measure used by government to evaluate what they consider to be the underlying financial

position of local authorities. This guarantee relates to 2023/24 only and there is no indication as to whether a similar guarantee will be offered in 2024/25.

2.11 The following table shows Maidstone Council's Core Spending Power for 2022/23 and 2023/24.

	2022/23	2023/24	Change	
	£000	£000	£000	%
Council Tax	18,207	19,124 <sup>1</sup>	+917	+5.0%
Retained Business Rates <sup>2</sup>	3,594	4,186	+592	+16.5%
<i>Sub-total – Core Funding<sup>3</sup></i>	<i>21,801</i>	<i>23,310</i>	<i>1,509</i>	<i>6.9%</i>
New Homes Bonus	4,216	1,889	-2,327	-55.2%
Services Grant	225	127	-98	-43.6%
Lower Tier Services Grant	149	0	-149	-100.0%
Funding Guarantee	0	2,640	+2,640	N/A
<i>Sub-total – One-off Funding</i>	<i>4,590</i>	<i>4,656</i>	<i>66</i>	<i>1.4%</i>
<b>Core Spending Power</b>	<b>26,391</b>	<b>27,966</b>	<b>+1,575</b>	<b>+6.0%<sup>4</sup></b>

#### Notes

<sup>1</sup> Assumes Council Tax increased to the referendum threshold. Notwithstanding that the Funding Guarantee is calculated before allowing for any Council Tax increases, the government's Core Spending Power calculations assume that all authorities will increase Council Tax by the maximum permitted.

<sup>2</sup> Notional Business Rates income based on the government's baseline. Growth above this baseline is not included here.

<sup>3</sup> Council Tax and Business Rates are treated as part of the Council's core funding, whereas New Homes Bonus and other unringfenced government grants have historically not been used by the Council to fund ongoing revenue expenditure.

<sup>4</sup> The government has advertised the Local Government Finance Settlement as giving local authorities an extra 9%. This is a national average and district councils like Maidstone are generally seeing a lower increase.

2.12 It can be seen that the Funding Guarantee has protected the Council against the reduction in the following elements of Core Spending Power:

- New Homes Bonus
- Services Grant
- Lower Tier Services Grant.

Specifically, the main benefit of the Funding Guarantee from Maidstone's perspective is that the Council is protected against the reduction in New Homes Bonus.

2.13 The Council agreed last year to set aside £1 million of New Homes Bonus for strategic policy and plan making and £3.2 million for the 1,000 Affordable Homes Programme, given the requirement over the 10 year life of the programme for a total revenue subsidy of £50,000 per unit. Within

the overall budget proposals for 2023/24, it is now proposed that £300,000 of the one-off funding will be set aside for strategic policy and plan making, with this sum being built into the revenue budget on an ongoing basis. The balance of one-off funding will be set aside for the 1,000 Affordable Homes Programme.

### **Revenue Budget Proposals**

- 2.14 The draft MTFS described how, in bridging the budget gap, the Council would need to balance the requirement to make savings or generate increased income against the key priorities set out in the Council's Strategic Plan, namely:

- Embracing Growth and Enabling Infrastructure
- Homes and Communities
- A Thriving Place
- Safe, Clean and Green.

- 2.15 It was explained that all budgets would be reviewed in detail to identify opportunities for savings, or increased income, which can be delivered with the minimum impact on the strategic priorities. To the extent that further growth is planned, above and beyond existing budgets, this would need to be offset by further savings.

- 2.16 The following growth and savings have been identified in the services falling within the remit of the Corporate Services Policy Advisory Committee.

- Property Investment Strategy - £500,000 saving

New acquisitions (especially industrial units) can promote economic development and generate extra income for the Council. This saving represents the income generated from the investment of £2.5 million per annum proposed in the capital programme.

- Office accommodation - £55,000 saving

The acquisition of Maidstone House has already led to a saving in the occupancy costs previously incurred and to additional income from letting space in the building. It has been assumed that further income will be generated and/or savings achieved as occupancy levels improve, following the investment undertaken in the building.

- Corporate Property service improvements - £45,000 saving

A review of our Corporate Property service has identified that, following the growth of the property portfolio in recent years, there is scope for improvement in management of the portfolio, by strengthening the client side of property management and getting more value from external managing agents.

- New Maidstone Property Holdings developments - £270,000 saving

Alongside the Affordable Housing programme, the Council will continue to develop Private Rented Sector housing for letting through its subsidiary Maidstone Property Holdings.

- Service improvements and restructuring - £120,000 saving

The Council's Transformation team continues to carry out regular service design reviews. It is anticipated that these will deliver further savings of £120,000 ongoing from 2023/24.

- Automation of transactional services - £50,000 saving

This specific proposal is to invest in voice recognition technology which would reduce the number of transactions dealt with via customer service advisors in the technical team. £50,000 is the net revenue saving and capital investment will be required in 2023/24 in order to deliver this.

- Review of print and post - £43,000 saving

The Council continues to generate a large volume of paper correspondence and records. This project will generate savings, primarily through a reduction in postage costs.

- Council-wide reduction in travel costs - £40,000 saving

Reimbursement of staff travel has fallen significantly with the increased amount of home working following the Covid-19 pandemic. This cost reduction is already being delivered, so the budget amendment will simply bring budgets into line with actual performance.

- Green Travel - £20,000 saving

Given changes to working arrangements following Covid-19, and given the Council's commitment to achieving carbon neutrality across the borough, the Council has withdrawn Essential Car User Allowances and Leased Car Allowances. The saving in 2023/24 is the residual amount arising from the benefits being protected for a period of time.

- Whole Council elections - £60,000 saving

The Council has now agreed to hold whole council elections every four years. This will reduce the cost of holding elections over the four year electoral cycle. Following the boundary review, initiated in 2021, the first whole council elections will take place in May 2024.

- MKS ICT efficiency improvements - £25,000 saving

A number of efficiency improvements are planned, including new working arrangements and automation of processes, for example in the way new devices are built and in dealing with IT help desk calls. As



with all MKS savings, the benefit is shared with partners, and only the MBC share of the saving is shown here.

- Deleting HR adviser post - £18,000 saving

Following a period of significant staffing changes in the two authorities that form the HR shared service, a reduction in the number of HR advisers is envisaged in 2025/26.

- Review of finance structure - £15,000 saving

Changes in the structure of the finance team, provisionally scheduled for 2024/25, are likely to create a savings opportunity.

- Additional investment income - £50,000 saving in 2023/24, reversing in 2025/26

The increase in interest rates over the past six months has generated better than budgeted returns on the Council's cash balances. However, this additional interest income is likely to fall away by 2025/26 if, as forecast, interest rates revert to lower levels.

- Data monitoring and analysis - £35,000 growth

The Council is improving the quality of data analysis to enable objectives led and evidence-based decision making at operational and strategic levels. Some existing staffing costs in this area are currently being funded through one-off resources. Growth of £35,000 is proposed to ensure that this work is properly resourced from 2023/4 onwards.

Budget proposals have been developed, following a similar approach, for services within the remit of the other Policy Advisory Committees. Details are set out in Appendix B.

### **Fees and charges**

- 2.17 This Committee recommended a schedule of fees and charges to the Executive at its meeting on 14 December 2022. The Executive subsequently requested that further opportunities for fees and charges relating to Legal Services, Moorings, Parking, and the Town Hall, be explored.

- 2.18 An initial response is set out below.

- Legal Services

An increase in the blended hourly rate of 5.56% was originally proposed, taking the rate from £234 to £247. In light of the current rate of inflation and the need to maximise cost recovery, an increase of 10%, making the hourly rate £258, is now proposed.

- Moorings

Within the fees and charges schedule for Economic Regeneration and Leisure services, there are charges for moorings on the River Medway. The question arose as to whether these are invoiced and collected on a consistent basis. It is proposed to review our approach during 2023, bearing in mind the twin objectives of income maximisation and making the best use of the river, as a key part of Maidstone's offer as a 'thriving place'.

- Parking

Further consideration of parking charges is reflected in proposals to be submitted to the Planning and Infrastructure Policy Advisory Committee as part of the current committee cycle.

- Town Hall

The Executive felt that the income generation potential of the Town Hall was not being exploited fully. This will be considered during 2023. Amongst the areas to be explored are integrating the Council's offer of meeting room space (so that the Town Hall is offered alongside other venues such as the Museum), better marketing and promotion, a review of the rates charged, and specific targeting of other potential public sector users. For the time being it is not proposed to change the rates charged, bearing in mind that much use of the Town Hall is made by other Council services, so increased income would simply lead to additional costs elsewhere.

### **3. AVAILABLE OPTIONS**

- 3.1 Recommend the budget proposals relating to this Committee as set out in Appendices A for approval by the Executive.
- 3.2 Propose changes to the budget proposals.

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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The Executive must recommend to Council at its meeting on 8 February 2022 a balanced budget and a proposed level of Council Tax for the coming year. The budget proposals included in this report will allow the Executive to do this. Accordingly, the preferred option is that the Executive agrees the budget proposals at Appendices A and B.

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### **5. RISK**

- 5.1 The Council's finances are subject to a high degree of risk and uncertainty. The draft MTFS includes an evaluation of the Council's financial resilience, from which it can be seen that it has adequate, but not excessive, reserves and is positioned well to manage the financial challenges that it faces.

- 5.2 In order to address risk on an ongoing basis in a structured way and to ensure that appropriate mitigations are developed, the Council has developed a budget risk register. This seeks to capture all known budget risks and to present them in a readily comprehensible way. The budget risk register is updated regularly and is reviewed by the Audit, Governance and Standards Committee at each of its meetings.
- 

## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 The Executive received an initial report on the MTFS at its meeting on 20 July 2022 and it agreed the approach set out in that report to development of an MTFS for 2023/24 - 2027/28 and a budget for 2023/24.
- 6.2 Policy Advisory Committees and the Executive then considered a draft MTFS at their meetings in November 2022.
- 6.3 Public consultation on the budget has been carried out. Details are set out in Appendix C. Members are encouraged to review the findings and assess whether the budget proposals are consistent with public expectations and aspirations.
- 6.4 This report will be considered by all Policy Advisory Committees at their January 2023 meetings, and their comments and recommendations will be reported to the Executive.
- 

## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The timetable for developing the budget for 2023/24 is set out below.

<b><i>Date</i></b>	<b><i>Meeting</i></b>	<b><i>Action</i></b>
25 January 2023	Executive	Consider 23/24 budget proposals
8 February 2023	Executive	Agree 23/24 budget proposals for recommendation to Council
22 February 2023	Council	Approve 23/24 budget

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## **8. REPORT APPENDICES**

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

- Appendix A: Revenue Budget Proposals 2023/24 – 2027/28 – Corporate Services Policy Advisory Committee

- Appendix B: Revenue Budget Proposals 2023/24 – 2027/28 – Other Policy Advisory Committees
  - Appendix C: Budget Survey 2023
- 

## **9. BACKGROUND PAPERS**

There are no background papers.

## Revenue Budget Proposals 2023/24 - 2027/28

Service	Proposal	23/24	24/25	25/26	26/27	27/28	Total
		£000	£000	£000	£000	£000	£000
Corporate Property	Property Investment Strategy	0	-125	-125	-125	-125	-500
Corporate Property	Office accommodation savings	0	-55	0	0	0	-55
Corporate Property	Service improvements	-20	-25	0	0	0	-45
Housing & Regeneration	New Maidstone Property Holdings developments	-42	-228	0	0	0	-270
Transformation	Service improvements and restructuring	-120	0	0	0	0	-120
Transformation	Automation of transactional services	0	-50	0	0	0	-50
Transformation	Review of print and post including handling and processing cheques	-33	-10	0	0	0	-43
All	Council-wide reduction in travel costs	-40	0	0	0	0	-40
All	Green Travel - changes to essential user and lease car allowance	-20	0	0	0	0	-20
Elections	Whole Council elections	0	-60	0	0	0	-60
MKS ICT	Efficiency improvements	-11	0	0	-14	0	-25
HR	Deleting HR Advisor post	0	0	-18	0	0	-18
Finance	Review of structure	0	-15	0	0	0	-15
Finance	Investment income	-50	0	50	0	0	0
Governance, Communities and Insight	Resource data analytic function to report real time data monitoring and data analytics	35	0	0	0	0	35
<b>OVERALL CHANGE IN BUDGET (£000)</b>		<b>-301</b>	<b>-568</b>	<b>-93</b>	<b>-139</b>	<b>-125</b>	<b>####</b>

Negative figures shown above represent a reduction in expenditure budgets, or increased income targets. Positive figures indicate increased expenditure, or a reduction in the income budget.

**Revenue Budget Proposals 2023/24 - 2027/28**

Service	Proposal	23/24	24/25	25/26	26/27	27/28	Total
		£000	£000	£000	£000	£000	£000
Economic Development	Recharge of salaries to Business Rates Pool	-100					-100
Mote Park Café	Adjust income target	-30					-30
Market	Reduce market income budget	45					45
<b>OVERALL CHANGE IN BUDGET (£000)</b>		<b>-85</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-85</b>

Negative figures shown above represent a reduction in expenditure budgets, or increased income targets.  
Positive figures indicate increased expenditure, or a reduction in the income budget.

**Revenue Budget Proposals 2023/24 - 2027/28**

Service	Proposal	23/24	24/25	25/26	26/27	27/28	Total
		£000	£000	£000	£000	£000	£000
Waste Services	Replacement of wheeled bins	-100	0	0	0	0	-100
Garden Waste Collection	Changes to charging arrangements	-20	-80	0	-80	0	-180
Cemetery	Additional income from Cemetery - based on increased volume not price increase.	-60	0	0	0	0	-60
Crematorium	Additional income from Crematorium - based on increased volume not price increase.	-60	0	0	0	0	-60
Communications	Integration of Visitor Economy within Communications team	-30	0	0	0	0	-30
Housing & Regulatory Services	Review of section codes to identify areas of savings.	-26	0	0	0	0	-26
Strategy, Insight and Governance	Digital Borough Insight	-18	0	0	0	0	-18
Housing	Increased pollution control income	-5	0	0	0	0	-5
Housing	Licensing expenditure budgets not required	-5	0	0	0	0	-5
Community Protection	Review of CCTV budgets	-4	0	0	0	0	-4
<b>OVERALL CHANGE IN BUDGET (£000)</b>		<b>-328</b>	<b>-80</b>	<b>0</b>	<b>-80</b>	<b>0</b>	<b>-488</b>

Negative figures shown above represent a reduction in expenditure budgets, or increased income targets.  
Positive figures indicate increased expenditure, or a reduction in the income budget.

## Revenue Budget Proposals 2023/24 - 2027/28

Service	Proposal	23/24	24/25	25/26	26/27	27/28	Total
		£000	£000	£000	£000	£000	£000
Spatial Planning	Recharge to Business Rates Pool	-150					-150
Parking	Increased Parking volumes	-100					-100
Parking	Adjust parking fees to reflect demand	-100					-100
Development Management	Recover administrative costs from CIL	-50					-50
Land Charges	Migration of land charges register to HM Land Registry	-22	103				81
Land Charges	Staff reduction		-13				-13
MK Planning Support	Process improvement and automation			-15			-15
Spatial Planning	Strategic policy and plan making	300					300
<b>OVERALL CHANGE IN BUDGET (£000)</b>		<b>-122</b>	<b>90</b>	<b>-15</b>	<b>0</b>	<b>0</b>	<b>-47</b>

Negative figures shown above represent a reduction in expenditure budgets, or increased income targets.  
Positive figures indicate increased expenditure, or a reduction in the income budget.





# BUDGET SURVEY 2023

Produced November 2022

## ABSTRACT

A report summarising the results of Maidstone Borough Council's Budget Survey 2023.

[Consultation@maidstone.gov.uk](mailto:Consultation@maidstone.gov.uk)

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## Introduction

This report presents the findings of Maidstone Council's Budget Survey 2023/24. The survey was conducted to gauge opinion on Council spending as well as its priorities and investment programmes.

Maidstone Borough Council is committed to providing high quality and good value services to meet the needs of the local community.

Reductions in central government funding and the pandemic have had a significant impact on the Council's finances and will continue to do so. Looking further ahead, the financial outlook for Maidstone Borough Council (MBC) is uncertain, given the lasting impact of the pandemic and lack of information about the level of central government support in the future.

As part of that process, the Council sought to understand residents' views on where they think savings should be made and what the Council's priorities for spending should be.

## Methodology

The survey was open between 20 October and 20 November 2022.

The survey was carried out online, with a direct email sent to approximately 9,000 residents who had consented to being contacted by email. The survey was also promoted on the Council's website, social media, in Borough Insight and in the local press. The survey was open to all Maidstone Borough residents aged 18 years and over.

A total of 1,332 people responded to the questionnaire. Data has been weighted according to the known population profile to counteract non-response bias. The weighting profile is based on the 2020 mid-year ONS population estimates. However, the under-representation of 18- to 34-year-olds means that high weights have been applied to responses in this group, therefore the results for this group should be treated with caution. In addition, the result for minority groups should also be treated with caution due to the sample being unrepresentative of the local population.

The economically active group includes respondents in employment (full, part-time or self-employed) or who are looking for work.

Please note not every respondent answered every question, therefore the total number of respondents refers to the number of weighted respondents for the question being discussed not to the survey overall.

With a total of 1,332 responses to the survey, the overall results in this report are accurate to  $\pm 2.7\%$  at the 95% confidence level. This means that we can be 95% certain that the results are between  $\pm 2.7\%$  of the calculated response, so the 'true' response could be 2.7% above or below the figures reported (i.e., a 50% agreement rate could in reality lie within the range of 47.3% to 52.7%).

## Findings

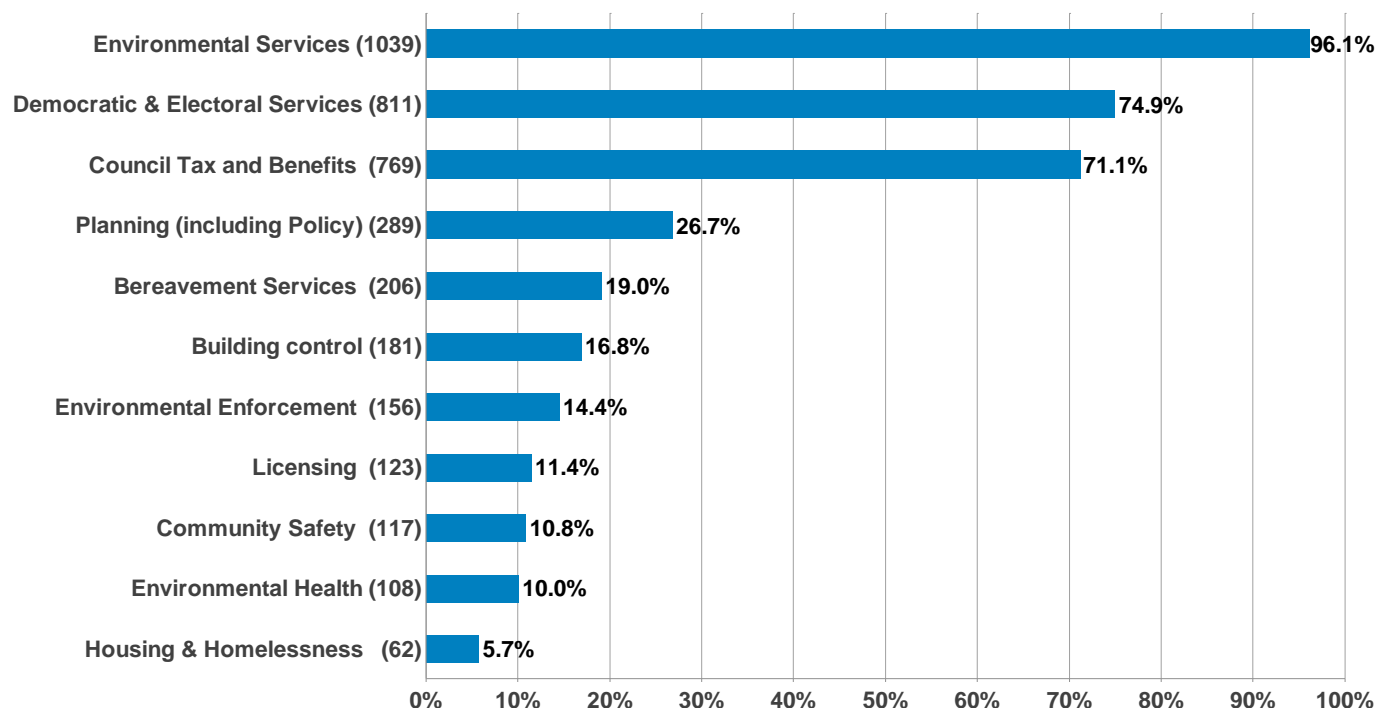
- Environmental Services was the most used service mandatory service and the most important mandatory service with 96% and 87% responding this way respectively.
- The most common mandatory service that people felt should be reduced was Democratic & Electoral Services with 936 answering this way.
- 87% of respondents told us they have used Parking Services making it the most used discretionary service, while Parks and Open Spaces was deemed the most important service (87%).
- Markets and Civic events were most common discretionary services that people felt should be reduced with 431 and 420 answering this way respectively.
- Infrastructure including flood prevention remained the top investment priority for the third year in a row.
- Overall satisfaction with the local area as a place to live has increased from 51.0% in 2021 to 57.8%.

## Mandatory Services

### Mandatory Services Used

The survey asked respondents to select the services they had used from a list of services that the Council is required to provide by law. A total of 1,082 responses were received.

The most common response was Environmental Services with 1,039 respondents telling us they have used this service. The least common response was Housing & Homelessness with 62 respondents telling us they have used this service.



### Demographic Differences

- Female respondents and the economically inactive were significantly more likely than their counterparts to have used Council Tax and Benefits services.
- Economically inactive respondents were more likely than economically active to have used Democratic & Electoral services with 83.5% compared to 71.6% of economically inactive respondents.

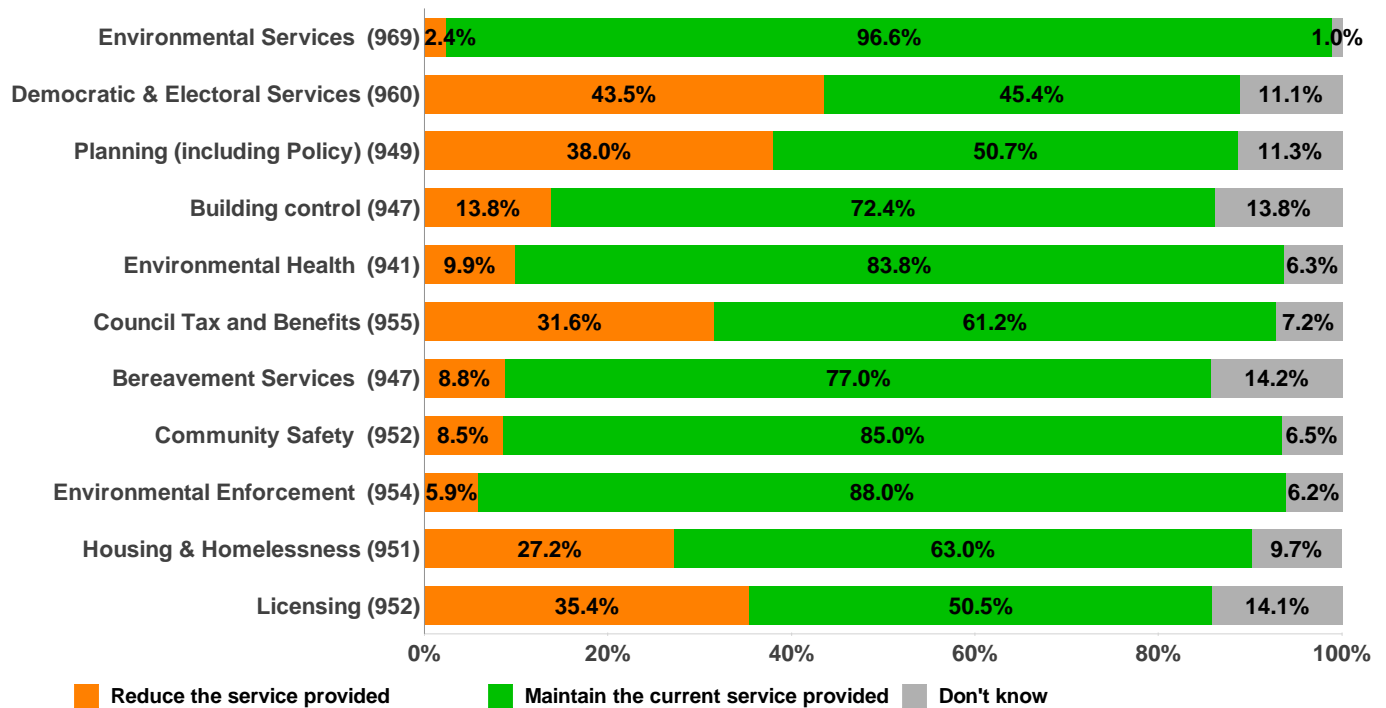
### Mandatory Services Spending Approaches

Respondents were provided with the list of mandatory services detailing the current spend for each per council tax band D household. They were asked to indicate what approach they felt the Council should take in delivering the mandatory services. Three options were provided for respondents to select from:

- Reduce the service provided
- Maintain the current service
- Don't know.

There was a total of 969 responses to this set of questions. Democratic Services and Planning (including policy) had the greatest proportions where respondents stated 'reduce the service provided' at 43.5% and 38.0% respectively.

Environmental Services and Environmental Enforcement had the greatest proportions where respondents answered, 'maintain the current service' at 96.6% and 88.0% respectively.



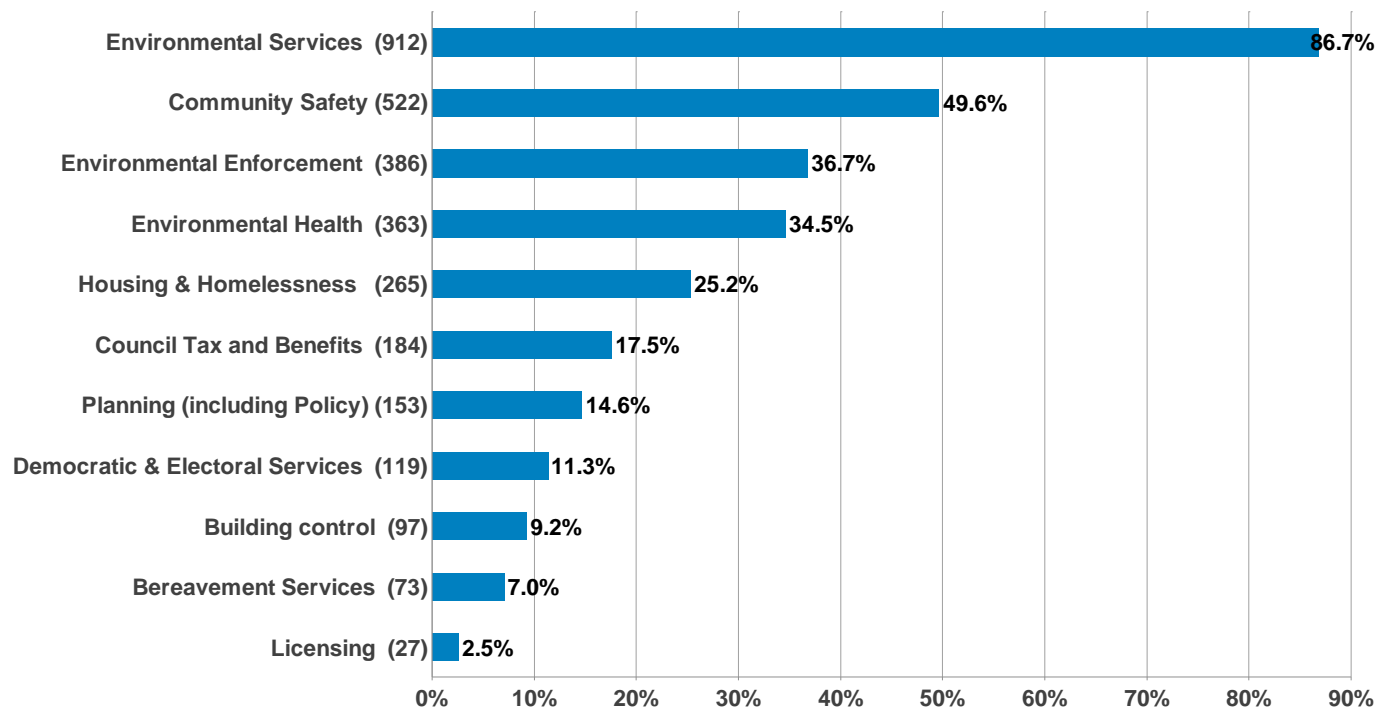
### Demographic Differences

- A significantly greater proportion of respondents with a disability said that the Planning (including policy) service should be reduced with 57.3% answering this way compared to 34.8% of respondents without a disability.
- Respondents who have lived in the borough between 3 and 5 years had a significantly greater than average proportion that said Building Control should be reduced at 28.6%.
- A significantly greater proportion of male respondents said that Council Tax and Benefits services should be reduced with 39.2% answering this way compared to 26.0% of female respondents. Economically active respondents were also more likely than their counterparts to say that this service should be reduced.
- A significantly greater proportion of male respondents said that Bereavement services should be reduced with 12.8% answering this way compared to 4.6% of female respondents.
- Male respondents and respondents with a disability had significantly greater proportions than their counterparts that said that Community Safety services should be reduced.
- Male respondents and respondents under 35 years had greater proportions than their counterparts that said Environmental Enforcement services should be reduced.
- Respondents from minority groups and male respondents had significantly greater proportions stating that Housing & Homelessness services should be reduced at 63.9% and 34.4% respectively, compared to the overall response of 27.3%.
- Respondents who have lived in the borough for less than a year had a significantly lower proportion that said that Licensing services should be reduced compared to their counterparts.

### Most Important Mandatory Services

The survey asked respondents to select which three Mandatory services provided by the Council were most important to them.

There were 912 responses to this question. The most common response was Environmental Services with 912 respondents selecting this service. The least common response was Licensing with 27 respondents selecting this service at one of their top three services.



### Demographic Differences

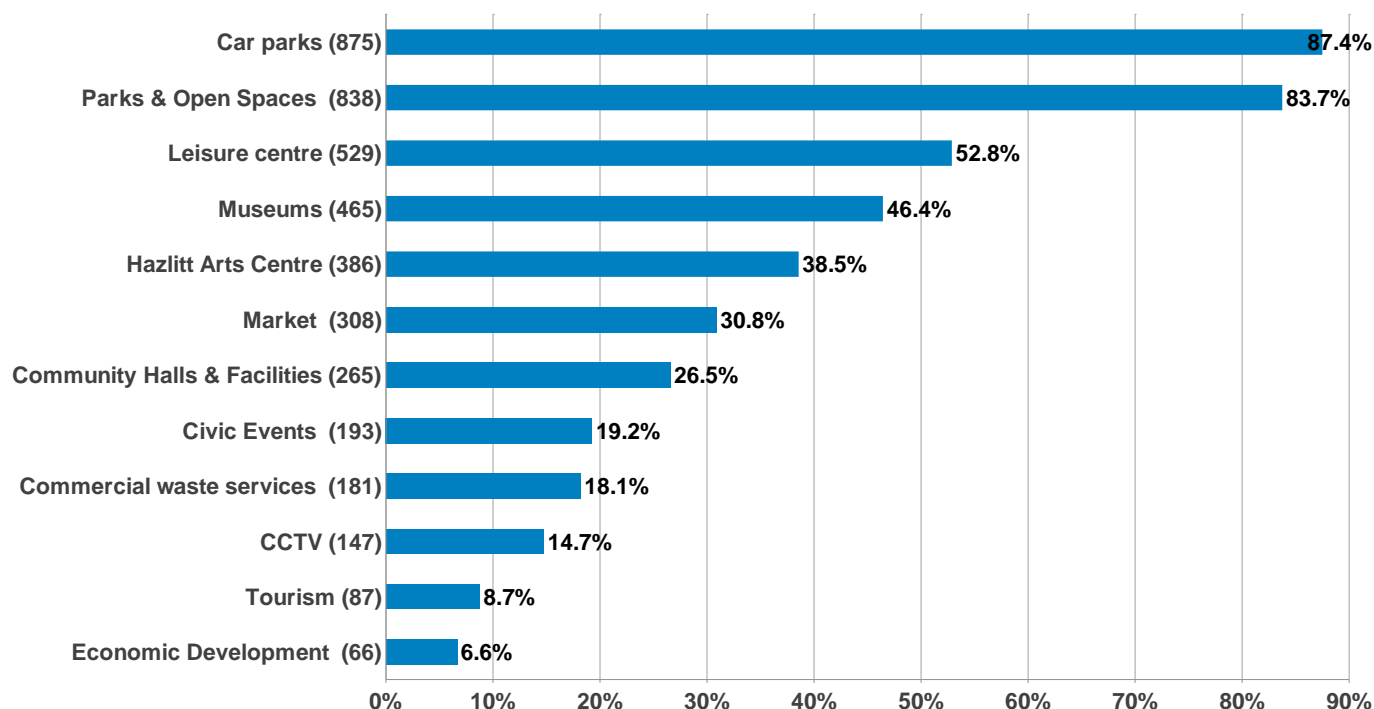
- Environmental services was the most common response across all demographic groups.
- Respondents who had lived at their current address for less than a year were only group where community safety did not have the second greatest proportion. This group's second choice was Environmental Health with 60.2% and Community Safety was third for this group.
- There were three groups whose third most important Mandatory Service response differed from the overall result. These were 18- to 34-year-olds, minority respondents and those who have lived at their present addresses for less than a year. These three groups put Environmental Health above Environmental Enforcement.

## Discretionary Services

### Discretionary Services Used

The survey asked respondents to select the services that they had used from a list of services that the Council is not required to provide by law but chooses to do so. A total of 875 responses were received.

The most common response was car parks with 875 (87.4%) telling us they have used this service. The least common response was Economic Development with 66 (6.6%) telling us they have used this service.



### Demographic Differences

- Car parks and Parks & Open spaces were the two most common responses across all groups.
- Minority group respondents were significantly less likely to have used Parks & Open Spaces compared to white groups with 62.0% compared to 85.2% of white group respondents.
- Female respondents, the economically inactive and those without a disability were significantly more likely than their counterparts to have used the Leisure Centre.
- The data suggests that there is a linear negative relationship between age and using the Leisure Centre, meaning that as people age, they are less likely to use the Leisure Centre.
- Respondents aged 35 to 44 years were more likely than the other age groups to have used the Market at 43.7%.
- Female respondents were significantly more likely to have used the Hazlitt Arts Centre with 43.3% selecting this service compared to 32.6% of male respondents.

### Discretionary Services Spending Approaches

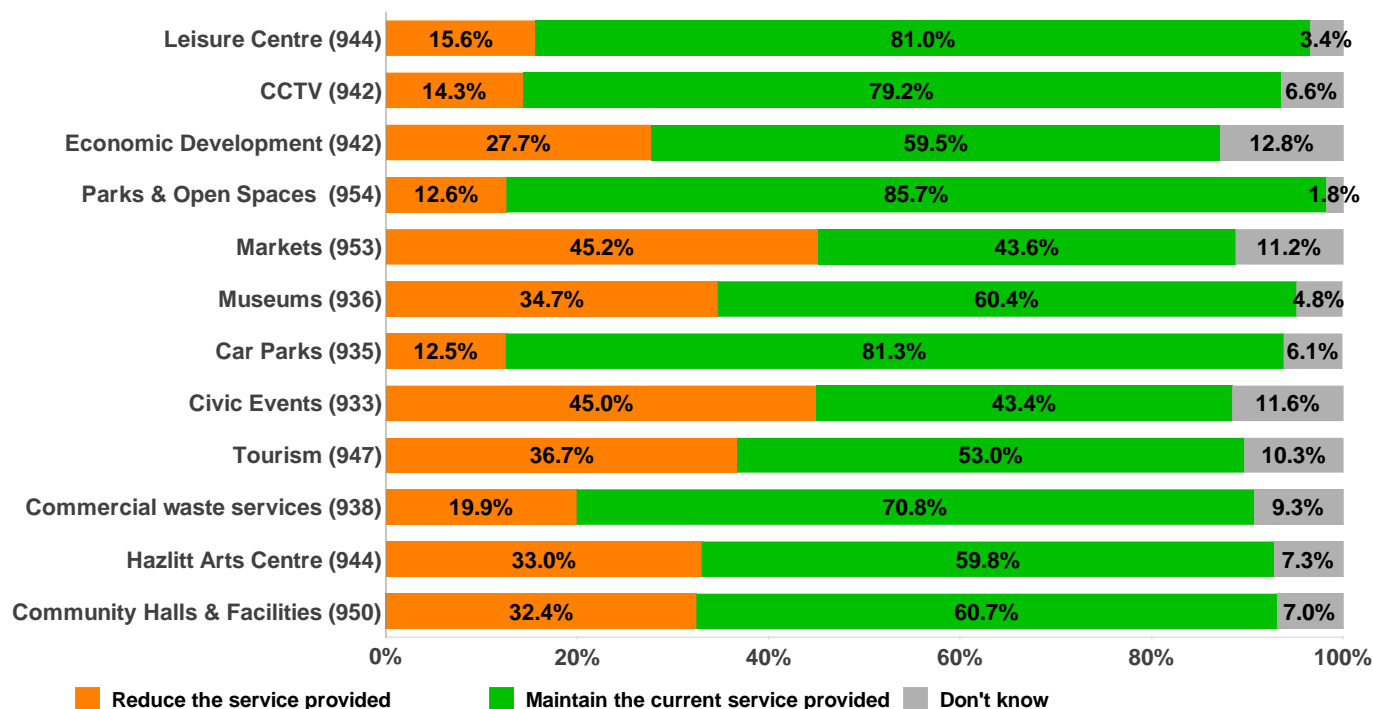
Respondents were provided with the list of discretionary services detailing the current spend for each per council tax band D household. They were asked to indicate what approach they felt the Council should take in delivering the mandatory services. Three options provided for respondents to select from were:

- Reduce the service provided,
- Maintain the current service
- Don't know.



There was a total of 954 responses to this set of questions. Markets and Civic events had the greatest proportions where respondents stated 'reduce the service provided' at 45.2% and 45.0% respectively.

Parks & Open Spaces and Car Parks had the greatest proportions where respondents answered, 'maintain the current service' at 85.7% and 81.3% respectively.



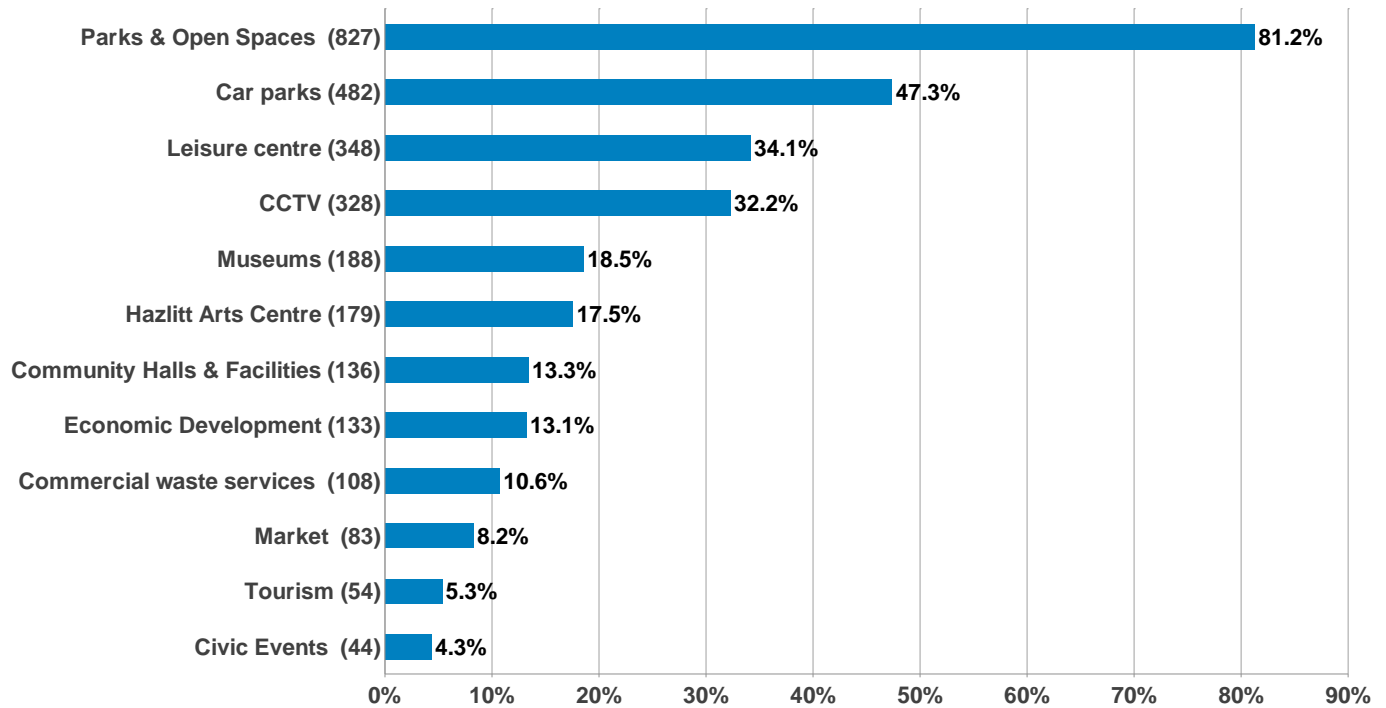
## Demographic Differences

- A significantly greater proportion of respondents with a disability and those who are economically inactive said that Parks & Open Spaces should be reduced at 19.9% and 19.2% respectively.
- The proportion stating that Parks & Open Spaces should be reduced increases with age.
- A significantly greater proportion of economically inactive respondents said that the Market should be reduced with 50.1% answering this way compared to 42.6% of economically active respondents.
- A significantly greater proportion of male respondents said the Museum should be reduced with 37.9% answering this way compared to 30.5% of female respondents.
- Respondents with a disability had significantly greater proportion than those without a disability that said that Car Park services should be reduced with 19.7% answering this way compared to 11.1% of non-disabled respondents.
- Male respondents, economically inactive respondents and respondents in the age groups 55 years and upwards had greater than average proportions that said that civic events should be reduced.
- More than half of respondents with a disability said that Tourism should be reduced, significantly greater than the overall result and that for respondents without a disability.
- Respondents from minority groups and economically active respondents had significantly greater proportions stating that Commercial waste services should be reduced compared to their counterparts at 54.7% and 22.4% respectively.
- Male respondents and minority group respondents had significantly greater proportions than their counterparts that said that the Hazlitt Arts Centre and Community Halls & Facilities should be reduced.

## Most Important Discretionary Services

The survey asked respondents to select the three discretionary services that were most important to them.

There were 827 responses to this question. The most common response was Parks & Open Spaces with 827 selecting this service. The least common response was Civic Events with 44 selecting this service as one of their top three.



### Demographic Differences

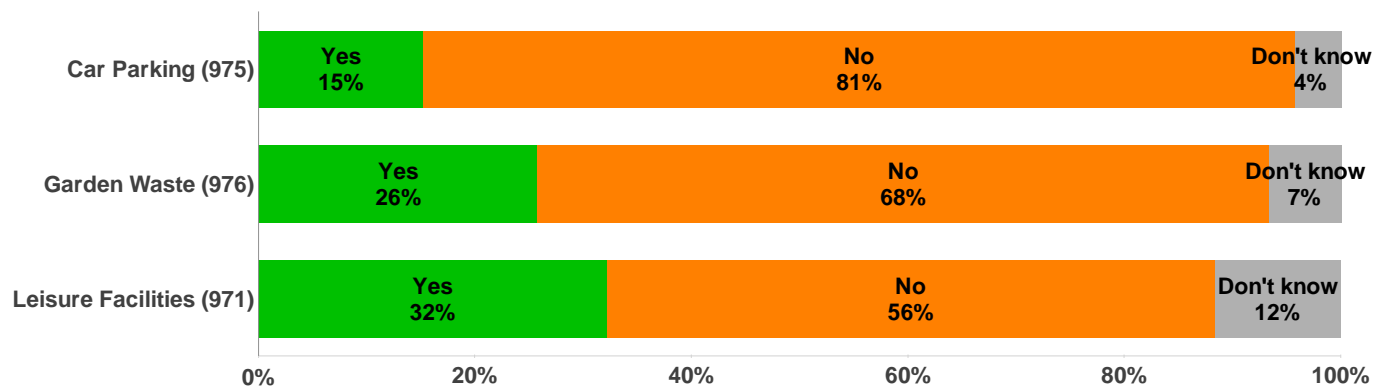
- Parks & Open Spaces was the most common response across all demographic groups.
- The second most common response was Car parks for all but three groups:
  - The Leisure centre was the second most common response for the 18 to 34 years and the 35 to 44 years groups. Both groups third most common response was Car parks.
  - The second most common response for those who had lived at their current address between 3 and 5 years was CCTV. This groups third most common response was the Leisure centre.

### Paying more for services

The survey asked respondents if they would be prepared to pay more for car parking, garden waste and leisure facilities. There were 976 responses to this question.

Just under a third of respondents said they would pay more to use leisure facilities and just over a quarter said they would be prepared to pay more for garden waste collection.

### Would you be willing to pay more for any of the following services?



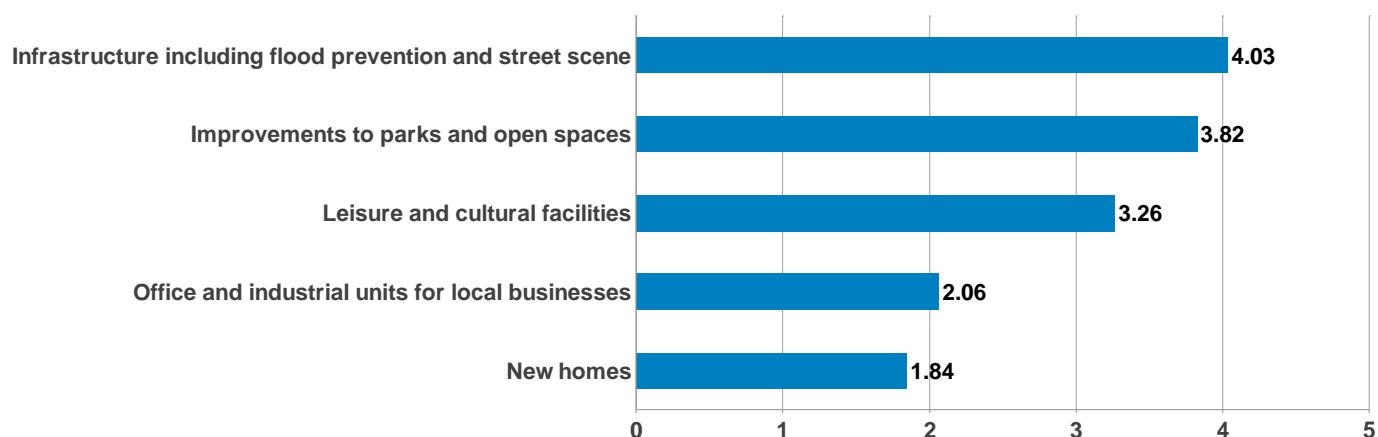
### Demographic Differences

- Respondents from minority groups had a significantly greater proportion in favour of raising charges for car parking with 36.7% responding this way compared to 14.6% of respondents from white groups.
- Male respondents had a significant greater proportion in favour of increasing charges around leisure facilities with 41.3% answering this way compared to 24.9% of female respondents.

## Priorities & Investments

Survey respondents were asked to place a list of investment programme priorities into their preferred order of importance. A total of 1,016 respondents ranked the investment priorities.

To assess this data, a weighted average has been used. The programmes placed first received 5 points and the programmes ranked last were given 1 point. These were then added together and divided by the number of respondents to give a weighted average.



This question was asked in the 2021/22 Budget Survey, undertaken in Autumn 2020 and the 2022/23 Budget Survey undertaken in Autumn 2021. Since the 2021/22 survey the order of the top three programmes has not changed.

In 2021/22 New Homes was ranked as fifth but moved up a place to fourth in 2022/23 and Office and Industrial units for local businesses has dropped from fourth to fifth. For this year (2023/24) New Homes has moved back to being the lowest priority for residents.

### Demographic Differences

- Economically inactive respondents were more likely than economically active respondent to rank infrastructure, including flood prevention and street scene, as their top priority with 62.2% responding this way compared to 42.7% of the economically active group.
- The survey data suggests that as age increases there is a greater likelihood of Infrastructure being ranked first.
- Female respondents had a significantly greater proportion that ranked new homes last with 62.9% ranking this priority as fifth compared to 51.8% of male respondents.

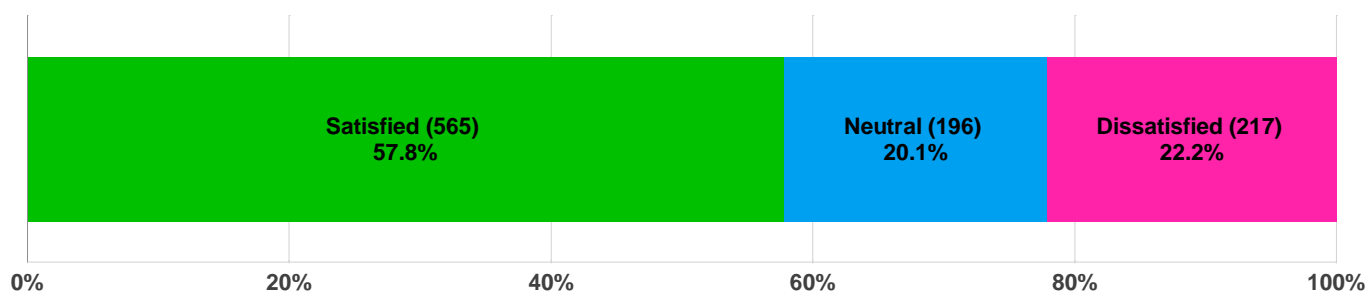
## Living in Maidstone

### Local area Satisfaction

Survey respondents were asked: 'How satisfied or dissatisfied are you with your local area as a place to live?' and given a five-point scale from 'very satisfied' to 'very dissatisfied'. There was a total of 978 respondents.

The most common response was 'fairly satisfied' with 438 answering this way.

In the last Budget Survey, undertaken in Autumn 2021, 51.0% of respondents answered positively. This has increased by 6.8 percentage points to 57.8% for the current year and demonstrates an overall increase in resident's satisfaction with Maidstone as a place to live.



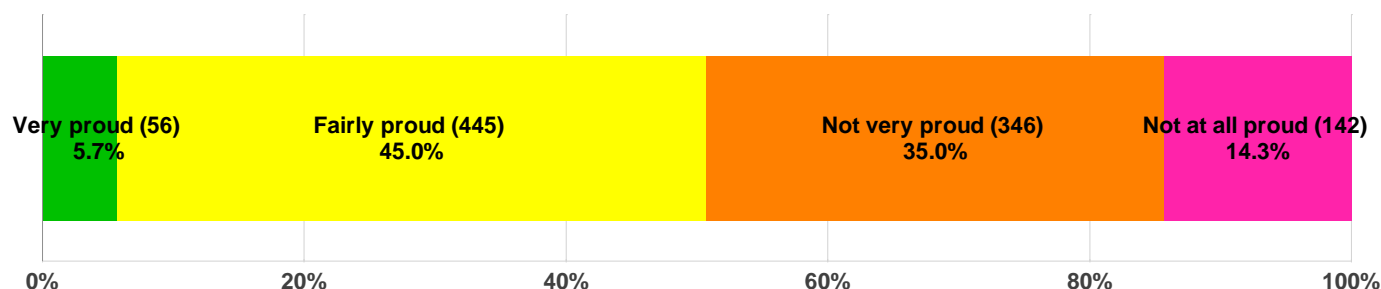
### Demographic Differences

- Female respondents were significantly more satisfied with their local area as a place to live with 63.9% answering positively compared to 52.5% of male respondents answering the same.
- Respondents who have lived at their current address for more than ten years had lower proportions answering positively.

### Pride in Maidstone Borough

The survey asked respondents: 'How proud are you of Maidstone Borough?', a total of 988 responded to this question.

Overall, 50.7% said they were either 'very proud' or 'fairly proud' of Maidstone Borough. The most common response was 'fairly proud' with 445 answering this way. In the last Budget Survey, undertaken in Autumn 2021, 50.4% of respondents answered positively. The change in the proportion responding positively compared to last year (0.3%) is considered negligible.



### Demographic Differences

- Economically active respondents had a significantly greater proportion that answered positively with 54.8% answering this way compared to 43.2% of economically inactive respondents.
- Respondents with a disability had a significantly greater proportion that answered negatively with 61.8% answering this way compared to 46.2% of respondents without a disability.

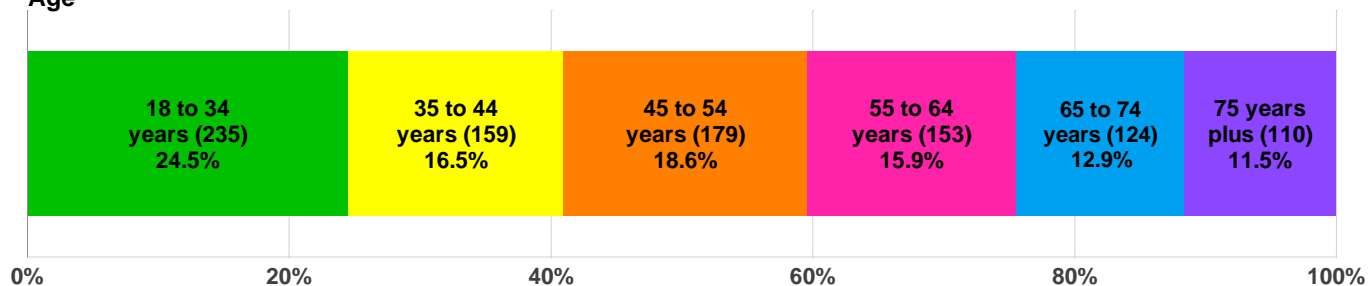
## Budget Comments

Respondents to the survey were given the opportunity to make additional comments about the Council's budget and the funding of services. A total of 371 comments were received. These comments have been grouped into themes, with some comments containing multiple themes. The table below provides a summary of the comments for each of the top ten themes identified.

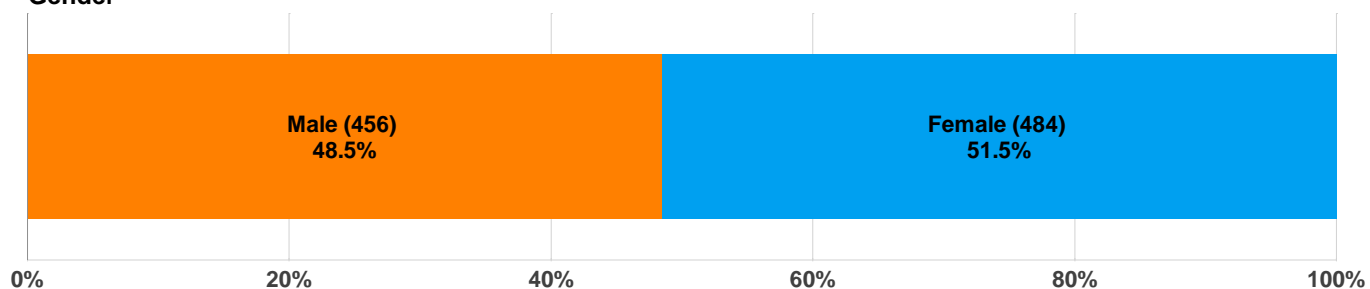
Theme	No.	Summary
Planning & Development (inc. infrastructure)	92	<ul style="list-style-type: none"> <li>Stop building new homes.</li> <li>No infrastructure improvements to support growth.</li> <li>Too much green space disappearing to new housing.</li> </ul>
Roads & Traffic	66	<ul style="list-style-type: none"> <li>Conditions of roads.</li> <li>Difficulty in getting from A to B due to congestion.</li> <li>Speeding lorries, particularly in the rural communities.</li> </ul>
VFM & Management Efficiencies	60	<ul style="list-style-type: none"> <li>Do not feel there is value for money from the amount of Council Tax paid (rural locations and suspension of services mentioned)</li> <li>Spend money more wisely.</li> <li>Don't spend money on 'vanity' projects.</li> <li>Better contracts for services.</li> <li>Cut managers and/or their salaries.</li> </ul>
Crime, Safety & ASB	51	<ul style="list-style-type: none"> <li>Concerns about levels of ASB.</li> <li>Request for more CCTV.</li> <li>Requests for more visible policing.</li> </ul>
Town centre	47	<ul style="list-style-type: none"> <li>Comments that the Town centre was shabby, with empty shops and little to attract people.</li> <li>Several mentioned feeling unsafe in the Town Centre.</li> <li>Desire to see improvements in the Town Centre.</li> </ul>
Cleanliness	46	<ul style="list-style-type: none"> <li>Statements that cleanliness has deteriorated.</li> <li>Increased litter and graffiti.</li> <li>Requests for more litter bins.</li> </ul>
The Environment & Waste Services	43	<ul style="list-style-type: none"> <li>Complaints about disruption to waste collections.</li> <li>Concerns about pollution (many in reference to traffic).</li> <li>Perception that the Council is anti-nature.</li> </ul>
Parking & Public Transport	40	<ul style="list-style-type: none"> <li>Comments about new developments without parking facilities.</li> <li>Suggestions of cheaper or free town centre parking.</li> <li>Disappointment about the removal of Park &amp; Ride service.</li> <li>Comments about inadequacy bus services.</li> </ul>
Inward migration	24	<ul style="list-style-type: none"> <li>Comments about people moving to the Borough from other areas (many mentioned London boroughs moving their tenants to Maidstone) and the impact of population increase on local services.</li> </ul>
Deliver Essentials & Maintain Services & Support the Vulnerable	20	<ul style="list-style-type: none"> <li>Focus on the essentials.</li> <li>Ensure support is vulnerable for most vulnerable.</li> <li>Maintain current services.</li> </ul>
Attracting visitors & inward investment	19	<ul style="list-style-type: none"> <li>Ensuring support for local businesses.</li> <li>Making Maidstone a place where people want to invest.</li> </ul>

## Demographics

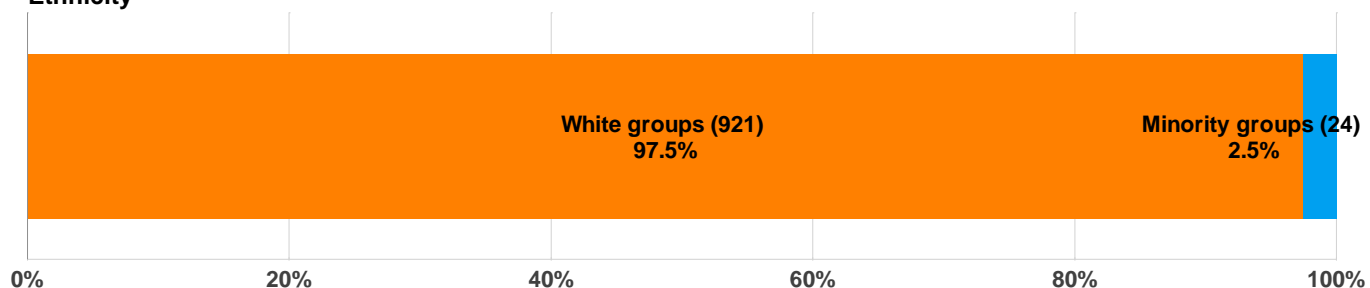
Age



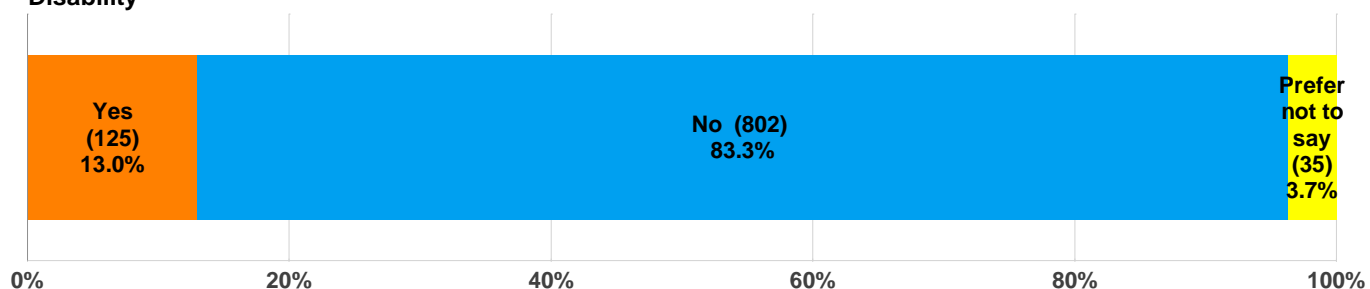
Gender



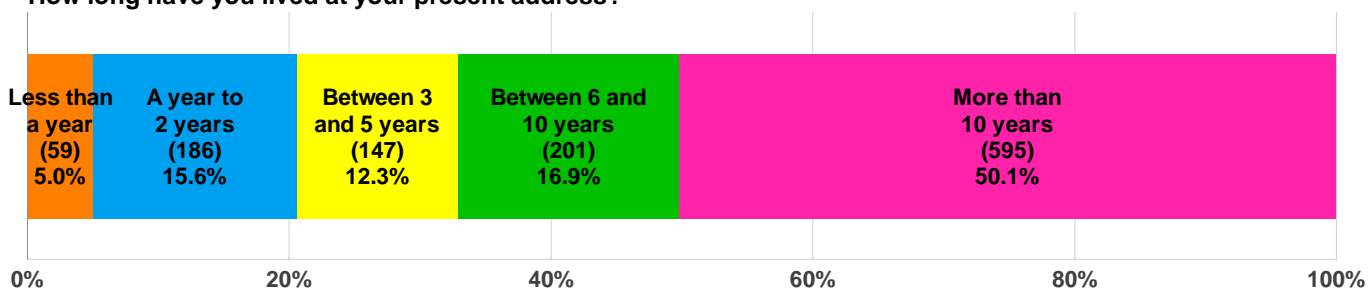
Ethnicity



Disability



How long have you lived at your present address?



## Executive Meeting

25 January 2023

### Medium Term Financial Strategy – Capital Programme

Timetable	
Meeting	Date
Corporate Services Policy Advisory Committee	18 January 2023
Executive Meeting	25 January 2023
Council	22 February 2023

Will this be a Key Decision?	Yes
Urgency	Not applicable
Final Decision-Maker	Council
Lead Head of Service/Lead Director	Mark Green, Director of Finance, Resources and Business Improvement
Lead Officer and Report Author	Paul Holland, Senior Finance Manager (Client)
Classification	Public
Wards affected	All

#### Executive Summary

This report forms part of the process of agreeing a budget for 2023/24 and setting next year's Council Tax. It develops the outline of the capital programme and reconfirms the principles behind the Council's capital strategy, explains how the capital programme will be funded, and describes the individual projects that comprise the programme.

#### Purpose of Report

The report enables the Executive to consider the capital programme.

#### This report recommends the following:

1. That the capital strategy principles set out in paragraph 2.6 be agreed;
2. That the capital funding projection set out in Appendix 2 to this report be agreed;
3. That the capital programme 2023/24 onwards as set out in Appendix 3 to this report be agreed;
4. That it is noted that agreeing recommendations 2 and 3 above will set 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.

# Medium Term Financial Strategy – Capital Programme

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	The Medium-Term Financial Strategy and the budget are a re-statement in financial terms of the priorities set out in the strategic plan. Specifically, the capital programme allows for investment in long term projects that support the strategic plan objectives.	Section 151 Officer & Finance Team
<b>Cross Cutting Objectives</b>	The MTFS supports the cross-cutting objectives in the same way that it supports the Council's other strategic priorities.	Section 151 Officer & Finance Team
<b>Risk Management</b>	This has been addressed in section 5 of the report.	Section 151 Officer & Finance Team
<b>Financial</b>	Set out in the report.	Section 151 Officer & Finance Team
<b>Staffing</b>	Staffing implications are taken into account when developing individual capital schemes.	Section 151 Officer & Finance Team
<b>Legal</b>	<p>Under Section 151 of the Local Government Act 1972 (LGA 1972) the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including securing effective arrangements for treasury management.</p> <p>The Medium-Term Financial Strategy demonstrates the Council's commitment to fulfilling its duties under the Act.</p> <p>Approval of the budget is a matter reserved for full Council upon recommendation by the Executive.</p>	Interim Team Leader (Contentious and Corporate Governance)
<b>Information Governance</b>	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Senior Information Governance Officer
<b>Equalities</b>	This report sets out the overall capital programme. When an individual capital	Equalities and



	scheme is developed, changed or reviewed, an evidence-based equalities impact assessment will be undertaken. Should an impact be identified appropriate mitigations will be identified.	Corporate Policy Officer
<b>Public Health</b>	The resources to achieve the Council's objectives are allocated through the development of the Medium-Term Financial Strategy which sets the overall priorities for the capital programme.	Public Health Officer
<b>Crime and Disorder</b>	The resources to achieve the Council's objectives are allocated through the development of the Medium-Term Financial Strategy which sets the overall priorities for the capital programme.	Section 151 Officer & Finance Team
<b>Procurement</b>	Procurement of the capital schemes described in section 2 of this report will be in accordance with the procurement provisions within the Council's constitution.	Section 151 Officer & Finance Team
<b>Biodiversity &amp; Climate Change</b>	The capital programme includes provision for funding to deliver schemes which will help meet the Council's biodiversity and climate change objectives.	Biodiversity and Climate Change Manager

## **2. INTRODUCTION AND BACKGROUND**

### **Background**

- 2.1 The capital programme plays a vital part in the Council's Strategic Plan, since long term investment is required to deliver many of the objectives of the plan. The capital programme is a rolling five-year programme, so sets out over the medium term how the Council will invest its capital resources.
- 2.2 The current capital programme 2022/23 – 2025/26 was approved by Council at its meeting on 23<sup>rd</sup> February 2022 and totals £233.5 million over five years. Details are set out in Appendix 1.
- 2.3 As part of budget setting process the Executive have considered the principles to ensure the capital plan is affordable and sustainable. In a similar manner to the Revenue budget considered three scenarios as part of setting the capital programme. The 3 scenarios are:
- 1) Minimum – delivering projects in progress, ensuring we meet our health and safety requirements and maintaining our assets.
  - 2) Optimum (prudent) – delivering the minimum and focusing capital investment on the strategic priorities.
  - 3) Maximum – delivering 1 and 2 plus further investment in other services.
- 2.4 The Optimum is the programme in Appendix 1 which we are recommending is approved. This has required some tough choices to ensure the capital investment is sustainable and affordable. The Minimum option would be significant reduction, as we would focus on maintaining assets and finishing projects. Over the 5-year period this would be around £36.8m. The Maximum is where the aspirations for Maidstone we discussed. The key areas where further investment was discussed, and investment considered were :
- New Leisure Facility £30.0m in addition to the maintenance costs.
  - Delivering 1,000 homes quicker £113.5m
- These additional costs would have increased the capital programme over the 5 years to around £266.6m.
- 2.5 The updated capital programme includes some significant reprofiling of the Private Rented Sector and 1,000 Affordable Homes housing schemes, as well as a number of new schemes. The current 5-year programme totals £202.5m over 5 years, so this updated programme is being delivered within a similar budget envelope. Individual items within the programme will be subject to specific reports to the Committee in due course. Additional projects to deliver other key priorities such as Temporary Accommodation, decarbonisation, town centre strategy and the purchase of vehicles for the waste contract are also included. Overall, it is considered that the expansion of the programme is affordable and sustainable and is required in order to deliver the Council's strategic objectives.

## **Capital Strategy**

- 2.6 Under CIPFA's updated Prudential Code, the Council is required to produce a Capital Strategy, which is intended to give an overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services, along with an overview of how associated risk is managed and the implications for future financial sustainability.
- 2.7 The Capital Strategy is being considered by Audit, Governance & Standards Committee at its meeting on 16<sup>th</sup> January 2023. The Strategy describes how the Capital Programme is developed and the key points are set out below.
- 2.8 The Council has defined certain core principles for the inclusion of schemes within the capital programme. Schemes may be included in the capital programme if they fall within one of the four following categories:
- (i) Required for statutory reasons, e.g., to ensure that Council property meets health and safety requirements;
  - (ii) Self-funding schemes focused on Strategic Plan priority outcomes;
  - (iii) Other schemes focused on Strategic Plan priority outcomes; and
  - (iv) Other priority schemes which will attract significant external funding.
- 2.9 All schemes within the capital programme are subject to appropriate option appraisal. Any appraisal must comply with the requirements of the Prudential Code and the following locally set principles:
- (a) Where schemes fit within a specific strategy and resources are available within the capital programme for that strategy, such as the Asset Management Plan, the schemes are also subject to appraisal and prioritisation against the objectives of that strategy. These schemes must be individually considered and approved by the relevant service committee.
  - b) Where schemes require the use of prudential borrowing, a business case must first be prepared setting out the viability and justification in terms of necessity or contribution to the delivery of strategic goals.
- 2.10 Where schemes do not fit within the criteria above, but an appropriate option appraisal has been completed, they may still be included within the programme if they fall within one of the four categories set out above.
- 2.11 If, following all considerations, there are a number of approved schemes that cannot be accommodated within the current programme, a prioritised list of schemes that can be added to the programme as future resources permit will be created and approved by Policy and Resources Committee, thus allowing officers to focus funding efforts on delivering schemes that are next in priority order.

- 2.12 The Medium-Term Financial Strategy (MTFS) requires the Council to identify actual funding before commencement of schemes. Accordingly, while schemes may be prioritised for the programme, ultimately commencement of any individual scheme can only occur once all the necessary resources have been identified and secured.
- 2.13 The MTFS principles require that the Council will maximise the resources available to finance capital expenditure, in line with the requirements of the Prudential Code, through:
- a) The use of external grants and contributions, subject to maintaining a focus on the priority outcomes of its own strategies;
  - b) Opportunities to obtain receipts from asset sales as identified in the asset management plan and approved for sale by Policy and Resources Committee;
  - c) The approval of prudential borrowing when the following criteria also apply to the schemes funded by this method:
    - i. financial viability of the schemes can be clearly evidenced;
    - ii. the outcome returns economic value commensurate to the cost incurred by borrowing to fund the schemes;
    - iii. after covering the cost of funding, a further benefit accrues to the Council that directly or indirectly supports the objectives of the strategic plan or the medium-term financial strategy.
  - d) The use of residual New Homes Bonus for capital purposes (after a £1m top slice to support the revenue budget), in line with the Council's strategic plan priorities;
  - e) The implementation of a community infrastructure levy (CIL) and the management of its use, along with other developer contributions (S106), to deliver the objectives of the infrastructure delivery plan.
- 2.14 Service managers submit proposals to include projects in the Council's capital programme. Bids are collated by Corporate Finance who calculate the financing cost (which can be nil if the project is fully externally financed). Each Policy Advisory Committee appraises the proposals based on a comparison with corporate priorities. The Executive then recommends the capital programme which is then presented to Council in February each year.
- 2.15 Prior to any capital commitment being entered into, a detailed report setting out a full project appraisal and detailed financial projections is considered by the relevant service committee.

### **Funding the Capital Programme**

- 2.16 All capital expenditure must be financed, either from external sources (grant funding and other contributions), the Council's own resources (revenue contributions, earmarked reserves, internal borrowing and capital receipts) or debt (external borrowing and other forms of corporate finance).

- 2.17 The Council currently has external borrowing of £5 million, representing Public Works Loan Board borrowing. With internal resources expected to be fully utilised in future, the Council will look to increase external borrowing to a maximum of £247.585m over the 5-year lifetime of the capital programme. Over this time the Council will seek a mixture of long term and short-term debt to minimise the risk of refinancing. The Director of Finance, Resources & Business Improvement may look to procure forward borrowing terms ahead of requiring funding for the capital programme. This is to lock into preferential rates in case of future rate rises.
- 2.18 The Council has hitherto used the New Homes Bonus to fund capital expenditure. The allocation for 2023/24 onwards has been reduced to £1.9 million, so to ensure that there is sufficient funding to support the viability of the 1,000 New Homes programme it is envisaged that this will be topped up from the Funding Guarantee that was announced as part of the Local Government Financial Settlement in December 2022.
- 2.19 External funding is sought wherever possible. The Council has received funding from the Government via the UK Shared Prosperity Fund, some of which is allocated to capital schemes, and funding will be sought in particular to support the Affordable Housing Programme.
- 2.20 Funding is also available through developer contributions (S 106) and the Community Infrastructure Levy (CIL).
- 2.21 The resource available for the capital programme, based on the detail above, is given in Appendix 2. The appendix shows total resources expected in the period 2023/24 to 2027/28 as £201.893m.

## **Capital Programme Proposals**

- 2.22 Capital Programme proposals have been developed based on the principles set out above and reflect the strategic priorities agreed by Council when it set the current Strategic Plan.
- 2.23 Appendix 3 to this report sets out the recommended programme. This includes schemes that already form part of the existing capital programme together with new schemes that it is now proposed to include within the capital programme. Further details are set out below.

### *Communities, Housing and Environment*

- 2.24 1,000 Homes Affordable Housing Programme - £72.4 million

In the Autumn of 2021, The Leader of the Council announced his ambition to build 1,000 affordable homes in the shortest period possible. A development strategy setting out how this ambition can best be achieved was agreed by Policy & Resources Committee on 19th January 2022. It is likely that the whole programme will take ten years to deliver, but the MTFS and capital programme is focussed upon the expenditure that will occur in the first five

years. The programme is likely to provide only Affordable Rented homes that will be let at 80% of market rent, capped at the Local Housing Allowance. The expenditure shown is net of any grant receipts from the likes of Homes England that will be necessary to deliver the programme. Expenditure in the initial years of the programme will be relatively modest as the focus will be upon land identification and acquisition, and the more costly works contracts will follow in the later years.

As indicated in the report on this item elsewhere on this evening's agenda, a subsidy will be required to deliver this Programme, which will be provided through a separate Housing Investment Fund.

#### 2.25 Private Rented Sector Housing Programme - £33.1 million

This encompasses a number of schemes that are in the process of being identified and brought forward, but at this stage in the main are not contractually committed. These will be the subject of separate committee reports at the point a decision to proceed or not is required. This budget includes the refurbishment works being undertaken at Granada House (which is an existing PRS asset). All these PRS assets will be owned by the Council but leased (on a long-term basis) upon completion to Maidstone Property Holdings Limited to manage.

#### 2.26 Temporary Accommodation - £32.0 million

The Council has a programme to acquire housing on the open market for temporary accommodation, as it is more cost-effective to use our own property for this purpose and enables delivery of a revenue saving. It is proposed to buy further units in over the next three years to deal with the rising numbers of people who are being made homeless as a result of the current economic crisis.

#### 2.27 Commercial Development (Maidstone East) - £1.97 million

The New Business and Housing Development team are in the process of preparing and submitting a planning application for the site. It will comprise circa 220 residential units, but in order to respond to the Local Plan Policy for the site, the scheme will need to include some non-residential (commercial) space too. At this stage, the expectation that this will be a Health related usage, most likely a GP surgery. A positive dialogue is ongoing with the local health trust, but no firm commitments have been made at this stage. This commercial usage is relatively modest in scale relative to the proposed residential accommodation.

#### 2.28 Heather House Community Centre - £1.4 million

The Council decided to make a planning application to replace this facility with a brand-new community centre, together with the redevelopment of the adjacent Royal British Legion Pavilion site (for new housing), that also features in the capital programme. A resolution to grant planning permission was made in November 2022, and the works for both sites are currently being procured. Prior to any works contract being let, a further approval will be required by The Executive, and it is envisaged that a proposal will be ready to consider in circa April 2023. The cost of the new

community infrastructure may be offset to some degree by a combination of external grants, contributions, S106 and possibly even CIL monies.

#### 2.29 Disabled Facilities Grants - £4.0 million

The Council works with Kent County Council Social Services to deliver adaptations and facilities to enable disabled people to remain at home. This element of the capital programme therefore has a directly beneficial impact for individual local residents. Assistance under this budget is not funded by the Council but is funded from the Department of Health Better Care Fund (BCF) as a specific capital grant.

#### 2.30 Acquisitions Officers Social Housing Delivery Partnership - £200,000

This funding is for two Acquisitions Officers to ensure delivery of the affordable housing programme, with the costs of the posts and ancillary costs capitalised and charged to the programme.

#### 2.31 Street Scene Investment - £250,000

This capital programme item allows for items such as the provision of new bins.

#### 2.32 Flood Action Plan - £550,000

The Council works with the Environment Agency and Kent County Council as part of the Medway Flood Partnership to develop measures to manage and reduce flood risk. A capital budget of £1 million was set aside for a flood action plan following the last major floods in the Maidstone area in winter 2013/14. No large-scale flood mitigation scheme was found to be feasible and individual household flood mitigation measures have been funded through central government grants. The residual budget is therefore being carried forward to fund further schemes that may be developed, including natural flood management schemes.

#### 2.33 Continued Improvements to Play Areas - £280,000

This budget allows for play areas to continue to be upgraded to ensure they meet the current specifications and requirements.

#### 2.34 Parks Improvements - £330,000

This is an annual budget to allow for any works that are identified in the parks to be undertaken, particularly where there is a health and safety issue to be addressed.

#### 2.35 Section 106 Funded Works Open Spaces – £2.0 million

This reflects open spaces capital projects that are funded by S.106 contributions. These works have been taking place for a number of years, but it is considered appropriate that the programme reflects this to show the total forecast capital expenditure.

#### 2.36 Expansion of Cemetery - £200,000

Further works are required to complete the tarmacking works in the cemetery and there are further plans for new fencing and possible expansion of the site to create space for new graves.

#### 2.37 Expansion of Crematorium - £340,000

The proposal is to invest in a café and a florist on the site to generate additional revenue at the crematorium. Completion of the covered walkway is also included in the scheme.

#### 2.38 Purchase of New Waste Collection Vehicles - £5.8 million

As part of the new waste collection contract the Council is planning to fund the capital costs of the new vehicle fleet, as it can access cheaper borrowing at lower rates than the contractor, and this will significantly reduce the costs of the contract. The budget sum includes a contingency for potential material and labour cost increases during the manufacturing process. The capital cost of the fleet was included within the evaluation process to ensure value for money is achieved.

### *Economic Regeneration & Leisure*

#### 2.39 Mote Park Lake Dam Works - £20,000

This budget is required for the final completion of this scheme

#### 2.40 Museum Development Plan - £389,000

This capital budget exists to support implementation of the Museum's 20 year plan. A key element of this plan is to improve the quality of displays and storytelling in the Museum's permanent galleries through a rolling programme of refurbishment and redisplay. The first phase of this work will be a new gallery telling the story of Maidstone from prehistory to the end of the medieval period. Work is under way on planning this gallery, with a target opening date of Summer 2024. Although included in the capital budget for 2022/23, most of the planned expenditure of £389,000 is now expected to slip to 2023/24. The Council's funding is expected to be matched by external fundraising by the Maidstone Museums Foundation.

#### 2.41 Leisure Provision - £7.0 million

Options for the future of the Leisure Centre were presented to the Economic Regeneration and Leisure Policy Advisory Committee in December 2022. This is an indicative budget at this stage, allowing for practical improvements to be made to the Leisure Centre in the short term, pending a refurbishment or replacement of the existing facilities in the medium term.

#### 2.42 Tennis Courts Upgrade - £20,000



This funding is required to bring the courts in the parks back up to an acceptable playing standard.

#### 2.43 Riverside Walk - £250,000

Proposals are under consideration for a riverside walk alongside the Medway by the Lockmeadow Millennium Bridge. Better access to the 22 river would be created from the Maidstone road bridge and other areas of interest along the river would be linked, such as the memorial park and Archbishop's Palace. Improvements to the riverside path would increase safety and reduce antisocial behaviour. Costings and detailed proposals are still to be developed and third party funding will be sought for the project. Specific proposals will be brought forward in due course but for the purpose of developing the capital programme an indicative budget was included in the capital budget for 2022/23. The planned expenditure of £250,000 is now expected to slip to 2023/24.

#### 2.44 Mote Park Kiosk Refurbishment & Extension - £200,000

Following the opening of a new visitor centre on the southern side of Mote Park Lake, this project is intended to provide clean and safe facilities to replace the existing toilet block on the northern side

#### 2.45 Town Centre Strategy - £5.5 million

The emerging Town Centre strategy action plan will present short-, medium- and long-term projects for improvements in the Town Centre, as part of a wider package of town centre projects. The capital programme includes an indicative sum of £5.5m to assist with delivery of these projects

#### *Corporate Services*

#### 2.46 Corporate Property Acquisitions - £12.5 million

It is envisaged that the Council will continue to seek further suitable opportunities to acquire assets which help deliver the Council's strategic objectives, following the previous acquisitions of the Lockmeadow Leisure Complex, Maidstone House and various industrial units. The capital programme includes this fund which is intended to give the capacity to pursue opportunities to enhance the corporate property portfolio. The Council continues to work with selected agents to identify suitable opportunities and these will be brought forward for member approval when identified.

#### 2.47 Lockmeadow ongoing investment - £1.5 million

Given the current economic environment further investment in the site will be needed to encourage both existing tenants to continue to operate and to also attract new ones in the future, as well as continuing to make it an attractive place to visit. This will help protect existing rental income streams and possibly increase them in due course.

#### 2.48 Garden Community - £1.5 million

The Heathlands Garden Community is a public sector led proposition, whereby the Council is working in partnership with Homes England to promote the scheme through the Maidstone Local Plan Review (LPR). Positive progress continues to be made, as Heathlands now features as a draft “allocation” within the LPR, that is now approaching the stage 2 Hearings. Both partners are sharing the promotional costs 50:50, which are expected to total circa £3m to achieve the “allocation” in the adopted LPR later in 2023. Should this be achieved, there would be a further circa £2m of shared expenditure to achieve the outline planning permission, in 2025.

#### 2.49 Infrastructure Delivery - £5.0 million

Infrastructure schemes as outlined in the Local Plan are in general funded directly from the benefits gained from the development. However, in some cases, it is appropriate for the Council to invest directly in infrastructure, for example where viability assessments indicate a funding gap and where it is appropriate for the Council to meet the shortfall in order to enable strategic priorities to be met. An annual amount of £1.0 million has been set aside within the capital programme for this purpose. Including rolled up unspent budget from previous years, this gives a total allocation of £6.2 million over the lifetime of the capital programme.

#### 2.50 Asset Management / Corporate Property - £1.6 million

The Property Services section carries out a 5-year cycle of condition surveys of Council property which provide a costed programme of essential replacement or refurbishment of building elements to ensure the proper, compliant and efficient operation of the buildings in accordance with the Asset Management Plan. There is no financial return from the projects, but they do eliminate the accumulation of a backlog of maintenance, reduce the risk of failure and interruption of service and the cost of reactive maintenance.

#### 2.51 Other Property Works - £880,000

This budget is for work required to various commercial properties to meet the requirements of the current Minimum Energy Efficiency Standards. This will mainly be upgrades to LED lighting and heating systems, but there may be a need to replace windows and improve insulation in some of the older buildings.

#### 2.52 Biodiversity & Climate Change - £5.3 million

This funding will be used for a number of projects including the purchase of electric vehicles along with investment in charging infrastructure, open space and wetland creation, flood prevention, tree planting and looking to make the Council’s buildings more energy efficient with a view to reducing both costs and carbon emissions.

#### 2.53 Photovoltaic Panels - £234,000

Proposals are under consideration for a solar panel arrays to be installed at several council owned locations. The arrays that are proposed on the available space would reduce the councils carbon emissions. They would be connected directly to Council properties with excess power generated sold to the national grid. The arrays will be installed along with green roofs which would allow for power generation while enhancing local biodiversity. It is estimated that the capital costs would be recouped in approximately 6 to 10 years.

#### 2.54 Feasibility Studies - £250,000

An allowance has been included in the capital programme for feasibility works on schemes that are not yet ready to be included in the main programme.

#### 2.55 Digital Projects - £140,000

This programme is for hardware and software development carried out in-house by the Digital team, such as website re-design, new webcasting facilities, and investment to streamline ways of working.

#### 2.56 Software/PC Replacement - £1.0 million

This is an annual budget to allow replacement of ICT resources on an ongoing basis.

#### 2.57 Maidstone House Works - £1.5 million

This budget is to continue to allow further investment in the building to make it an attractive place to work, to protect existing rental income streams and to encourage prospective new tenants.

#### 2.58 Fleet Vehicle Replacement Programme – £1.5 million

Vehicle purchases have been capitalised previously but not included on the programme. Funding comes from capital receipts including the sale of vehicles when they reach the end of their useful life.

#### 2.59 Automation of Transactional Services - £150,000

This budget is to start the process of introducing more automated responses for telephone calls to the contact centre.

#### *Planning & Infrastructure*

2.60 There are no new schemes for this Committee. Residual funding from the Bridges Gyratory Scheme has been carried forward and will be used for a barrier to prevent flood water disgorging from the Medway Street pedestrian underpass beneath the A229.

### **3. AVAILABLE OPTIONS**

- 3.1 That the capital strategy principles, funding arrangements and detailed proposals as set out in section 2 above are approved and submitted to Council.
  - 3.2 That the capital programme as presented be approved and submitted to Council.
  - 3.3 Make amendments or deletion to some or all of the proposals and agree any new alternative projects.
  - 3.4 Defer a decision on the proposals to the Executive's meeting on 8<sup>th</sup> February 2023 where it can be considered as part of the full budget submission.
- 

### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The preferred option is that the Executive agrees capital strategy principles (option 3.1) and the proposed capital programme (option 3.2). Whilst a final decision is not required until Council sets a budget on 22 February 2023, an early decision by the Executive will allow advance planning to commence and will potentially allow the benefits of investment to be realised more quickly.
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### **5. RISKS**

- 5.1 From now on, the capital programme will primarily be funded through prudential borrowing. Many of the schemes outlined above are projected to be self-funding. However, this assumes that the income assumptions on which they are based are reliable. In an uncertain economic environment, there is a significant risk that the cost of borrowing and the requirement to make provision for repayment will not be covered.
  - 5.2 The scale of the capital programme – around £200 million - will require considerable capacity for delivery and project management.
  - 5.3 At present it is anticipated that funding will be available for the capital programme. The funding risk has been mitigated by committing to borrow £80 million in advance over the period 2024 to 2026 at an affordable rate. We will use our Treasury Management Strategy to manage the cost of subsequent borrowing but there is a risk that funding could become more expensive generally, thus putting at risk the viability of more marginal schemes.
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### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Corporate Services PAC received an initial report on the MTFS at its meeting on 16 November 2022.
- 6.2 Consultation is currently being carried out on the broader budget proposals for 2023/24. Corporate Services PAC are considering the budget proposals relating to capital schemes. There will be an opportunity for all PACs to consider the outcomes of revenue savings and growth during January 2023.
- 6.3 Public consultation on the budget has been carried out, as described in the report on revenue budget proposals elsewhere on the Committee's agenda. This identified that the most popular area amongst respondents for new investment was infrastructure, with flood prevention and the street scene cited as examples in the survey to illustrate what 'infrastructure' means.
- 6.4 This issue will be considered by the Corporate Services Policy Advisory Committee on 18 January 2023 and the Committee's comments and recommendations will be reported to the Executive.
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The timetable for setting the budget for 2023/24 is set out below.

<b><i>Date</i></b>	<b><i>Meeting</i></b>	<b><i>Action</i></b>
6 February 2023	Corporate Services Policy Advisory Committee	Consider 23/24 budget proposals for recommendation to Executive
8 February 2023	Executive	Agree 23/24 budget proposals for recommendation to Council
22 February 2023	Council	Approve 23/24 budget

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## **8. REPORT APPENDICES**

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

- Appendix 1: Existing Capital Programme 2022/23 to 2026/27
  - Appendix 2: Estimated Capital Resources 2023/24 to 2027/28
  - Appendix 3: Proposed Capital Programme 2023/24 to 2027/28
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## **9. BACKGROUND PAPERS**

There are no background papers.

## CAPITAL PROGRAMME 2022/23 - 2026/27

	Projected Budget 2021/22	Five Year Plan					Total 21/22 to 25/26
		2022/23	2023/24	2024/25	2025/26	2026/27	
	£000	£000	£000	£000	£000	£000	£000
Housing - Disabled Facilities Grants Funding	1,017	1,500	800	800	800	800	4,700
Temporary Accommodation	3,008	1,560					1,560
Brunswick Street	233						
Union Street	217						
Springfield Mill - Phase 1							
Springfield Mill - Phase 2	2,045	200					200
Private Rented Sector Housing Programme	1,125	2,316	4,632	11,579	11,579	16,211	46,317
Affordable Housing Programme - Trinity Place		500					500
1,000 Homes Affordable Housing Programme	750	5,679	11,358	28,396	28,396	39,754	113,582
Market Sale Housing Programme - Costs of Scheme		515	5,682	5,682	5,167	5,167	22,213
Market Sale Housing Programme - Receipts				-1,853	-12,400	-12,400	-26,653
Acquisitions Officer - Social Housing Delivery P/ship	160	160	160	160	160	160	800
Granada House Refurbishment Works	20	980	1,000				1,980
Street Scene Investment	50	50	50	50	50	50	250
Flood Action Plan	244	200	200	200	150		750
Electric Operational Vehicles	84						
Vehicle Telematics & Camera Systems	35						
Rent & Housing Management IT System	19						
Installation of Public Water Fountains	15						
Crematorium & Cemetery Development Plan	378						
Continued Improvements to Play Areas	200						
Parks Improvements	149	50	50	50	50	50	250
Gypsy & Traveller Sites Refurbishment	50	1,900					1,900
Waste Crime Team - Additional Resources		25					25
Section 106 funded works - Open Spaces		400	400	400	400	400	2,000
<b>Sub-total Communities, Housing &amp; Environment</b>	<b>9,798</b>	<b>16,035</b>	<b>24,332</b>	<b>45,464</b>	<b>34,352</b>	<b>50,192</b>	<b>170,374</b>
Mote Park Visitor Centre & Estate Services Building	1,233	1,543					1,543
Mote Park Lake - Dam Works	672						
Mall Bus Station Redevelopment	1,006						
Museum Development Plan		389					389
Leisure Provision		100	100	500	14,300	15,000	30,000
Cobtree Golf Course New Clubhouse		4	111	333			449
Tennis Courts Upgrade		20					20
Riverside Walk Works		250	250				500
<b>Sub-total Economic Regeneration &amp; Leisure</b>	<b>2,910</b>	<b>2,306</b>	<b>461</b>	<b>833</b>	<b>14,300</b>	<b>15,000</b>	<b>32,901</b>
Corporate Property Acquisitions	11,809	2,500	2,500	2,500	2,500	2,500	12,500
Kent Medical Campus - Innovation Centre	3,000	250					250
Lockmeadow Ongoing Investment	932	500	1,100				1,600
Garden Community	1,613	200	200	200	200	200	1,000
Infrastructure Delivery		1,000	1,000	1,000	1,000	1,000	5,000
Asset Management / Corporate Property	1,653	175	175	175	175	175	875
Other Property Works		980					980
Biodiversity & Climate Change	100	1,400		500	500	500	2,900
Feasibility Studies	162	50	50	50	50	50	250
Digital Projects	25	25	25	25	25	25	125
Software / PC Replacement	342	200	200	200	200	200	1,000
Maidstone House Works		1,000					1,000
Automation Projects		200					200
New Ways of Working - Make the Office Fit for Purpose		40					40
Archbishop's Palace		400	400				800
Fleet Vehicle Replacement Programme	748	149	456	457	270	96	1,428
<b>Sub-total Policy &amp; Resources</b>	<b>20,384</b>	<b>9,069</b>	<b>6,106</b>	<b>5,107</b>	<b>4,920</b>	<b>4,746</b>	<b>29,948</b>
Bridges Gyratory Scheme	86	120					120
<b>Sub-total Strategic Planning &amp; Infrastructure</b>	<b>86</b>	<b>120</b>					<b>120</b>
<b>TOTAL</b>	<b>33,179</b>	<b>27,530</b>	<b>30,899</b>	<b>51,404</b>	<b>53,572</b>	<b>69,938</b>	<b>233,343</b>

**ESTIMATED CAPITAL PROGRAMME RESOURCES 2023/24 - 2027/28**

Source of Funding	2022/23 £000	Estimate					5 year Total £000
		2023/24 £000	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	
External Sources	1,500	2,470	2,832	1,500	1,500	1,500	9,802
Own resources (including Internal borrowing)	7,950	5,450	5,450	5,450	5,450	5,450	27,250
External Borrowing	26,021	30,997	41,428	40,694	28,036	23,686	164,841
<b>Total</b>	<b>35,471</b>	<b>38,917</b>	<b>49,710</b>	<b>47,644</b>	<b>34,986</b>	<b>30,636</b>	<b>201,893</b>



	Current Estimate 2022/23 £000	Revised Estimate 2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	Total (5 years) £000
<b>Communities, Housing &amp; Environment</b>								
Private Rented Sector Housing	4,133	2,273	3,090	6,765	6,832	9,578	6,861	33,125
1,000 Homes Affordable Housing Programme - Expenditure	5,179	7,600	6,123	20,080	22,825	25,487	22,442	96,958
1,000 Homes Affordable Housing Programme - Social Housing Grant			-5,790	-3,120	-1,290	-8,250	-6,060	-24,510
Temporary Accommodation	4,330	4,330	12,000	12,000	8,000			32,000
Commercial Development - Maidstone East		200	156	623	623	468	100	1,970
Heather House Community Centre		150	319	701	351	75		1,446
Market Sale Housing Programme - Heather House & Pavilion Building	515							
Housing - Disabled Facilities Grants Funding	1,640	1,640	800	800	800	800	800	4,000
Springfield Mill - Phase 2	731	731						
Affordable Housing Programme - Trinity Place	500	500						
Acquisitions Officer - Social Housing Delivery P/ship	160	160	200					200
Street Scene Investment	70	70	50	50	50	50	50	250
Flood Action Plan	430	430	200	200	150			550
Electric Operational Vehicles	84	84						
Vehicle Telematics & Camera Systems	22	22						
Rent & Housing Management IT System	11	11						
Installation of Public Water Fountains	15	15						
Crematorium & Cemetery Development Plan	137	250						
Continued Improvements to Play Areas	126	126	50	50	60	60	60	280
Parks Improvements	152	152	50	60	70	70	80	330
Gypsy & Traveller Sites Refurbishment	1,421	1,421						
Waste Crime Team - Additional Resources	25	25						
Section 106 funded works - Open Spaces	400	400	400	400	400	400	400	2,000
Expansion of Cemetery (New scheme)			80	120				200
Expansion of Crematorium (New scheme)			340					340
Purchase of New Waste Collection Vehicles (New scheme)			5,800					5,800
<b>Total</b>	<b>20,080</b>	<b>20,589</b>	<b>23,868</b>	<b>38,730</b>	<b>38,871</b>	<b>28,737</b>	<b>24,733</b>	<b>154,939</b>

	Current Estimate 2022/23 £000	Revised Estimate 2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	Total (5 years) £000
<b>Economic Regeneration &amp; Leisure</b>								
Mote Park Visitor Centre	1,307	1,307						
Mote Park Lake - Dam Works	486	486	20					20
Museum Development Plan	389		389					389
Leisure Provision	100	100	3,000	1,000	1,000	1,000	1,000	7,000
Tennis Courts Upgrade	20	20	20					20
Riverside Walk Works	250		250					250
Mote Park Kiosk Refurbishment & Extension (New scheme)		50	200					200
Town Centre Strategy (New scheme)			450	2,700	2,350			5,500
<b>Total</b>	<b>2,552</b>	<b>1,963</b>	<b>4,329</b>	<b>3,700</b>	<b>3,350</b>	<b>1,000</b>	<b>1,000</b>	<b>13,379</b>
<b>Corporate Services</b>								
Asset Management / Corporate Property	1,561	1,261	875	175	175	175	175	1,575
Corporate Property Acquisitions	3,181	3,181	2,500	2,500	2,500	2,500	2,500	12,500
Kent Medical Campus - Innovation Centre	341	341		250				250
Lockmeadow Ongoing Investment	203	203	500	250	250	250	250	1,500
Garden Community	1,633	1,100	733	200	200	200	200	1,533
Infrastructure Delivery	1,000	1,000	1,000	1,000	1,000	1,000	1,000	5,000
Other Property Works	980	100	500	380				880
Biodiversity & Climate Change	1,478	250	2,788	1,540	500	500		5,328
Photovoltaic Panels			234					234
Feasibility Studies	122	122	50	50	50	50	50	250
Digital Projects	25	25	28	28	28	28	28	140
Software / PC Replacement	336	336	200	200	200	200	200	1,000
Maidstone House Works	1,000	1,000	500	250	250	250	250	1,500
Automation Projects	200	200						
New Ways of Working - Make the Office Fit for Purpose	40	40						
Fleet Vehicle Replacement Programme	533	900	456	457	270	96	250	1,529
Election Polling Booths (New scheme)		20						

	Current Estimate 2022/23 £000	Revised Estimate 2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	Total (5 years) £000
Automation of Transactional Services <b>(New scheme)</b>			150					150
<b>Total</b>	<b>12,633</b>	<b>10,079</b>	<b>10,514</b>	<b>7,280</b>	<b>5,423</b>	<b>5,249</b>	<b>4,903</b>	<b>33,369</b>
<b>Planning &amp; Infrastructure</b>								
Bridges Gyratory Scheme	206		206					206
<b>Total</b>	<b>206</b>		<b>206</b>					<b>206</b>
<b>TOTAL</b>	<b>35,471</b>	<b>32,631</b>	<b>38,917</b>	<b>49,710</b>	<b>47,644</b>	<b>34,986</b>	<b>30,636</b>	<b>201,893</b>

# Agenda Item 19

## Executive Meeting

25 JANUARY 2023

### Council Tax Base 2023-24 and Collection Fund Adjustment

Timetable	
<b>Meeting</b>	<b>Date</b>
Corporate Services Policy Advisory Committee	18 January 2023
Executive	25 January 2023
Council	22 February 2023

<b>Will this be a Key Decision?</b>	Yes
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Executive
<b>Lead Head of Service</b>	Mark Green, Director of Finance, Resources and Business Improvement
<b>Lead Officer and Report Author</b>	Adrian Lovegrove, Head of Finance
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

This report advises members on the estimated tax base for Council Tax purposes. It identifies potential changes to the tax base expected in the forthcoming year and recommends the tax base for 2023-24 for the council and parish areas.

The report also provides the anticipated balance on the Council Tax account as at 31 March 2023 which will be credited to major preceptors and this Council in accordance with regulations.

The distribution of balances to precepting authorities is an important part of their respective budget setting processes and a decision at this time enables timely advice to those authorities. It also enables timely consideration in relation to the Council's own budget strategy for the coming financial year.

#### Purpose of Report

Decision.

**This report recommends that the Executive approve 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 this report.
  3. The 2022-23 Council Tax projection and proposed distribution detailed in Appendix 3 of this report is agreed.
-

# Council Tax Base 2023-24 and Collection Fund Adjustment

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<ul style="list-style-type: none"> <li>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 as set out in section 3 [preferred alternative].</li> </ul>	Adrian Lovegrove, Head of Finance.
<b>Cross Cutting Objectives</b>	<ul style="list-style-type: none"> <li>We do not expect the recommendations will by themselves materially affect achievement of cross cutting objectives. However, the recommendations do form a statutory part of the process of setting the budget for the forthcoming financial year and support the council's objectives in this respect.</li> </ul>	Adrian Lovegrove, Head of Finance.
<b>Risk Management</b>	<ul style="list-style-type: none"> <li>Risk implications are detailed within section 5 of this report.</li> </ul>	Adrian Lovegrove, Head of Finance.
<b>Financial</b>	<ul style="list-style-type: none"> <li>The results of this decision affect the overall budget strategy process and therefore the pressure on the Council Tax requirement in creating a balanced budget.</li> <li>The setting of the tax base is an essential part of the budget process which is required by legislation.</li> <li>Any increase in the tax base effectively means that the cost of services provided by this Authority and others in the area is being spread over more Council Tax payers which would effectively reduce the Council Tax burden on any individual tax payer.</li> <li>However, this relationship must be realistic in that any underachievement on the collection of Council Tax will result in cash flow pressures for this Council as a billing authority.</li> </ul>	Adrian Lovegrove, Head of Finance.

<b>Staffing</b>	<ul style="list-style-type: none"> <li>The recommendations do not give rise to any direct staffing implications.</li> </ul>	Adrian Lovegrove, Head of Finance.
<b>Legal</b>	<ul style="list-style-type: none"> <li>Accepting the recommendations regarding the tax base will fulfil the Council's duties under the Local Authority (Calculation of Council Tax Base) (England) Regulations 2012. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of these regulations.</li> <li>Billing authorities are required by the Local Authorities (Funds) (England) Regulations 1992 to estimate any surplus/deficit on their collection fund for the year. Accepting the recommended projection in Appendix 3 will enable the Council to meet this requirement.</li> <li>The Local Authorities (Collection Fund: Surplus and Deficit) (Coronavirus) (England) Regulations 2020 amend the Local Authorities (Funds) (England) Regulations 1992 and the Non Domestic Rating (Rates Retention) Regulations 2013 which govern the calculation and apportionment of Collection Fund surpluses and deficits for council tax and non-domestic rates respectively. These amendments amend the way in which billing authorities calculate their estimated surplus or deficit on their collection fund in respect of non-domestic rating income for the relevant years beginning on 1st April 2021 and 1st April 2022. These amendments require billing authorities to spread their exceptional balance for a relevant year over a period of three relevant years ending with the relevant year beginning on 1st April 2023. The exceptional balance for council tax within appendix 3 has been calculated in accordance with these regulations.</li> </ul>	Interim Team Leader (Contentious and Corporate Governance)

<b>Information Governance</b>	<ul style="list-style-type: none"> <li>The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.</li> </ul>	[Information Governance Team].
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities officer
<b>Public Health</b>	<ul style="list-style-type: none"> <li>We recognise that the recommendations will not negatively impact on population health or that of individuals.</li> </ul>	[Public Health Officer]
<b>Crime and Disorder</b>	<ul style="list-style-type: none"> <li>The recommendations do not give rise to any direct crime and disorder implications.</li> </ul>	Adrian Lovegrove, Head of Finance.
<b>Procurement</b>	<ul style="list-style-type: none"> <li>The recommendations do not give rise to any direct procurement implications.</li> </ul>	Adrian Lovegrove, Head of Finance.
<b>Biodiversity and Climate Change</b>	<ul style="list-style-type: none"> <li>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, the recommendations do form a statutory part of the process of setting the budget for the forthcoming financial year and support corporate priorities in this respect.</li> </ul>	[Biodiversity and Climate Change Officer]

## 2. INTRODUCTION AND BACKGROUND

- 2.1 Setting the tax base is an integral part of the Council tax collection process which is a basic financial function of this Authority. It is essential for the efficient funding of all Local Authorities in the area. The income received from Council Tax, within the overall context of the budget process, provides resources for the achievement of all the Council's priorities.
- 2.2 Regulations prescribe that a decision on the tax base for the forthcoming financial year must be made between 1st November and 31st January.
- 2.3 The basis of the calculation of the tax base is the valuation information received from the Valuation Office on 12 September 2022 and the latest information on exemptions and discounts available as at 3 October 2022.
- 2.4 This information has been collated for the whole of the Borough area and for individual Parish areas. Information for the whole area has been supplied to the Government for their use in the monitoring of:



- The Local Council Tax Support Scheme;
  - This Council's needs baseline for business rates; and
  - Property changes that will be used to calculate the Council's New Homes Bonus award next year.
- 2.5 The tax base figure supplied to central government is given at Appendix 1. This shows a net tax base of 67,374.80 as at 3 October 2022. Starting from this figure an estimate of the tax base for 2023-24 can be made by considering movements that may occur in the factors that influence the tax base over the forthcoming year.
- 2.6 It is necessary that a realistic assessment is made of the potential changes to the tax base for 2023-24 as an under or over recovery of Council tax income will affect the Council's cash flow. If the tax base is overestimated, there will inevitably be a deficit on the collection fund which will need to be recovered through the Council tax in the following financial year. In addition, during the course of the year, the borrowing necessary to cover the under recovery of the tax would need to be paid for by this Council. If the tax base is underestimated there will be a surplus on the collection fund because the Council will have asked tax payers to contribute more than necessary in this financial year. The surplus would then be used to reduce the need for resources in the following year.
- 2.7 It is also necessary at this time to provide the parish councils, which set a precept, with the element of the tax base of the borough that equates to their area. Attached at Appendix 2 to this report is the detail of the calculation of the tax base for each parish.

### **Collection Fund Adjustment**

- 2.8 As a billing authority, this Council has a statutory obligation to maintain a Collection Fund for transactions relating to the collection of Council Tax and Business Rates from taxpayers and distribution to preceptors.
- 2.9 For proper maintenance of the Collection Fund, it is necessary to assess, on an annual basis, the projected balance as at 31 March of each year. Any balance, either positive or negative, must be taken into account in the following financial year. Under the statutory arrangements for the Collection Fund, the balance remaining does not become a credit or charge on this Council but is required to be distributed proportionately across the preceptors.
- 2.10 The regulations provide that, in estimating a surplus or deficit on the Collection Fund at the end of the year, account is taken of any difference between the amount estimated for the previous year and the amount shown as the surplus/deficit for that year in the accounts. Surpluses and deficits will be calculated separately for council tax and business rates.
- 2.11 These balances (surplus or deficit) will be distributed between the billing authority, i.e. Maidstone Borough Council, and major preceptors during 2023-24. The amounts are apportioned on the basis of the billing authority's demand, and each major precepting authority's precept, based

on their respective band D Council tax bases to which the estimate relates i.e. the amounts to be distributed during 2023-24 will be apportioned using the 2022-23 demand and precept amounts.

- 2.12 The Collection Fund Adjustment arising from business rates will be estimated at a later stage due to the statutory timetable for calculating the predicted closing balance. This will be reported to the Committee and Executive in February as part of the Medium Term Financial Strategy proposals.

### 3. AVAILABLE OPTIONS

#### Tax Base - Option 1

- 3.1 An assessment of the information held by both the Revenues Service and the Planning Service suggests that between October 2022 and March 2024 a total of 1,271 properties will be added to the Council tax records. Distributing this sum evenly over the period and taking the average, to identify the effect on the tax base for 2023-24, the result suggests an increase of 897 band D equivalent properties. Adjusting this figure for the current levels of discount and other allowances suggests a decrease of 213 properties from the CTB1 figure.
- 3.2 This figure is significantly lower than the 1,271 new properties identified because they will not all be band D properties, they will not all start to pay Council tax at the beginning of the year and some will receive the discounts and allowances that are part of the system.
- 3.3 Furthermore, the revised total tax base must be adjusted to allow for non-collection for which has been calculated at 1.5%.
- 3.4 The calculation is set out in the table below:

Tax Base as at Appendix 1	67,374.80
New properties (Avg: by band D & time)	896.71
Adjustment for potential allowances	-89.67
Non-collection allowance (1.5% of above)	-1,020.14
<b>Proposed Tax Base</b>	<b>67,161.69</b>

*Table 1: Proposed tax base 2023-24*

- 3.5 The overall position represents year on year growth in the tax base estimate of 1.92%. The increase is very close to the current estimate in the strategic revenue projections, which are based on an estimated 2% growth in the tax base.
- 3.6 Appendix 2 to this report provides details of the tax base for each parish based on an identical calculation.

#### Tax Base - Option 2

- 3.7 It would be possible to vary some of the factors set out above. The exception is the figure from Appendix 1 as this is reconciled to the District

Valuers' records and has been reported to central government. The other figures given above are based on current known data and though they could rise or fall during the year.

- 3.8 The risks of making an inaccurate calculation are set out in paragraph 2.6 above and as the data used in calculating Option 1 is accurate and evidenced any variation the committee may wish to make should be similarly evidence based.

### **Tax Base - Option 3**

- 3.9 The do nothing option is not available to the Council as it has a statutory obligation to set a tax base each year.

### **Collection Fund Adjustment - Option 1**

- 3.10 A projection for 31 March 2023 based on the current position is provided at Appendix 3. This appendix details the precepts and demands on the fund for 2022-23 totalling £137,399,468.
- 3.11 Appendix 3 also details the current position regarding Council tax bills dispatched, incorporating exemptions and discounts, and an allowance for irrecoverable debt. Total income is now anticipated to be £138,448,759; therefore a surplus of £1,049,291 is anticipated for 2022-23.
- 3.12 A forecast surplus of £2,130,839 for the current financial year is being allocated to major preceptors and this Council's general fund. The actual outturn position at 31 March 2022 was a surplus of £4,141,782 in respect of council tax. This brings the forecast cumulative surplus as at 31 March 2023 to £5,191,073.

### **Deficit Phasing**

- 3.13 Ordinarily, this surplus would be apportioned according to preceptors' respective shares of council tax and recovered from the general fund and major preceptors over the next financial year in accordance with the provisions of the Local Government Finance Act 1992 as follows:

<b>Preceptor</b>	<b>£</b>
Maidstone Borough Council	780,120
Kent County Council	3,637,927
Kent Police Authority	568,006
Kent and Medway Towns Fire Authority	205,020
<b>Total projected surplus as at 31 March 2023</b>	<b>5,191,073</b>

*Table 2: Forecast cumulative surplus on the council tax account for 2023-24*

- 3.14 However, as a result of pressures associated with the Coronavirus pandemic, and the significant deficits in council tax and business rates which resulted from this, the Government amended secondary legislation to allow authorities to spread the estimated deficit on the 2020-21 Collection

Fund over the three years 2021-22 to 2023-24. The provisions do not allow deficits in other financial years to be phased.

- 3.15 Alongside the cumulative estimated surplus as at 31 March 2022, an adjustment is required for the 'exceptional balance' calculated in respect of 2020-21. This represents the estimated 2020-21 deficit, net of any 'prior year' elements (the prior year element is the difference between the estimated and actual surplus/deficits for 2019-20 and is calculated as the difference between the 'opening balance' on the Collection Fund at 1 April 2020 and the sums paid to/from the Collection Fund during the course of 2020-21 in respect of the estimated surplus/deficit calculated by authorities in January 2020). The exceptional balance for council tax was calculated to be a deficit of £3,181,894.
- 3.16 As the exceptional balance calculated for 2020-21 was a deficit, the deficit phasing provisions were triggered and this amount must be spread in three equal portions across the three financial years 2021-22 to 2023-24. In the interests of reducing potential complication as far as possible, the exceptional balance may not be adjusted in the event that the end of year calculation of actual surplus or deficit for 2020-21 produced a different amount. There was no provision in the regulations to allow authorities to opt out of the deficit phasing, or to adopt a different payment profile.
- 3.17 The Local Authorities (Funds) (England) Regulations 1992 require collection fund surpluses and deficits to be apportioned on the basis of each billing authority and major preceptor's share of the aggregate council tax requirement for the billing authority's area for the 'preceding year'. This apportions the share of the estimated exceptional balance which will be spread across 2021-22, 2022-23 and 2023-24 as follows:

<b>Preceptor</b>	<b>£</b>
Maidstone Borough Council	492,546
Kent County Council	2,224,404
Kent Police Authority	334,419
Kent and Medway Towns Fire Authority	130,525
<b>Total projected exceptional balance as at 31 March 2022</b>	<b>3,181,894</b>

*Table 3: Forecast exceptional balance on council tax at 31 March 2021*

- 3.18 The phasing provisions detailed within the preceding paragraphs require that two thirds of the exceptional balance be removed from the calculation, with the first two thirds having been recovered during 2021-22 and 2022-23, and the remainder to be recovered during 2023-24. The impact of this amendment leaves an adjusted deficit for council tax to be recovered in 2023/24 of £1,060,632 apportioned as follows:

<b>Preceptor</b>	<b>£</b>
Maidstone Borough Council	164,182
Kent County Council	741,468

Kent Police Authority	111,473
Kent and Medway Towns Fire Authority	43,508
<b>Total deficit to be recovered during 2023-24</b>	<b>1,060,632</b>

*Table 4: Apportionment of council tax deficit to be recovered in 2023-24*

- 3.19 Authorities' shares of the aggregate area council tax requirement can vary from year to year, creating a risk that their shares of the phased exceptional balance could change during the lifetime of the scheme. To prevent this, the regulations require the exceptional balance to be apportioned each year according to the authorities' council tax requirements in 2020-21. All other estimated surpluses or deficits will continue to be apportioned according to the council tax requirements of authorities at the time of the estimate.

### **Collection Fund Adjustment - Option 2**

- 3.20 The committee could choose to vary the figures used in the estimate provided within the appendices. However, these are based on data from the revenues system, projections developed from past experience and known factors. They are considered to represent a reasonable basis for estimating the position on the collection fund at 31 March 2023.
- 3.21 Should the committee choose to vary the data and distribute a different surplus or deficit this could affect the balance on the collection fund and the Council's cash flows.
- 3.22 The apportionment methodology is defined in statute and therefore may not be altered.

### **Collection Fund Adjustment - Option 3**

- 3.23 It is a statutory requirement that any adjustment be calculated annually and the committee cannot choose to take no action in relation to this decision.

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## **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

### **Tax Base**

- 4.1 The recommended option is Option 1 (as detailed in paragraph 3.4 above) as this calculation is based on current known data and collection rates.

### **Collection Fund Adjustment**

- 4.2 It is recommended that the Executive agrees the projections detailed within option 1 above and within Appendix 3, as they are based on data from the revenues system, projections developed from past experience and known factors. They are considered to represent a reasonable basis for estimating the position on the collection fund as at 31 March 2023.

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## **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. That consideration is shown in this report within section 2. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

- 5.2 The main risks relate to an over optimistic estimate of the tax base and/or balance on the Council Tax account at 31 March 2023. Although any deficit arising on the Collection Fund would be recouped in subsequent years, the impact of this risk materialising could be flow problems during the year. As a direct consequence this would reduce interest income generated on the Council's cash balances or, in extreme cases, result in a need to borrow on a temporary basis.
  - 5.3 Over pessimistic estimates would lead to increased balances on the Collection Fund. When fed into the overall budget process this can produce yearly variations which need to be managed as part of the Budget Strategy and place unnecessary burdens on tax payers in advance of need.
  - 5.4 Monthly monitoring of collection rates and growth seen in the tax base over recent years help the Council to mitigate this risk.
- 

## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 No consultation is necessary on this specific issue but consultation has occurred with the public and with service committees on the wider issues relating to the budget and Council tax for 2023-24. The outputs of this exercise are included within a separate agenda item at this meeting.
  - 6.2 This issue will be considered by the Corporate Services Policy Advisory Committee on 18 January 2023, and the Committee's comments and recommendations will be reported to the Executive.'
- 

## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The tax bases approved as part of this decision will be provided, as appropriate, to relevant preceptors.
  - 7.2 The Council will use this tax base in setting its 2023-24 budget on 22 February 2023.
  - 7.3 The Council is required to notify preceptors of the estimated Council Tax surplus/deficit as at 31 March 2023.
- 

## **8. REPORT APPENDICES**

- Appendix 1 - Calculation of Council Tax Base (CTB1 Return)
  - Appendix 2 - Calculation of Individual Parish Tax Bases 2023-24
  - Appendix 3 - Council Tax Projection to 31 March 2023
-

## **9. BACKGROUND PAPERS**

None

CTB(October 2022)

Calculation of Council Tax Base

Please e-mail to : [ctb.stats@levellingup.gov.uk](mailto:ctb.stats@levellingup.gov.uk)

Please enter your details after checking that you have selected the correct local authority name

Ver 1.0

Please select your local authority's name from this list

Luton

Maidstone

Maldon

Malvern Hills

Manchester

Mansfield

Check that this is your authority :

E-code :

Local authority contact name :

Local authority contact telephone number :

Local authority contact e-mail address :

CTB(October 2022) form for **Maidstone**

Completed forms should be received by DLUHC by Friday 14 October 2022

Dwellings shown on the Valuation List for the authority on Monday 12 September 2022

Band A entitled to disabled relief reduction

Band A

Band B

Band C

Band D

Band E

Band F

Band G

Band H

TOTAL

COLUMN 1

COLUMN 2

COLUMN 3

COLUMN 4

COLUMN 5

COLUMN 6

COLUMN 7

COLUMN 8

COLUMN 9

COLUMN 10

Part 1

1. Total number of dwellings on the Valuation List

4,481

9,394

20,560

19,964

10,722

6,283

4,561

386

76,351

2. Number of dwellings on valuation list exempt on 3 October 2022 (Class B & D to W exemptions)

248

214

467

296

97

50

41

1

1,414

3. Number of demolished dwellings and dwellings outside area of authority on 3 October 2022 (please see notes)

1

0

0

2

1

0

0

0

4

4. Number of chargeable dwellings on 3 October 2022 (treating demolished dwellings etc as exempt) (lines 1-2-3)

4,232

9,180

20,093

19,666

10,624

6,233

4,520

385

74,933

5. Number of chargeable dwellings in line 4 subject to disabled reduction on 3 October 2022

4

15

57

95

82

57

35

16

361

6. Number of dwellings effectively subject to council tax for this band by virtue of disabled relief (line 5 after reduction)

4

15

57

95

82

57

35

16

361

7. Number of chargeable dwellings adjusted in accordance with lines 5 and 6 (lines 4-5+6 or in the case of column 1, line 6)

4

4,243

9,222

20,131

19,653

10,599

6,211

4,501

369

74,933

8. Number of dwellings in line 7 entitled to a single adult household 25% discount on 3 October 2022

1

2,595

4,630

7,270

5,362

2,253

949

611

37

23,708

Tax base after reduction

0.75

1946.25

3472.5

5452.5

3901.5

1636.75

711.75

458.25

27.75

9. Number of dwellings in line 7 entitled to a 25% discount on 3 October 2022 due to all but one resident being disregarded for council tax purposes

0

22

79

207

212

111

57

28

1

717

10. Number of dwellings in line 7 entitled to a 50% discount on 3 October 2022 due to all residents being disregarded for council tax purposes

0

1

3

11

20

5

9

21

10

80

Reduction in the base

11. Number of dwellings in line 7 classed as second homes on 3 October 2022 (b/fwd from Flex Empty tab)

23

9

28

43

23

19

27

5

177

12. Number of dwellings in line 7 classed as empty and receiving a zero% discount on 3 October 2022 (b/fwd from Flex Empty tab)

129

202

294

204

104

43

39

3

1,018

13. Number of dwellings in line 7 classed as empty and receiving a discount on 3 October 2022 and not shown in line 12 (b/fwd from Flex Empty tab)

0

0

0

0

0

0

0

0

0

14. Number of dwellings in line 7 classed as empty and being charged the Empty Homes Premium on 3 October 2022 (b/fwd from Flex Empty tab)

23

36

35

22

14

7

3

2

142

15. Total number of dwellings in line 7 classed as empty on 3 October 2022 (lines 12, 13 & 14).

152

238

329

226

118

50

42

5

1,160

16. Number of dwellings that are classed as empty on 3 October 2022 and have been for more than 6 months.  
NB These properties should have already been included in line 15 above.

61

121

139

95

59

21

21

4

521

16a. The number of dwellings included in line 16 above which are empty on 3 October 2022 because of the flooding that occurred between 1 December 2015 and 31 March 2016 and are only empty because of the flooding.

0

0

0

0

0

0

0

0

0

16b. The number of dwellings included in line 16 above which are empty on 3 October 2022 because of the flooding that occurred between November 2019 and February 2020 and are only empty because of the flooding.

0

0

0

0

0

0

0

0

0

17. Number of dwellings that are classed as empty on 3 October 2022 and have been for more than 6 months and are eligible to be treated under empty homes discount class D (formerly Class A exemptions). NB These properties should have already been included in line 15 above. Do NOT include any dwellings included in line 16a above.

0

0

0

0

0

0

0

0

0

18. Number of dwellings that are classed as empty and have been empty for more than 6 months excluding those that are subject to empty homes discount class D or empty due to flooding (Line 16 - line 16a - line 16b - line 17) (equivalent to Line 18 in previous forms).

61

121

139

95

59

21

21

4

521



CTB(October 2022)

Calculation of Council Tax Base

Please e-mail to : [ctb.stats@levellingup.gov.uk](mailto:ctb.stats@levellingup.gov.uk)

Please enter your details after checking that you have selected the correct local authority name

Ver 1.0

19. Number of dwellings in line 7 where there is liability to pay 100% council tax before Family Annexe discount	3	1,599	4,474	12,607	14,037	8,216	5,189	3,838	319	50,282
20. Number of dwellings in line 7 that are assumed to be subject to a discount or a premium before Family Annexe discount	1	2,644	4,748	7,524	5,616	2,383	1,022	663	50	24,651
21. Reduction in taxbase as a result of the Family Annexe discount (b/fwd from Family Annexe tab)	0.0	24.0	5.5	4.5	0.0	2.5	1.5	0.5	0.0	39
22. Number of dwellings equivalents after applying discounts and premiums to calculate taxbase	3.8	3,593.0	8,088.8	18,304.7	18,280.5	10,024.0	5,962.5	4,333.3	356.5	68,946.9
23. Ratio to band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
24. Total number of band D equivalents (to 1 decimal place) (line 22 x line 23)	2.1	2,395.3	6,291.3	16,270.8	18,280.5	12,251.6	8,612.5	7,222.1	713.0	72,039.2
25. Number of band D equivalents of contributions in lieu (in respect of Class O exempt dwellings) in 2022-23 (to 1 decimal place)										172.3
26. Tax base (to 1 decimal place) (line 24 col 10 + line 25)										72,211.5

Part 2

27. Number of dwellings equivalents after applying discounts amd premiums to calculate tax base (Line 22)	3.8	3,593.0	8,088.8	18,304.7	18,280.5	10,024.0	5,962.5	4,333.3	356.5	68,946.9
28.Reduction in taxbase as a result of local council tax support (b/fwd from CT Support tab)	0.7	891.0	1,530.7	1,983.9	886.6	212.7	75.2	17.9	1.7	5,600.4
29. Number of dwellings equivalents after applying discounts, premiums and local tax support to calculate taxbase	3.0	2,701.9	6,558.1	16,320.8	17,393.9	9,811.3	5,887.3	4,315.4	354.8	63,346.5
30. Ratio to band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
31. Total number of band D equivalents after allowance for council tax support (to 1 decimal place) (line 29 x line 30)	1.7	1,801.3	5,100.7	14,507.4	17,393.9	11,991.6	8,503.9	7,192.3	709.7	67,202.5
32. Number of band D equivalents of contributions in lieu (in respect of Class O exempt dwellings) in 2022-23 (to 1 decimal place)(line 25)										172.3
33. Tax base after allowance for council tax support (to 1 decimal place) (line 31 col 10 + line 32)										67,374.8

Certificate of Chief Financial Officer

I certify that the information provided on this form is based on the dwellings shown in the Valuation List for my authority on 12 September 2022 and that it accurately reflects information available to me about exemptions, demolished dwellings, disabled relief, discounts and premiums applicable on 3 October 2022 and, where appropriate, has been completed in a manner consistent with the form for 2021.

Chief Financial Officer : .....Date : .....

**Corporate Services PAC**  
**Tax Base Calculation for Parish Councils 2023-24**

Parish	Tax Base October 2022	Adjustment Net Changes	Non Collection Allowance	Net Tax Base 2023/24
Barming	834.5	3.6	-12.5	825.7
Bearsted	3,678.3	16.5	-54.9	3,639.8
Bicknor	42.1	0.6	-0.6	42.1
Boughton Malherbe	256.9	2.4	-3.8	255.5
Boughton Monchelsea	1,994.5	8.0	-29.8	1,972.7
Boxley	4,052.7	6.8	-60.7	3,998.8
Bredhurst	202.7	0.6	-3.0	200.3
Broomfield & Kingswood	728.6	1.8	-10.9	719.5
Chart Sutton	435.3	1.8	-6.5	430.6
Collier Street	426.9	0.6	-6.4	421.1
Coxheath	2,008.2	16.3	-29.9	1,994.6
Detling	438.0	0.6	-6.6	432.1
Downswood	859.1	0.0	-12.9	846.2
East Sutton	139.0	0.6	-2.1	137.5
Farleigh East	681.0	1.2	-10.2	672.0
Farleigh West	247.7	0.6	-3.7	244.6
Frinted	73.1	0.0	-1.1	72.0
Harrietsham	1,392.5	5.5	-20.8	1,377.2
Headcorn	1,979.1	69.7	-28.6	2,020.2
Hollingbourne	499.5	0.0	-7.5	492.0
Hucking	38.5	0.0	-0.6	37.9
Hunton	325.4	3.7	-4.8	324.3
Langley	610.9	50.7	-8.4	653.2
Leeds	428.1	3.1	-6.4	424.8
Lenham	1,653.9	67.7	-23.8	1,697.8
Linton	287.5	1.8	-4.3	285.0
Loose	1,148.5	6.7	-17.1	1,138.1
Marden	2,207.9	12.1	-32.9	2,187.0
Nettlestead	327.4	0.6	-4.9	323.1
Otham	628.8	71.6	-8.4	692.1
Otterden	95.9	0.0	-1.4	94.5
Staplehurst	2,953.7	79.6	-43.1	2,990.1
Stockbury	328.6	2.4	-4.9	326.1
Sutton Valence	775.6	12.9	-11.4	777.1
Teston	326.9	0.6	-4.9	322.6
Thurnham	686.3	5.1	-10.2	681.1
Tovil	1,465.8	0.0	-22.0	1,443.8
Ulcombe	412.6	3.6	-6.1	410.1
Wichling	60.4	0.0	-0.9	59.5
Wormshill	106.0	0.0	-1.6	104.4
Yalding	1,107.9	5.5	-16.5	1,096.8

**Corporate Services PAC**  
**18-Jan-23**  
**Council Tax Adjustment 2022/23**

	£	%
<b><u>Demands on the fund (2022/23)</u></b>		
Maidstone Borough Council budget requirement	20,648,499	15.03%
Kent County Council (including adult social care charge)	96,290,193	70.08%
Kent Police	15,034,223	10.94%
Kent Fire & Rescue	5,426,554	3.95%
<b>Council Tax requirement</b>	<b>137,399,468</b>	<b>100.00%</b>

<b><u>Debit raised</u></b>	
Charges raised	164,958,112
Less:	
Council Tax Support	-9,991,260
Single Persons Discount	-11,698,345
Discount for disabled people	-137,054
Other exemptions and disregards	-3,571,955
Local Discounts	-78,278
Plus:	
Empty Property Premium	50,393
Second Homes	201,353
	<b>139,732,966</b>
Transfer from general fund for s13A reliefs	78,278
Less allowance for bad and doubtful debts	-3,493,324
Less anticipated deficit recovered during 2022/23	2,130,839
<b>Projected Council Tax Income for 2021/22</b>	<b>138,448,759</b>
<b>Projected surplus for the year</b>	<b>1,049,291</b>

<b><u>Utilisation of fund balance</u></b>	<b>£</b>
Actual surplus at 31 March 2022 (b/f)	4,141,782
<b>Cumulative surplus as at 31 March 2022</b>	<b>5,191,073</b>

<b>Exceptional balance to be spread across 2020/21, 2021/22 and 2022/23</b>	<b>3,181,895</b>
<b>Cumulative surplus less 1/3 exceptional balance</b>	<b>4,130,441</b>

<b>Share of adjusted surplus, to be credited in 2023/24</b>	
Maidstone Borough Council	615,937
Kent County Council	2,896,459
Kent Police	456,533
Kent Fire & Rescue	161,512
	<b>4,130,441</b>

# Agenda Item 20

## Executive Meeting

25 January 2023

### Equalities Policy and Action Plan refresh

Timetable	
Meeting	Date
Communities, Housing and Environment Policy Advisory Committee	17 January 2023
Executive	25 January 2023

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Executive
Lead Head of Service	Angela Woodhouse, Director of Strategy, Insight and Governance
Lead Officer and Report Author	Orla Sweeney, Senior Policy and Communities Officer
Classification	Public
Wards affected	All

#### Executive Summary

This report provides an update on the current Equalities objectives and action plan.

A refreshed action plan has been developed in consultation with key service areas. The action plan was last revised in 2020 in response to the pandemic and the challenges faced in tackling disadvantage in Maidstone. It is important that it continues to reflect the current challenges faced by residents and staff so the Council can deliver on its Equalities objectives.

A light touch revision has been made to the current Equalities Policy. This is outlined at paragraph 2.17-2.21 in the report and is proposed to ensure recent legislative change are referenced in the Policy document.

## **Purpose of Report**

To note the update on the current Equalities objectives and action plan.

To consider and recommend the changes to the Policy document and to consider and recommend the revised action plan to the Executive.

### **This report makes the following recommendations to the Executive:**

1. To note the progress on the Equalities Objectives and Action Plan update at Appendix 1 to the report and outlined at paragraph 2.7-2.11 in the report.
2. To consider and agree the proposed changes to the Equalities Policy as attached at Appendix 2 of the report and outlined at paragraph 2.17-2.21.
3. To consider and agree the revised actions for the Equalities Action Plan as attached at Appendix 3 of the report and outlined at paragraph 2.22-2.29.
4. To consider and agree the inclusion of Poverty as an additional protected characteristic as outlined at paragraph 2.33.

## Equalities Policy and Action Plan refresh

### 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	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 in the delivery its strategic plan objectives.	Insight, Communities and Governance Manager
<b>Cross Cutting Objectives</b>	The report recommendations help deliver the achievement of cross cutting objectives: Health Inequalities are Addressed and Reduced and Deprivation and Social Mobility is Improved.	Insight, Communities and Governance Manager
<b>Risk Management</b>	Please refer to paragraph 5.1 of the report.	Insight, Communities and Governance Manager
<b>Financial</b>	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Head of Finance
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Insight, Communities and Governance Manager
<b>Legal</b>	Accepting the recommendations will fulfil the Council's duties under Equality Act 2010. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of Equality Act 2010.	Mid Kent Legal Services Interim Team Leader (Contentious and Corporate Governance)
<b>Information Governance</b>	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes. However some of the actions in the revised action plan could result in the collection and processing of personal data. Should this be	Information Governance Officer

	the case, the Information Governance Team will be asked to review the processing of personal data affected and the associated documentation has been/will be updated accordingly, including a data protection impact assessment.	
<b>Equalities</b>	Accepting the recommendations will fulfil the Council's duties under Equality Act 2010. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of Equality Act 2010. We recognise the recommendations may have varying impacts on different communities within Maidstone. Therefore, we will complete a separate equalities impact assessments at project level.	Insight, Communities and Governance Manager
<b>Public Health</b>	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Housing & Inclusion Team Leader
<b>Crime and Disorder</b>	No impact identified	Insight, Communities and Governance Manager
<b>Procurement</b>	We are committed to deliver inclusive services in accordance with the Council's values.	Director of Strategy, Insight and Governance
<b>Biodiversity and Climate Change</b>	There are no implications on biodiversity and climate change.	Biodiversity and Climate Change Officer

## 2. INTRODUCTION AND BACKGROUND

2.1 The Council's Equalities Policy outlines its responsibilities under the Equalities Act 2010 and as part of its Public Sector Equality Duty under the Act, the Council must report annually on progress made. The Council has a duty to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
- Advance equality of opportunity.
- Foster good relations between people

2.2 The Policy sets out the Council's three agreed objectives:

- **Community Leader** – To lead by example, to ensure every individual resident is connected and supported
- **Employer** – To lead a diverse and inclusive workforce that is reflective of the borough of Maidstone where residents and colleagues feel safe, confident and empowered to challenge and bring about change
- **Service Provider**– To deliver inclusive services in accordance with the Council's values.

2.3 An action plan is in place to deliver these objectives. This action plan is reviewed and refreshed on an annual basis to ensure that Council's services are accessible and continue to meet the needs of its residents.

2.4 Equalities is engrained within the organisation from its organisational values through to its staff appraisal process. At a strategic level, the direction is set by the Strategic Plan and the Council's priorities.

2.5 The action plan is informed by service led insight. It is reflective of current workstreams. The action plan is monitored on a quarterly basis by the Equality, Diversity and Inclusion Officer group.

2.6 To fulfil its Public Sector Equality duty and demonstrate due regard in the carrying out of its functions, the Council has an Equalities Impact Assessment process in place. At the start of a project, officers evaluate the impact a decision 'could have' on the 9 Protected Characteristics. If there was a negative impact on one or more of the 9 groups or characteristics protected under the act, mitigations would be put in place.

### **Progress update on Objectives and Action Plan**

2.7 Progress on the current actions is included at Appendix 1. The existing Action Plan was agreed during the pandemic and reflected the action that was required in response to this, recognising the disproportionate impact on vulnerable groups in the community. No significant changes were made last year as it was felt more progress could be made against the existing actions.

2.8 Many of the actions have been completed have become established workstreams such as the Rough Sleepers Initiative which has funding until March 2023. It is hoped that this service will receive mainstream funding from April 2023 from the Clinical Commissioning Group, to continue the work across West Kent.

2.9 An audit of historical assets within the borough of Maidstone was undertaken. Museum collections were appraised, and work was undertaken with donors to understand the links to the past. It was found that there were no connections with slave owning families. It was also identified that



the Museum's world collection did not include 'lived experience'. A community panel is being put together to undertake work to support this need.

2.10 Public Engagement was limited during the pandemic, and it was identified that new innovations were needed to reach the wider community. The Resident Survey 2022 was launched on the Council's new engagement platform 'Lets Talk Maidstone' in July 2022. A total of 5027 people responded to the questionnaire and the results from the Survey have already been used to inform a number of workstreams, from initiatives to support communities affected by the cost-of-living crisis to the Town Centre Strategy. Since its launch 'Let's Talk Maidstone' has been used to deliver the following Consultation and Engagement activities:

- Operation Brock
- Mote Park Arts
- Scarecrow Festival
- Marden Task Force
- Waste and Recycling
- Community Governance Review
- Budget Survey
- Community Wi-Fi
- Innovation centre Research & development event
- Let's Talk Design & Sustainability
- Maidstone Air Quality 2022

2.11 The Council's ability to support the community since the pandemic has grown in strength. The directory of Voluntary and Community (VCS) Groups is a valued resource utilised across the Council. It ensures a more consistent and coordinated approach to communicating, information, advice and support. A regular news email is sent to all organisations on the directory, so we are able to get immediate information out as broadly as possible. This has been incredibly helpful on projects such as the Help for Ukraine scheme and as part of ongoing work with the cost-of-living crisis. Places of Worship and Faith groups have now been mapped and included in the directory which increases access to services and support.

2.12 Twenty organisations were funded from the first phase of the Community Resilience Fund amounting to £58,429.00. The funding has supported a wide variety of activities from a diverse group of organisations. Organisations have been able to continue to provide or increase their ability to meet demand by providing activities and support ranging from counselling sessions and mental health support to outdoor activities to support wellbeing.

2.13 The second phase of the Community Resilience Fund has been launched and applications are due to close on 16 December 2022 to enable funds to be distributed as quickly as possible so that support can be provided during the most challenging winter months. The remit of the fund has been broadened to include projects supporting residents with food and bills.

- 2.14 In partnership with Funding for All, the Council hosted a 'Volunteering & Funding Advice Event' on 30 November at Trinity House. The event was for Voluntary, Community and Social Enterprises (VCSEs) supporting people in the borough of Maidstone. Funding support and advice was offered to attendees as well as the chance to explore opportunities for volunteer engagement. Delegates were provided with the opportunity to meet funders and have 1:1s with funding advisors. There was also a marketplace where groups could connect with and seek support from a range of VCSEs and support organisations. A final plenary session helped identify the types of support needed going forward. This feedback is being collated to shape and determine the type of support we offer going forward.

### **Actions where progress was limited**

- 2.15 The Compassionate Borough Status Project was not taken forward due to competing priorities for the Heart of Kent Hospice. However, the Compassionate Maidstone Award are now well established, and ran for the 3<sup>rd</sup> time in November 2022.
- 2.16 An assessment to evaluate the Council as an Inclusive Employer was not undertaken. This will instead be a focus of the HR Culture Change Project.

### **The Equalities Policy (2017-2021)**

- 2.17 The Council has legislative duties under the Equality Act 2010 to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct
- Advance equality of opportunity
- Foster good relations between people.

Our Policy document sets out these responsibilities to the public. It is important that this document is up to date and accessible if it is to be fit for purpose.

- 2.18 The Policy was last updated in 2017. Since that date, there have been no legislative changes to warrant an update until very recently. The Council's Equalities objectives are set out in the document and also delivered as part of a stand-alone action plan which has been refreshed annually. It is recommended that the Policy be renamed and brought in line with the current, recognised terminology used and called the Equality, Diversity and Inclusion Policy. In 2018 the Council took the decision to include the Armed Forces in its Equalities Action plan as a means of ensuring that this community in Maidstone was recognised. The enshrinement of the Covenant into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours.
- 2.19 Community Covenants are a voluntary statement of mutual support between a civilian community and its local Armed Forces Community.

Maidstone Borough Council signed the Armed Forces Covenant in October 2012.

- 2.20 In 2018 the Council took the decision to include its work with the Armed Forces Community in its Equalities Action plan. The enshrinement of the Covenant into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours.
- 2.21 The Armed Forces Covenant has recently become law (Armed Forces Act 2021). The Armed Forces Covenant's enshrinement into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours. Therefore, the policy has been updated to reference the Armed Forces Act 2021 and the Council's responsibilities in terms of demonstrating 'due regard'.

### **Development of revised Action Plan**

- 2.22 The action plan for 2022/23 has been developed with the Equality Diversity and Inclusion (EDI) Officer group. The group was established as part of the existing action plan (2020/21) to monitor the progress of the action plan. Services represented include HR Learning and Development, Housing, Museums, Communication and Engagement, Democratic Services and Elections, Mayoralty, Revenues and Benefits (Welfare team) and Policy, Communities and Engagement.
- 2.23 This officer group have been able to share their extensive learning and experience in terms of service needs and provide valuable insight to identify where barriers or gaps are negatively impacting particular groups.
- 2.24 They are also in a position to evaluate their own needs as employees of a public sector organisation and identify the support that is required for the workforce.
- 2.25 Staff identified a number of gaps including:
- Existing, new and emerging communities present a challenge for staff in terms of engaging with and being able to understand needs
  - Digital Exclusion – support needed to access services online
  - Making the most of 'neutral spaces' i.e. places where the Council has a presence such as the Museum, Trinity House or when a one service is delivering outreach support, that it looks to include a wider range of service to better support residents and increase access to services. For example, the recent cost of living events, Ukraine Welcome event and Community Protection surgeries.
- 2.26 In terms of staff training and support the following issues were identified:
- Organisational diversity is not fully representative of community
  - Leadership and elected members are not representative of the community.
  - There are no forums at staff level to discuss EDI

- There is a need to feel more comfortable about diversity in the workplace
- There is a lack of awareness of cultural barriers affecting access to services
- There is a lack of understanding of disability, hidden disabilities (neurodivergent), mental health, physical, complex social and learning difficulties
- There is a lack of understanding about barriers to employee accessibility to services and internal processes
- There are no quiet areas in office, which means the environment is not for suitable neurodivergent.

2.27 There is a great deal to build on in terms of what is happening across the organisation such as the Staff Engagement Group, new consultation and engagement tools, the Culture Change project, One View project, the development and strengthening of relationships within the VCS and Digital and Financial Inclusion workstreams.

2.28 However, there is also an opportunity to be more detailed and specific in the actions we take going forward. This can be achieved through the increased use of data (Census data sets from November onwards), through staff (and member) training in cultural competencies and the ongoing culture change project.

2.29 The draft action plan can be found at appendix 3. Some of the key recommendations are summarised below:

- To respond to concerns from the EDI staff group for a need to feel more comfortable about diversity in the workplace, it is therefore proposed that we create equalities champions. They would be an informal point of contact, to listen and to identify possible next steps or further help.
- The EDI staff group also considered employee accessibility to services and internal processes. It was that barriers existed and in terms of how this. It is also proposed that we start proactively asking specific questions of staff, through staff consultation and engagement to broaden our organisational understanding of the diversity that exists in our workforce and what issues and ideas exist that can contribute positively to our way forward.
- There is a need to be specific when discussing the communities the Council support. It was felt that this could only be achieved when staff were provided with training and felt empowered to use appropriate language. It was identified that data and insight was vital in understand who our communities were. The adoption of the LGA Inclusive Language guide has been put forward as a recommended action, underpinned by the need for detailed and informed evidence bases for decision making. Therefore, only accepting the use of specific language when referring to diverse communities in reports for decision. Other complementary actions detailed include:

- Cultural competency training
- Work on census data to identify emerging needs

### **Recommended Inclusion of additional protected characteristic**

2.30 The Equality Act 2010 states that it is illegal to discriminate against someone for any of the following reasons:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion or belief
8. Sex
9. Sexual orientation

2.31 A number of Councils across the Country have taken the decision to include 'socio-economical' factors as an additional protected characteristic. These include Haringey, Manchester as well as Welsh Councils.

2.32 The cost-of-living crisis is expected to have a significant impact on some groups of people in Maidstone than others. This is likely to include people who share protected characteristics under the Equality Act, including women, disabled people, people from certain ethnic minority backgrounds, and both older and younger people. People with caring responsibilities are also likely to be disproportionately impacted as their income tends to be lower than the population as a whole.

2.33 We want to ensure that our decision making does not impact a group or individual who are already in a financially vulnerable financial situation, and we want this to be understood in simple, straightforward term. Therefore, it is recommended that we include Poverty (as opposed to socio-economic factors) as an additional 'local characteristic' to encourage officers and decision makers to consider the impact of changes to Policy or service delivery and to take mitigating action. It is important note that everyone in our community has a protected characteristic – age and gender for example, so in adding Poverty as an additional characteristic we are creating a universal consideration in terms of impact.

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## **3. AVAILABLE OPTIONS**

3.1 To consider the Equalities Objectives and Action Plan update and the proposed revisions to the Policy and action plan, agreeing that the changes be made.

- 3.2 To consider the Equalities Objectives and Action Plan update and the proposed changes to the Equalities Policy and action plan, agreeing that no further changes be made to the Policy and action plan.
  - 3.3 To consider the Equalities Objectives and Action Plan update and the proposed revisions to the Policy and action plan, and make additional amendments.
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#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 As detailed at 3.1 of the report. The update on the Equalities Objectives and action plan shows the progress made against existing actions.
  - 4.2 These actions have been in place since 2020 (in response to the pandemic) and there is a need to refresh the actions so that the Council can continue to make progress against its objectives.
  - 4.3 The Policy is an overarching document, outlining the Council's legislative responsibilities. However, the Armed Forces Covenant has become enshrined in law, and it is important that this is recognised in the Policy to demonstrate the Council's ongoing commitment to supporting its Armed Forces Community.
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#### **5. RISK**

- 5.1 The Council's responsibilities as a Public Sector Authority are set out in the Equality Act 2010. The Annual Update report provides an opportunity for the Council to review its progress against its objectives and ensure they are still fit for purpose. Not taking this opportunity to review progress and respond to the needs of its staff and residents could cause reputational damage to the Council and we would not be fulfilling our responsibilities under the Act.
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#### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 This issue will be considered by the Communities, Housing and Environment Policy Advisory Committee on 17 January 2023, and the Committee's comments and recommendations will be reported to the Executive.
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#### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The action plan will continue to be monitored by the Equalities and Communities Officer, and the Equality, Diversity and Inclusion Officer Group.
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## **8. REPORT APPENDICES**

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

- Appendix 1: Equalities Action Plan Update
- Appendix 2: Equalities Policy
- Appendix 3: Refreshed Action Plan

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## **9. BACKGROUND PAPERS**

None

As a Community Leader
Objective
To lead by example, to ensure every individual resident is connected and supported.

Agreed Actions	Progress – 2022	Status
We will work with the Heart of Kent Hospice, Kent County Council, local businesses, community and faith groups to achieve Compassionate Borough Status.	<ul style="list-style-type: none"><li>Work was paused due to HoK's responsibilities to patients during pandemic.</li><li>Officers from Policy, Communities and Engagement team and Communication and Marketing team have continued to support HoK on establishing a way forward but no concrete plans have come forward to date</li><li>The Compassion Maidstone Awards which MBC delivers with HoK and other partners took place for as third year in November 2022.</li></ul>	Should the Compassion Borough Status project be taken forward by HoK in the future, it will be supported by the same teams and an update would be included in a future action plan in support of the delivery of this objective.  <b>Incomplete/cannot be carried forward</b>
We will take an evidence-based approach to leading recovery in Maidstone including a specific work stream on communities.	<p>The data analytics team have 9 completed dashboards as part of its support for recovery and renewal projects with a further four under review and another 7 under development.</p> <p>The team remain on target to achieve 18 by summer 2023.</p> <p>The team have improved the information published on the website, with dashboards accessible <a href="#">here</a>.</p>	<b>Complete/on schedule to deliver</b>
We will seek to build on the relationships we have developed with our communities as a result	<ul style="list-style-type: none"><li>Repository of Community Groups been developed and is currently being made publicly available via</li></ul>	<b>Ongoing/remain included in action plan</b>



Appendix 1

<p>of the recent pandemic. We will communicate, engage with, and disseminate information to support and engage our wider communities including through the local Parish Councils and voluntary groups.</p>	<p>website with the provision for new groups to sign up in place.</p> <ul style="list-style-type: none"><li>• Monthly newsletters produced and sent to Parishes and Ward Councillors.</li><li>• Inboxes and single point of contact set up for Parishes and Community Groups.</li><li>• A new inbox was set up in response to the Ukraine crisis management by the Policy, Community and Engagement team as well as support pages on the website</li><li>• Proactive engagement was undertaken with VCS groups regarding the Ukraine and support provided.</li><li>• Community pages developed to include support, cost of living information, volunteering, funding etc</li><li>• 20 organisations were funded from the 1<sup>st</sup> phase of the Community Resilience Fund amounting to £58, 429.00. The funding will support a wide variety of activities from a diverse group of organisations including, Hi Kent, Maidstone Street Pastors, Fusion healthy living and Rubicon Cares. Organisations will be able to continue to provide or increase their ability to meet demand by providing activities and support ranging from counselling sessions and mental health support to outdoor activities to support wellbeing.</li><li>• The 2<sup>nd</sup> phase of the Community Resilience Fund is due to be launched in November 2022.</li><li>• In partnership with Funding for All, the Council is hosting a 'Volunteering &amp; Funding Advice Event' on 30 November at Trinity House. This event is for volunteers and Voluntary, Community and Social Enterprises (VCSEs) supporting people in the borough of Maidstone. It will offer funding support</li></ul>	
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Appendix 1

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	<p>and explore opportunities for volunteer engagement. Training will be delivered on volunteering and diversifying funding sources. There will be opportunities to meet funders and have 1:1s with funding advisors. There will also be a marketplace where groups can connect with and seek support from a range of VCSEs and support organisations. It is hoped that this will be the first of a series of events, developed with the sector to respond to its need.</p> <ul style="list-style-type: none"><li>• MBC represented on Informal District Council VCS Forum established in November 2021. MBC Consultation team supporting team on district mapping exercise of local forums and bodies to understand the offer across Kent. The terms of reference for the formalised group have now been formalised and MBC will be represented by the Insight, Communities and Governance Manager.</li></ul>	
<p>We will undertake a review of consultation and engagement activities to ensure that they maximise resident participation and are representative of Maidstone's demographic.</p>	<ul style="list-style-type: none"><li>• Engagement activities have been limited due to the pandemic.</li><li>• Opportunities have been maximised through joined up working between the Consultation and Comms and Marketing teams.</li><li>• Social Media, Posters, Leaflets and the use of QR codes have been maximised to reach a wider audience.</li><li>• Under 35 age group identified as a group where engagement is low.</li><li>• New Consultation and engagement software is trialled, offering more varied and accessible opportunities to maximise participation.</li></ul>	<p><b>Ongoing/remain included in action plan</b></p>

## Appendix 1

	Equalities Officer Group will be utilised to identify gaps and maximise opportunities and identify areas of focus.	• _____
We will appoint an internal Equalities Group to lead and provide join-up across Council services.	<ul style="list-style-type: none"> <li>Equalities Officer Group formed and meets on a quarterly basis.</li> </ul>	<b>Complete</b>
We will support and promote diversity and inclusion in the borough through our communications and events – with a focus on our seldom-heard communities.	<p>The Communication team have focused promotion and support across all groups:</p> <p>Age/Sex:</p> <ul style="list-style-type: none"> <li>World Menopause Day - October</li> </ul> <p>Disability:</p> <ul style="list-style-type: none"> <li>Macmillan Big Coffee Morning - September</li> <li>MBC Website accessibility</li> </ul> <p>Sexual Orientation</p> <ul style="list-style-type: none"> <li>LGBT - June</li> </ul> <p>Race:</p> <ul style="list-style-type: none"> <li>Black History Month - October</li> <li>Lunar New Year - February</li> <li>Ukrainian Refugee Support</li> </ul> <p>Sex:</p> <ul style="list-style-type: none"> <li>Domestic Violence against Women and Girls - Safer Streets</li> <li>White Ribbon Stand Up against Domestic Violence</li> </ul> <p>Other:</p> <ul style="list-style-type: none"> <li>Rising Cost of Living Support Events</li> <li>Compassionate Community Awards - October</li> <li>The Knife Angel – September</li> </ul> <p>Museum:</p> <ul style="list-style-type: none"> <li>Timescales demanded by members for the Archaeology Gallery project did not allow for regular public engagement and so no panel has been convened. It is hoped that we will still be able to consult on ideas and designs, but this will inevitably be on an ad hoc basis.</li> </ul>	<b>Ongoing/remain included in action plan</b>

Appendix 1

	The communications team works in partnership with the Consultation team on new consultation to ensure they are promoted and responses monitored so targeted work can be undertaken.	
We will audit and appraise historical assets within the borough of Maidstone.	<ul style="list-style-type: none"><li>• Museum collections was appraised and work undertaken with donors to understand the links to the past. There are no connections with slave owning families.</li><li>• It was identified that the Museum's world collection does not include 'lived experience'. Work will be undertaken with communities to reflect this.</li><li>• A Community Panel in place to advise on exhibitions from the perspective of minority groups in place</li></ul>	<b>Complete</b>
We will support our serving and veteran communities through our commitment to the Armed Forces Covenant with training/guidance provided to staff across all services.	<ul style="list-style-type: none"><li>• Armed Forces Member Champion appointed for 2022</li><li>• Proactive engagement with local Armed Forces community undertaken to promote employment vacancies at MBC</li><li>• Local Armed Forces contacts are included as part of VCS Repository to ensure important information and support is reaching this community such as cost of living website pages.</li></ul>	<b>Ongoing/remain included in action plan</b>

**As an Employer**

**Objective**

**To lead a diverse and inclusive workforce that is reflective of the borough of Maidstone where residents and colleagues feel safe, confident, and empowered to challenge and bring about change.**

Agreed Actions	Progress 2022	Status
We will undertake a regular Staff Survey so that the organisation can identify where it needs to change and adapt.	<ul style="list-style-type: none"><li>• Staff Survey undertaken and repeated every 2 years</li><li>• Staff Engagement Group in place</li><li>• Potential for future EDI survey to inform what EDI training is needed</li></ul>	<b>Complete.</b>
We will undertake a self-assessment as an Inclusive Employer.	External schemes have been reviewed by HR and Policy teams. This has not been taken forward. Other programmes of work have taken priority and may lead to an alternative approach such as the Culture Change project.	Alternative programmes of work have taken priority and may lead to an alternative approach such as the Culture Change project  <b>Incomplete</b>  <b>To be picked new action plan as action relating to Culture Change project</b>
We will look after the mental health of our staff and recognise when this offer needs to change.	There are currently 14 Mental Health first aiders. Minimal use of Mental Health First Aiders by staff being recorded.  There is more training planned to equip staff dealing with customer's Mental Health (MH) rather than inhouse issues.  Additionally, Wellbeing week takes place on annual basis for all staff. Mental Health webinars run by Employee Assistance programme Care First. These include: <ul style="list-style-type: none"><li>• MH -Kindness</li><li>• MH -Awareness</li><li>• Men's health</li><li>• Menopause</li></ul> Online assistance also remains in place	<b>Ongoing/remain included in action plan</b>

(Current) Equalities Action Plan Update

Appendix 1

<p>We will provide training and support to staff so they can recognise and manage unacceptable behaviours.</p>	<p>A HR Team Talk 'A respectful workplace for all' was delivered by Managers.</p> <p>Budget is available for EDI Training. Also available Learning disability training and Equality in the workplace</p> <p>All staff are currently required to complete Equalities Act 2010 learning.</p> <p>The EDI Officer group considered training needs as part of its development of the new Action Plan</p>	<p>EDI officer group has recommended areas of focus for training and development as part of the Equalities Action plan.</p> <p><b>Ongoing/training included in new action plan</b> with focus on cultural competencies and champion roles</p>
<p>We will enable staff to understand and respond to the mental health needs of residents, particularly after challenging life events.</p>	<p>Two courses are run for customer facing staff to deal with MH issues</p> <ul style="list-style-type: none"> <li>• Mental Health run by MIND</li> <li>• Mental Capacity Act</li> </ul>	<p><b>Complete</b> Focus on training included in new action plan</p>

As a Service Provider
Objective
<b>To deliver inclusive services in accordance with Council's values.</b>

Agreed Actions	Progress 2022	Status
We will review and identify our policies where we consider Equalities impacts and identify how we can improve outcomes through revisions to policy.	All Council Strategies and Policies have been mapped and those with equalities impacts identified.	To proactively work with service areas as policies are due for review to ensure Equalities Impacts have been considered.  <b>Ongoing</b> – to pick up in new action plan
We will appoint an Equalities Group to lead and provide join-up across Council services.	<p>The Equalities Officer Group meets on a quarterly basis. It has been renamed to the EDI Officer group to reflect its wider remit. Primarily it is responsible for managing the Equalities Action Plan.</p> <p>The Group's membership was extended to include a wider group. It now has membership from HR Learning and Development, Housing, Museums, Communication and Engagement, Democratic Services and Elections, Mayoralty, Revenues and Benefits (Welfare team) and Policy, Communities and Engagement. The group have been able to share their extensive learning and experience in terms of service needs and provide valuable insight to identify where barriers or gaps are negatively impacting particular groups.</p> <p>It has developed the actions to deliver the Council's Equalities Objectives for 2022 onwards</p>	<p>To continue to monitor and lead the equalities action plan</p> <p>Complete</p>

Appendix 1

<p>We will work with the community through consultation processes, increasing our offer of focus group and participatory methods to increase engagement with seldom-heard groups.</p>	<p>'Let's Talk Maidstone' (an online consultation and engagement platform) was rolled out in July 2022, launching the Resident Survey.</p> <p>The platform allows residents to engage in different ways such as quick polls or providing qualitative information via 'stories' and comment tools. Background information can be included on the 'project' page such as FAQs which help inform visitors to the platform on the purpose of the consultation.</p> <p>The Resident survey closed at the end of September. A total of 5027 people responded to the questionnaire, of which 3584 provided age and gender allowing these responses to be weighted in line with the population of Maidstone.</p> <p>Since its launch in July the platform has been used to deliver the following Consultation and Engagement activities:</p> <ul style="list-style-type: none"><li>• Operation Broc</li><li>• Mote Park Arts</li><li>• Scarecrow Festival</li><li>• Marden Task Force</li><li>• Waste and Recycling</li><li>• Community Governance Review</li><li>• Budget Survey</li><li>• Community Wi-Fi</li></ul> <p>Two engagement 'hubs' have been developed on the platform – 1 for Economic Development and 1 for Planning. Economic Development are utilising 'Let's Talk Maidstone' to help develop an upcoming Innovation Centre Research and Development event with the Business Community.</p>	<p>We continue to develop this offer which supports services across the Council.</p> <p><b>Ongoing</b> – included in new action plan</p>
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Appendix 1

	A Planning Hub has been launched for the 'Sustainability and Design Mapping exercise'. This seeks to find out resident views on features and characteristics of the borough.	
We will work collaboratively with the Museum and its programme of events to promote diversity and inclusion and strengthen ties to seldom-heard communities.	<ul style="list-style-type: none"> <li>Community Panel Established</li> <li>The museum continues to be committed to addressing EDI in its work and the new gallery will be designed with the assistance of individuals with as many kinds of lived experience as possible.</li> </ul>	<b>Complete</b>
We will undertake a Councillor-led Access to Services Review which will assess: Digital Inclusion and website accessibility, Enabling communication, Our buildings.	<ul style="list-style-type: none"> <li>Members completed a series of meetings gathering evidence from internal officers as well as external organisation. Due to the limitations of the pandemic the review focused mainly on Digital Inclusion and accessibility.</li> <li>Actionable recommendations were made at the conclusion of each session primarily to support digital accessibility and were picked up by the Digital Strategy workstreams.</li> <li>A review of the Community Group Repository was also completed. The repository was developed extensively, and a proactive approach was taken to mapping groups in the Voluntary Community Sector supporting Maidstone residents. This repository now also includes many Faith Groups and Places of Worship.</li> <li>The repository is currently being developed for public access on the Council's Community webpages</li> </ul>	<b>Complete</b>  A watching brief to be maintained and issues reported to the Policy, Communities and Engagement team -
We will work in partnership to deliver the Rough Sleeping initiative delivery plan to provide mental health outreach.	<ul style="list-style-type: none"> <li>The team has been in situ since September 2020. Approximately 360 clients have been supported/are still being supported by the initiative.</li> <li>Housing will continue to work in partnership with KMPT, to provide mental health support to rough sleepers, and those at risk of rough sleeping. It has funding until March 2023 and it is hoped that this service will receive mainstream funding from April 2023 from the CCG, to continue the work across West Kent.</li> </ul>	<b>Complete</b>

Appendix 1

<p>We will review the Equalities Impact Assessment processes.</p>	<p>The Armed Forces Covenant was a voluntary statement of mutual support between a civilian community and its local Armed Forces Community, intended to complement at a local level. Maidstone signed the Covenant in 2012. In 2018 it was recognised that the work being done with the Armed Forces community in Maidstone should be included in the Equalities Action Plan.</p> <p>Changes to the EqIA were originally proposed in 2019/20 to reflect forthcoming legislative changes to responsibilities in Armed Forces Bill 2021-22. However, the bill was delayed.</p> <p>Training and guidance were provided to Armed Forces Champions in November 2022.</p> <p>It is proposed that this legislative changes i.e. the Armed Forces Covenant being enshrined in law should be reflected and noted in the EDI Policy.</p> <p>Additionally, the cost-of-living crisis is likely to have a more significant impact on some groups of people in Maidstone than others. This is likely to include people who share protected characteristics under the Equality Act, including women, disabled people, people from certain ethnic minority backgrounds, and both older and younger people. People with caring responsibilities are also likely to be disproportionately impacted as their income tends to be lower than the population as a whole.</p> <p>It is proposed that this be addressed by introducing a local protected characteristic as part of the EqIA process - 'Poverty'.</p>	<p><b>Ongoing</b></p> <p>The reference to the Armed Forces Act should be included as a light touch change to the existing policy.</p> <p>Poverty should be included as a local protected characteristic to ensure no resident is left behind as part of decision making and that vulnerable residents are not adversely affected</p>
<p>We will develop processes to ensure Social Value is a core consideration of our decision making.</p>	<p>The Procurement Strategy and processes are being revised to include Social Value. A proposal was taken to WLT in November 2022. Subject to approval, Public Services (Social Value) Act 2012 – <i>Social Value</i> will form part of the procurement evaluation. As part of that process the following will be considered:</p>	<p><b>Complete</b></p>

Appendix 1

	<ul style="list-style-type: none"><li>• how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area, and</li><li>• how, in conducting the process of procurement, it might act with a view to securing that improvement.</li></ul> <p>In practice this will involve the tender process introducing</p> <ul style="list-style-type: none"><li>• around 10% of the contract evaluation to be assessed against social values.</li></ul>	
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**Equality, Diversity and Inclusion Policy  
2022-2025**

***Working towards greater equality in  
Maidstone***

# Public Sector equality duty

## Rights and Responsibilities

As a public authority the Council has responsibilities and a duty to fulfil for both its residents and staff. This was introduced in the Equality Act 2010 which replaced previous anti-discrimination laws with a single Act; simplifying the law, removing inconsistencies, making it easier to understand and comply with. It also strengthened the laws to help tackle inequality and discrimination.

The Equality Duty applies to public bodies which includes the Council and other organisations carrying out public functions.

It supports good-decision making by ensuring public bodies consider how different people will be affected, helping them to deliver policies and services that are efficient, effective and accessible to all by meeting different types of people’s needs.

The duty applies to nine ‘protected characteristics’: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

## What the Council must do to fulfil this duty is:

- Publish information to show compliance with the Equality Duty, at least annually.

The information published must show due regard to:

**Eliminating unlawful discrimination** harassment and victimisation and any other conduct prohibited by the Act

**Advancing equality of opportunity** between people who share protected characteristics and people who do not share it

**Fostering good relations** between people who share a protected characteristic and people who do not share it

- Set and publish equality objectives, at least every four years. These should be specific and measurable.

By publishing relevant equality information to demonstrate transparent decision making processes the Council becomes accountable to its service users. This in turns provides the public with the information they need to hold it to account, should they need to, for its performance on equality.

## Armed Force Act 2021

All councils have voluntarily signed the Armed Forces Covenant. The further enshrinement of the Covenant into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours. This includes the areas of focus in the Act – housing, education and healthcare. Councils play a key role in the provision or commissioning of these services with partners and joining-up support around the needs of an individual and their family.

Our Armed Forces Community is included in our consideration of equalities impacts as part of decision making.

## Policy Statement

Maidstone is the County Town of Kent, a historic market town with a rich and diverse history. It is constantly changing and evolving. What remains important as Maidstone changes and grows is that residents have a sense of belonging and community in order to prosper.

As a council we want to know our residents, we want to ensure that we are meeting their needs by offering opportunity and access to services through a conscious awareness and understanding of equality and diversity issues.

Our commitment to achieving this is outlined in the standards and actions set out in this document. These apply to staff, councillors and to those who deliver services on our behalf.

Maidstone Borough Council's [Strategic Plan 2019-2045](#) sets the Council's strategic vision for the borough of Maidstone. It outlines the council's priorities and informs on its values. Equalities are firmly ingrained in the council's values. This document helps determine not only the decisions made by the officers and elected members but it also advocates our approach to day to day business and conduct, and the way we treat our customers and each other.



We will deliver on our commitment to equalities by setting an organisational standard through clear objectives for each of the three important **roles and responsibilities** we have as a council:

- Role 1: As a Community Leader:** We will engage with residents in an open and meaningful way.
- Role 2: As a Service Provider:** We will ensure our services are inclusive, accessible and support residents and customers.
- Role 3: As an employer:** To have a workforce that feels valued and respected.

## (Draft) Equality Objectives and Action Plan 2022-2025

As a Community Leader			
Objective			
To lead by example, to ensure every individual resident is connected and supported.			
Commitments	Actions	Responsibility	Timeframe
<b>We will</b> work closely with our partners (Voluntary and Community Sector, Anchor Institutions, Parishes and Church and Faith groups) to: <ul style="list-style-type: none"> <li>Identify opportunities for joined up working and improving our ability to share information to support and engage our wider communities</li> <li>Increase volunteering opportunities and participation, funding and support</li> </ul>	<ul style="list-style-type: none"> <li>Create join up with Housing Associations to deliver hardship payments as part of the Xantura project</li> </ul>	Housing/Revs and Bens	April 2023
	<ul style="list-style-type: none"> <li>Implement no wrong door (local campaign to signpost to services) – increasing access to services</li> </ul>	All teams (led by Inclusion board)	March 2023
	<ul style="list-style-type: none"> <li>Provide access to digital training and support at Trinity House.</li> </ul>	Housing Communities, Policy & Engagement team	Review Jan 2023
<b>We will</b> undertake a review of consultation and engagement activities to ensure that they maximise resident participation and are representative of Maidstone's demographic.	Increase response rates from underrepresented groups through us of Let's Talk Maidstone (the Council's new public engagement platform)	Communities, Policy & Engagement team	Review Jan 2023
<b>We will</b> support and promote diversity and inclusion in the borough through our communications and	Expand internal Equality Diversity and Inclusion Group	Communities, Policy & Engagement team	Jan 2023



events – with a focus on our seldom-heard communities.	to provide internal direction and challenge  Create Diversity Calendar - Annual calendar of events to celebrate diversity and promote inclusion in Maidstone	Equality, Diversity and Inclusion Officer Group	March 2023
<b>We will</b> support our serving and veteran communities through our commitment to the Armed Forces Covenant and responsibilities under the Armed Forces Act 2021 with guidance provided to staff across all services.	Provide guidance to enable all staff to support Armed Forces Community	Policy, Communities & Engagement team	March 2023
<b>Connections to other plans</b>			
<ul style="list-style-type: none"> <li>• <b>Strategic Plan</b></li> <li>• <b>Communications Plan</b></li> <li>• <b>Recovery and Renewal Strategy</b></li> <li>• <b>Financial Inclusion Strategy</b></li> </ul>			

<b>As an Employer</b>			
<b>Objective</b>			
<b>To lead a diverse and inclusive workforce that is reflective of the borough of Maidstone where residents and colleagues feel safe, confident, and empowered to challenge and bring about change.</b>			
<b>Commitments</b>	<b>Actions</b>	<b>Responsibility</b>	<b>Timescale</b>
<b>We will</b> train our staff so that they are skilled in inclusive practice, to work with communities who are	Provide Staff training in Cultural Competencies	HR	Review Jan 2023

less able, or willing, to participate in life in their local neighbourhoods.  <b>We will</b> provide training and support to staff so they can recognise and manage unacceptable behaviours	Introduce Equalities Champions (including elected member and senior leadership)  Deliver the Culture change project	Policy Communities & Engagement team  HR	April 2023  Ongoing
<b>We will</b> creating a strong, internal sense of community within the organisation.	Introduce Annual staff EDI survey to identify need and benchmark progress	Policy, Communities & Engagement team	Jan 2023
<b>We will</b> look after the mental health of our staff and recognise when this offer needs to change	Provide training and support for Mental Health Champions	HR	Ongoing
<b>Connections to other plans</b>			
<ul style="list-style-type: none"> <li>• <b>Strategic Plan</b></li> <li>• <b>Workforce Strategy</b></li> </ul>			

<b>As a Service Provider</b>			
<b>Objective</b>			
<b>To deliver inclusive services in accordance with Council's values.</b>			
<b>Commitments</b>	<b>Actions</b>	<b>Responsibility</b>	<b>Timescale</b>
<b>We will</b> use specific and meaningful language when referring to diverse communities	Adopt of LGA Inclusive Language Guide	Policy, Communities & Engagement team	April 2023

<b>We will</b> support access to services and support through ICT process, communication and join up with partners	Proactively use 'neutral spaces' to increase access to support and services for residents	Equality, Diversity and Inclusion Officer Group All Services	Review Jan 2023
<b>We will</b> take an evidence-based approach to leading recovery in Maidstone including a specific work stream on communities.	Identify emerging needs from Census data	Data Analytics team	Dec 2023 (ongoing release)
<b>We will</b> review the Equalities Impact Assessment processes.	Include 'Poverty' as a local protected characteristic with the EqIA process	Policy, Communities & Engagement team	Jan 2023
<b>We will</b> review and identify our policies where we consider equalities impacts and identify how we can improve outcomes through revisions to policy.	Include Armed Forces Act 2021 in Equality, Diversity and Inclusion Policy	Policy, Communities & Engagement team	Dec 2022
	Prioritise existing Policies by review date and implement process of review for equalities.	Policy, Communities & Engagement team	Review Feb 2023
<b>Connections to other plans</b>			
<ul style="list-style-type: none"> <li>• <b>Strategic Plan</b></li> <li>• <b>Recovery &amp; Renewal Strategy</b></li> <li>• <b>Digital Strategy</b></li> </ul>			

# Agenda Item 21

## Executive Meeting

25 January 2023

### Local Development Scheme 2023 - 2025

Timetable	
<b>Meeting</b>	<b>Date</b>
Planning and Infrastructure Committee PAC	11 January 2023
Executive	25 January 2023
Council	22 February 2023

<b>Will this be a Key Decision?</b>	Yes
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Council
<b>Lead Head of Service</b>	Phil Coyne (Interim Director, Strategic Planning)
<b>Lead Officer and Report Author</b>	Nicola Stokes, Planning Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

The Council is required by the Planning and Compulsory Purchase Act (2004) (as amended) to maintain an up-to-date Local Development Scheme (LDS). The purpose of an LDS is to set out the timetable for the delivery of Council produced planning policy documents and to inform local people and stakeholders.

Work is ongoing on the Local Plan Review, Gypsy and Traveller DPD and Design and Sustainability DPD in line with the Local Development Scheme 2022-2024 which was adopted by Full Council on the 28<sup>th</sup> September 2022.

This report was taken to the Planning and Infrastructure Policy Advisory Committee on 11<sup>th</sup> January 2023 and the committee was made aware of the possible amendments to the LDS in regards to the Local Plan Review. Since PI PAC, the Council has received the Inspector's Stage 1 Interim Report. Officers are now establishing from the Inspector a set of dates for the potential stage 2 hearing sessions, this would

then allow officers to update the Local Plan Review element of the Local Development Scheme and this could be updated before adoption by Council. Officers are currently not in a position to confirm when the stage 2 hearing sessions are likely to commence nor the subsequent changes to the LPR timeline.

There have been no changes in circumstances to the scope of the Design and Sustainability DPD and Gypsy and Traveller DPD since the previous version of the Local Development Scheme. However, the timetable for the production of the Gypsy and Traveller DPD has been altered as part of this LDS to include two consultations at Regulation 18 (18a and 18b). A new LDS is therefore required which will set out the associated alterations to the timetable for delivery of the Gypsy and Traveller DPD. There have been no changes in the timescales for the Design and Sustainability DPD. The new Local Development Scheme 2023-2025 can be found as an appendix to this report.

This report seeks a recommendation that the Local Development Scheme 2023-2025, attached at Appendix 1 to the report, be recommended to Council for approval.

### **Purpose of Report**

To provide an update to the Local Development Scheme and to seek views from the Executive, as appended to this report, prior to consideration by Council for decision.

### **This report makes the following recommendations to the Executive:**

1. That the Local Development Scheme 2023-2025, attached at Appendix 1 to the report, be recommended for adoption by Council, subject to the scheme being amended to reflect the revised Local Plan Review timetable once confirmed by the Planning Inspector.

## Local Development Scheme 2023 - 2025

### 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Accepting the recommendations will materially improve the Council's ability to achieve all corporate priorities.</p>	Interim Local Plan Review Director
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendation supports the achievement of all four cross cutting objectives.</p>	Interim Local Plan Review Director
<b>Risk Management</b>	Already covered in the risk section	Interim Local Plan Review Director
<b>Financial</b>	Provision has been made for the costs of delivering planning policies including the local plan review within the Council's agreed budget and medium-term financial plan.	Section 151 Officer & Finance Team
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Interim Local Plan Review Director
<b>Legal</b>	Accepting the recommendations will fulfil the Council duties under the Planning and Compulsory Purchase Act 2004 (as amended)	Mid Kent Legal Services (Planning)

<b>Information Governance</b>	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.	Information Governance Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
<b>Public Health</b>	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer
<b>Crime and Disorder</b>	The recommendation potentially will have a positive impact on Crime and Disorder.	Interim Local Plan Review Director
<b>Procurement</b>	There are no implications for procurement.	Interim Local Plan Review Director & Section 151 Officer
<b>Biodiversity and Climate Change</b>	The implications of this report on biodiversity and climate change have been considered and aligns with actions 1.1 / 5.1 and 6.1 of the Biodiversity and Climate Change Action Plan.	Biodiversity and Climate Change Officer

## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Council is required by the Planning and Compulsory Purchase Act (2004) (as amended) to maintain an up-to-date Local Development Scheme (LDS). The purpose of an LDS is to set out the timetable for the delivery of Council produced planning policy documents and to inform local people and stakeholders.
- 2.2 The Local Development Scheme 2022-2024 was adopted by Full Council on 28<sup>th</sup> September 2022 and set out the timetable for delivering the Local Plan Review, Gypsy and Traveller DPD, and Design and Sustainability DPD.
- 2.3 To date work on the Design and Sustainability DPD is on track against the timetable set out in Local Development Scheme 2022-2024.
- 2.4 This report was taken to the Planning and Infrastructure Policy Advisory Committee on 11<sup>th</sup> January 2023 and the committee was made aware of the possible amendments to the LDS in regards to the Local Plan Review. Since PI PAC, the Council has received the Inspector's Stage 1 Interim Report. Officers are now establishing from the Inspector a set of dates for the potential stage 2 hearing sessions, this would then allow officers to update the Local Plan Review element of the Local Development Scheme and this

could be updated before adoption by Council. Officers are currently not in a position to confirm when the stage 2 hearing sessions are likely to commence nor the subsequent changes to the LPR timeline.

- 2.5 The timetable for the production of the Gypsy and Traveller DPD has been altered as part of this LDS to include two consultations at Regulation 18 (18a and 18b). A Regulation 18a Scoping, Themes and Issues consultation is scheduled to take place in February/March 2023 and Regulation 18b, Preferred Approaches consultation due to take place in February/March 2024, with subsequent key milestones taking place thereafter.
  - 2.6 A new LDS is therefore required which will set out the revised timetable for the delivery of the Gypsy and Traveller DPD to incorporate the two early stage consultations. The timetable for the delivery of the Design and Sustainability DPD remains unchanged.
  - 2.7 The new Local Development Scheme 2023-2025 can be found as an appendix to this report. This report seeks a recommendation that the Local Development Scheme 2023-2025, attached at Appendix 1 to the report, be recommended to Council for approval.
- 

### **3. AVAILABLE OPTIONS**

- 3.1 Option 1: The Local Development Scheme 2023-2025 is recommended to Council for approval. The LDS outlines the scope and timetable for delivering the Gypsy and Traveller DPD and the Design and Sustainability DPD. All three have consideration for the Strategic Plan priorities and cross-cutting objectives.
  - 3.2 Option 2: The Local Development Scheme 2023-2025 is not recommended to Council for approval. Under the Planning and Compulsory Purchase Act 2004 (as amended), local planning authorities must maintain an up to date LDS. The current LDS (2022-2024) does reflect the current timescales for the Gypsy and Traveller DPD and therefore a subsequent LDS is required. To not adopt this LDS will be contrary to the Planning and Compulsory Purchase Act 2004 (as amended) and would mean that the Local Planning Authority would fail its legal tests for producing these DPDs.
- 

### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 Option 1 is the preferred option. By adopting the Local Development Scheme 2023-2025 the Council will be compliant with the Planning and Compulsory Purchase Act 2004 (as amended).
-



## **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. That consideration is shown in this report at paragraph 3.2. We are satisfied that, should the authority proceed as recommended, 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 This report was considered by the Planning and Infrastructure Policy Advisory Committee on 11 January 2023 and supported the Local Development Scheme 2023 - 2025, as attached at Appendix 1.
- 

## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 If approved by Council, the Local Development Scheme 2023-2025 will be published on the website.
- 7.2 The delivery of the Local Plan Review, Gypsy and Traveller DPD and the Design and Sustainability DPD against milestones in the LDS will be monitored through the Authority Monitoring Report, which is published each year.
- 

## **8. REPORT APPENDICES**

Appendix 1: Local Development Scheme 2023 - 2025

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## **9. BACKGROUND PAPERS**

None

# LOCAL DEVELOPMENT SCHEME

February 2023

2023-2025

**LOCAL DEVELOPMENT SCHEME 2023-2025**

**This document is produced by  
Maidstone Borough Council**

**This Local Development Scheme came into effect on 22<sup>nd</sup> February  
2023.**

**All enquiries should be addressed to:**

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Maidstone Borough Council  
Maidstone House  
King Street  
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## **1. Introduction to the Local Development Scheme**

### **What is the Local Development Scheme?**

1.1 The government requires local planning authorities to prepare a **Local Development Scheme** (LDS). The purpose of an LDS includes setting out the timetable for the delivery of Council produced planning policy documents. These are often referred to as Development Plan Documents or Local Plans.

1.2 In addition to the Local Plan Review, the Council intends to produce two further Development Plan Documents (DPDs). These are the Gypsy and Traveller DPD and the Design and Sustainability DPD. Both DPDs will affect the whole of Maidstone Borough. This LDS covers the period 2023-2025 and contains a timetable for the delivery of each DPD to inform local people and stakeholders of the key milestones of production.

1.3 This LDS replaces the Local Development Scheme 2022-2024 which was approved by Full Council on 28<sup>th</sup> September 2022.

1.4 The Local Development Scheme 2023-2025 was approved by Council on 22<sup>nd</sup> February 2023 and came into effect on the same day.

### **The Development Plan**

1.5 **Development Plans** are an important part of the English planning system and are needed to guide the local decision-making process for land uses and development proposals. As of 22<sup>nd</sup> February 2023, the Development Plan for Maidstone borough comprises:

- Maidstone Borough Local Plan 2011-2031 and associated Proposals Map (October 2017)
- Staplehurst Neighbourhood Development Plan 2016-2031 (August 2020)
- North Loose Neighbourhood Development Plan 2015-2031 (April 2016)
- Loose Neighbourhood Development Plan 2018-2031 (September 2019)
- Marden Neighbourhood Development Plan 2017-2031 (July 2020)
- Lenham Neighbourhood Plan 2017 – 2031 (July 2021)
- Boughton Monchelsea Neighbourhood Plan (July 2021)
- Otham Neighbourhood Plan 2020 – 2035 (September 2021)
- Kent Minerals and Waste Local Plan 2013-2030 (September 2020)

1.6 Further information regarding each of these documents is provided below.

1.7 The **Maidstone Borough Local Plan** sets out the framework for development within the Borough until 2031. It includes a spatial vision, objectives and key policies. It also includes an associated 'Policies Map' that sets out the geographical extent of key designations and site specific proposals set out in the local plan. Maidstone has an on-line policies map that can be accessed through its website. The Maidstone Borough Local Plan plays a key part in delivering Maidstone Council's Strategic Plan. The Maidstone Borough Local Plan was found sound following independent examination and was adopted by Full Council on 25 October 2017. The Maidstone Borough Local Plan contains Policy LPR1 'Review of the Local Plan'. This requires a review of the local plan to ensure that the plan continues to be up to date. Policy LPR1 outlines matters which may be

addressed by the review. Key considerations are the need to maintain and enhance the natural and built environment; and improve air quality.

**1.8 Neighbourhood Development Plans** are prepared by Parish Councils or Neighbourhood Forums, and the plans are subject to consultation, independent examination and referendum. The plans must be in general conformity with the strategic policies of the adopted local plan and should have regard to any emerging Local Plan. A neighbourhood area has to be designated for a Neighbourhood Development Plan to be produced. In total, 15 Parish Councils and 1 Neighbourhood Forum have designated Neighbourhood Areas. To date, seven Neighbourhood Development Plans have been made and a number of Neighbourhood Development Plans are at various stages of preparation.

**1.9 The Kent Mineral Sites Plan and the Early Partial Review of the Kent Minerals and Waste Local Plan** and was produced by Kent County Council and covers the whole county. Both plans were adopted in September 2020 and describes:

- 'The overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management for all waste streams that are generated or managed in Kent, and
- The spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.'

### **Planning Documents**

1.10 In addition to the above components of the Development Plan, there are other key planning documents that the Council produces. These include:

- **Supplementary Planning Documents** – these set out further information, interpretation or clarification regarding existing planning policies and are produced and adopted by the Council in accordance with government legislative requirements.
- **Planning policy guidance** documents – these set out further information, interpretation or clarification regarding existing planning policies but have not been produced to meet government Supplementary Planning Document requirements.
- **Statement of Community Involvement** – a procedural document that sets out the methods for consultation and engagement with the public and stakeholders. This includes consultation and engagement during the production of Local Plans, the production of Neighbourhood Development Plans, and the Development Management process.
- **Authority Monitoring Reports** – a procedural document, produced on an annual basis that monitors the performance of Maidstone's Local Plan and its policies.

### **Maidstone Community Infrastructure Levy**

1.11 The **Community Infrastructure Levy (CIL)** is a charge on specific new developments towards the provision of infrastructure. The Maidstone CIL **Charging Schedule** was adopted by Full Council on 25 October 2017, following examination in June 2017. The Maidstone CIL took effect on 1 October 2018.

1.12 The Charging Schedule sets out the charging rates for development in Maidstone Borough, including the types of development that are required to pay the Levy and where the proposed rates

will apply. The CIL Charging Schedule was developed alongside the Maidstone Borough Local Plan, and the evidence base for infrastructure, planning, affordable housing requirements and development viability supported both the Maidstone CIL and Maidstone Borough Local Plan.

1.13 The infrastructure schemes and/or types of infrastructure that may be funded by Maidstone CIL are set out in an Infrastructure List contained in the Infrastructure Funding Statement, published on the website. In addition, Section 106 planning agreements, which are negotiated with developers to secure infrastructure funding, will continue to play a significant role in securing site related infrastructure.

## **2. The Local Development Scheme**

### **Review of the Local Development Scheme 2022-2024**

**2.1 Local Plan Review:** Since the adoption of the Local Development Scheme 2022-2024, the Local Plan Review has been subject to stage 1 hearing sessions. Due to their complex nature, the original timetable for the hearing sessions has been extended by the Inspector. This causes delays to the subsequent stages of the Local Plan Review and as such, they no longer align with the published LDS. The LDS will be updated as soon as there is further certainty around examination timescales.

**2.2 Gypsy and Traveller DPD:** There have been changes to the work programme for the Gypsy and Traveller DPD. There has been no change in circumstances regarding the scope of the Gypsy and Traveller DPD since the previous version of the Local Development Scheme came into effect on 8th December 2021. The timetable for production of the DPD is altered as part of this version of the LDS.

**2.3 Design and Sustainability DPD:** There has been no change in circumstances regarding the scope and timetable for production of the Design and Sustainability DPD since the previous version of the Local Development Scheme came into effect on 28<sup>th</sup> September 2022.

**2.4** A timetable for the implementation of the Gypsy and Traveller DPD and the Design and Sustainability DPD, in addition to the Local Plan Review follows.



## Local Development Scheme 2023-2025

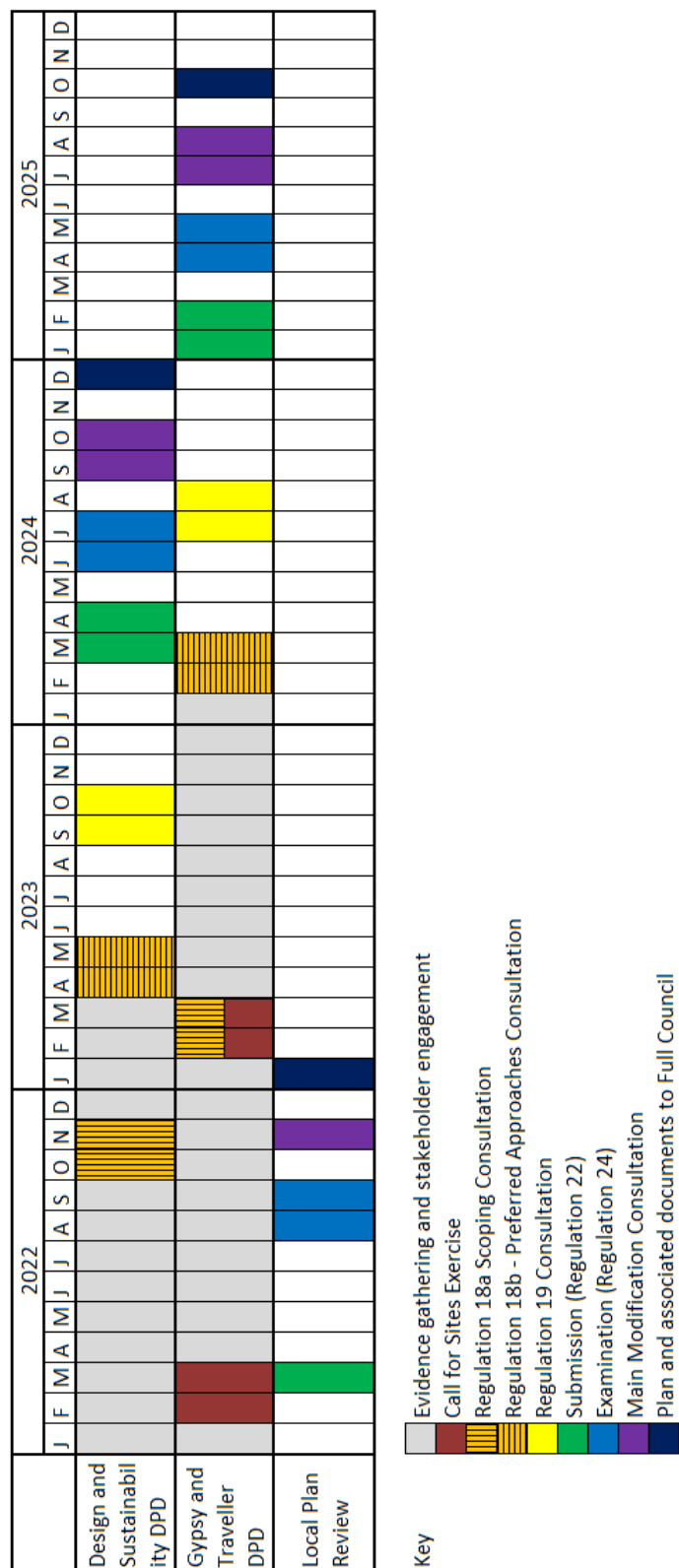


Figure 2.1 Delivery timetable

## **Monitoring and Review**

**2.5 Gypsy and Traveller DPD:** The Council are creating an evidence base to ensure it has sufficient social, environmental, economic and physical information to inform the Gypsy and Traveller DPD. The DPD will explain how its policies will be delivered and implemented and identify performance indicators against which the success of policies will be monitored. These performance indicators will be monitored through annual Authority Monitoring Reports. The Council will monitor and review progress of delivery of this Gypsy and Traveller DPD against this LDS document.

**2.6 Design and Sustainability DPD:** The Council are creating an evidence base to ensure it has sufficient social, environmental, economic and physical information to inform the Design and Sustainability DPD. The DPD will explain how its policies will be delivered and implemented and identify performance indicators against which the success of policies will be monitored. These performance indicators will be monitored through annual Authority Monitoring Reports. The Council will monitor and review progress of delivery of this Design and Sustainability DPD against this LDS document.

**2.7 Local Plan Review:** The Council continue to update their evidence base to ensure it has sufficient social, environmental, economic and physical information to inform the review of the local plan. The adopted local plan explains how its policies will be delivered and implemented, and identifies performance indicators against which the success of policies is monitored. The performance indicators will be monitored through annual Authority Monitoring Reports, and the Council will monitor and review progress against the LDS programme in this document.

### 3. Document Project Plan

#### Gypsy and Traveller DPD

<b>Gypsy and Traveller DPD</b>	
<b>Subject/content</b>	<p>The Local Plan Review contains one development management (DM) policy specifically for assessing applications involving development for gypsy, traveller and travelling showpeople sites. It also 'saves' the strategic policy GT1 and associated site allocation policies from the 2017 Local Plan. The interim Gypsy and Traveller Accommodation Assessment (GTAA) indicates a high need figure in terms of future pitch requirements. A combination of allocations and criteria-based policies may be used to meet the needs. A standalone DPD is to be prepared. The DPD will sit alongside and build on the policies in the Local Plan Review and will provide the basis for Development Management decision making. The DPD will be informed by evidence.</p> <p>Matters to be reviewed include:</p> <ul style="list-style-type: none"> <li>• New site allocations to meet the need.</li> <li>• Update to DM policies contained within the adopted Maidstone Borough Local Plan and Maidstone Local Plan Review including outbuildings and day rooms (only needed if emerging guidance changes)</li> <li>• Incorporate existing allocations</li> <li>• Non-planning definition Gypsies accommodation</li> </ul>
<b>Status</b>	Local Plan
<b>Coverage</b>	Maidstone Borough
<b>Chain of Conformity – national</b>	Central government policy and guidance, including the National Planning Policy Framework, National Planning Practice Guidance, Planning policy for traveller sites (2015) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
<b>Chain of Conformity – local</b>	<p>Regard to the Council's Plans and Strategies, including the Strategic Plan, Economic Development Strategy and Housing Strategy. Also have regard to the Climate Change and Biodiversity Strategy and Action Plan.</p> <p>The DPD will need to take into account the policies within neighbourhood plans:</p> <p>North Loose Neighbourhood Plan 2015 – 2031 (2016)  Staplehurst Neighbourhood Plan 2016 – 2031 (2020)  Loose Neighbourhood Plan 2018 – 2031 (2019)  Marden Neighbourhood Plan 2017 – 2031 (2020)  Lenham Neighbourhood Plan 2017 – 2031 (2021)  Boughton Monchelsea Neighbourhood Plan (2021)  Otham Neighbourhood Plan (2021)</p>
<b>Policies Map</b>	A new policies map is to be created
<b>Timetable</b>	
Sustainability Appraisal	Relevant appraisals and assessment will be carried out throughout the preparation of the DPD
Evidence gathering	January 2021 to January 2024
Call for Sites	February to March 2022 & February to March 2023
Scoping consultation (Regulation 18A)	February to March 2023
Matters and Preferred Approach consultation (Regulation 18B)	February to March 2024

Draft DPD consultation (Regulation 19)	July to August 2024
Submission (Regulation 22)	January to February 2025
Examination hearing sessions (Regulation 24)	April to May 2025
Main Modification Consultation	July to August 2025
Adoption – Full Council (Regulation 26)	October 2025
Internal Partners	Key internal partners include relevant service areas within the Council, Chief Executive; Corporate Leadership Team; and Planning and Infrastructure Policy Advisory Committee.
External Partners	Key external partners include specific and general consultation bodies (including parish councils and neighbourhood forums), local stakeholder groups, hard to reach groups and the local community.
External Resources	Kent County Council, Highways England, infrastructure providers, the Homes England, and use of external consultants to provide evidence (as required).

Table 3.1 Project Plan for the Gypsy and Traveller DPD

## Design and Sustainability DPD

<b>Design and Sustainability DPD</b>	
<b>Subject/content</b>	<p>The Local Plan Review contains a suite of policies specifically addressing matters of design and sustainability. At the Strategic Planning and Infrastructure Committee on the 21<sup>st</sup> September 2021, the Council resolved to prepare a DPD reinforced by appropriate evidence to support the Local Plan Review through the strengthening of the council's design and sustainability focused policies. The DPD will sit alongside and build on the policies in the Local Plan Review and will provide the basis for Development Management decision making. The DPD will be informed by the preparation of suitable evidence to justify and the adoption of higher design and sustainability standards where these can be achieved.</p> <p>The DPD will specifically cover matters in relation to:</p> <ul style="list-style-type: none"> <li>• Water efficiency</li> <li>• Low carbon energy</li> <li>• Sustainable buildings</li> <li>• Building design</li> <li>• Biodiversity and landscaping</li> <li>• Open space provision</li> <li>• Sustainable connectivity</li> <li>• Internal space standards</li> <li>• Lighting</li> </ul>
<b>Status</b>	Local Plan
<b>Coverage</b>	Maidstone Borough
<b>Chain of Conformity – national</b>	Central government policy and guidance, including the National Planning Policy Framework, National Planning Practice Guidance, Planning policy for traveller sites (2015) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
<b>Chain of Conformity – local</b>	<p>Regard to the Council's Plans and Strategies, including the Strategic Plan, Economic Development Strategy and Housing Strategy. Also have regard to the Climate Change and Biodiversity Strategy and Action Plan.</p> <p>The DPD will need to take into account the policies within neighbourhood plans:</p> <p>North Loose Neighbourhood Plan 2015 – 2031 (2016)  Staplehurst Neighbourhood Plan 2016 – 2031 (2020)  Loose Neighbourhood Plan 2018 – 2031 (2019)  Marden Neighbourhood Plan 2017 – 2031 (2020)  Lenham Neighbourhood Plan 2017 – 2031 (2021)  Boughton Monchelsea Neighbourhood Plan (2021)  Otham Neighbourhood Plan (2021)</p>
<b>Policies Map</b>	A new policies map is to be created
<b>Timetable</b>	
Sustainability Appraisal	Relevant appraisals and assessment will be carried out throughout the preparation of the DPD
Evidence gathering	January 2021 to March 2023
Scope and matters consultation (Regulation 18a)	October to November 2022
Preferred approaches	April to May 2023

consultation (Regulation 18b)	
Draft DPD consultation (Regulation 19)	September to October 2023
Submission (Regulation 22)	March to April 2024
Examination hearing sessions (Regulation 24)	June to July 2024
Main Modification Consultation	September to October 2024
Adoption – Full Council (Regulation 26)	December 2024
<b>Arrangements for Production</b>	
Internal Partners	Key internal partners include relevant service areas within the Council, Chief Executive; Corporate Leadership Team; and Planning and Infrastructure Policy Advisory Committee.
External Partners	Key external partners include specific and general consultation bodies (including parish councils and neighbourhood forums), local stakeholder groups, hard to reach groups and the local community.
External Resources	Kent County Council, Highways England, infrastructure providers, the Homes England, and use of external consultants to provide evidence (as required).

Table 3.2 Project Plan for the Design and Sustainability DPD

## Local Plan Review

<b>Maidstone Local Plan Review</b>	
<b>Subject/content</b>	<p>Matters to be reviewed include:</p> <ul style="list-style-type: none"> <li>• A review of housing of needs</li> <li>• The allocation of land at the Invicta Park Barracks broad location and at the Lenham broad location if the latter has not been achieved through a Lenham Neighbourhood Plan in the interim</li> <li>• Identification of additional housing land to maintain supply towards the end of the plan period and, if required as a result, consideration of whether the spatial strategy needs to be amended to accommodate such development</li> <li>• A review of employment land provision and how to accommodate any additional employment land needed as a result</li> <li>• Whether the case for a Leeds-Langley Relief Road is made, how it could be funded and whether additional development would be associated with the road</li> <li>• Alternatives to such a relief road</li> <li>• The need for further sustainable transport measures aimed at encouraging modal shift to reduce congestion and air pollution</li> <li>• Reconsideration of the approach to the Syngenta and Baltic Wharf sites if these have not been resolved in the interim</li> <li>• Extension of the local plan period</li> </ul>
<b>Status</b>	Local Plan
<b>Coverage</b>	Maidstone Borough
<b>Chain of Conformity – national</b>	Central government policy and guidance, including the National Planning Policy Framework, National Planning Practice Guidance, Planning policy for traveller sites (2015) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
<b>Chain of Conformity – local</b>	<p>Regard to the Council's Plans and Strategies, including the Strategic Plan, Economic Development Strategy and Housing Strategy. Also have regard to the Climate Change and Biodiversity Strategy and Action Plan.</p> <p>The LPR will need to take into account the policies within neighbourhood plans:</p> <p>North Loose Neighbourhood Plan 2015 – 2031 (2016)  Staplehurst Neighbourhood Plan 2016 – 2031 (2020)  Loose Neighbourhood Plan 2018 – 2031 (2019)  Marden Neighbourhood Plan 2017 – 2031 (2020)  Lenham Neighbourhood Plan 2017 – 2031 (2021)  Boughton Monchelsea Neighbourhood Plan (2021)  Otham Neighbourhood Plan (2021)</p>
<b>Policies Map</b>	To be amended to reflect the policy content of the Local Plan Review
<b>Timetable</b>	
Sustainability Appraisal	Relevant appraisals and assessment will be carried out throughout the review of the Maidstone Borough Local Plan
Evidence gathering	June 2018 to September 2021
Submission (Regulation 22)	March 2022
Examination hearing sessions (Regulation 24)	August – September 2022

Main Modification Consultation	November 2022
Adoption – Full Council (Regulation 26)	January 2023
<b>Arrangements for Production</b>	
Internal Partners	Key internal partners include relevant service areas within the Council, Chief Executive; Corporate Leadership Team; and Planning and Infrastructure Policy Advisory Committee.
External Partners	Key external partners include specific and general consultation bodies (including parish councils and neighbourhood forums), local stakeholder groups, hard to reach groups and the local community.
External Resources	Kent County Council, Highways England, infrastructure providers, the Homes England, and use of external consultants to provide evidence (as required).

Table 3.3 Project Plan for the Maidstone Borough Local Plan Review



#### **4. Appendix**

##### **Glossary of terms**

<b>Acronym</b>	<b>Term</b>	<b>Description</b>
AMR	Authority Monitoring Report	A report which is produced annually and monitors the performance against monitoring indicators in the Maidstone Borough Local Plan.
	Development Plan	The Development Plan includes adopted local plans/Development Plan Documents and made Neighbourhood Development Plans, and sets a framework for the local decision making process.
DPD	Development Plan Documents/Local Plans	A DPD/Local Plan is a spatial planning document which sets out the plan for the future development of the local area, drawn up by a local authority in consultation with the community. Once adopted, the local plan becomes part of the Development Plan. The Local Plan does not include SPDs or local Planning Guidance, although these documents are material considerations in the decision making process.
GTAA	Gypsy and Traveller Accommodation Assessment	The assessment outlines the current and future need for gypsy, traveller and travelling showpeople provision for Maidstone Borough until 2037.
KCC	Kent County Council	The county planning authority, responsible for producing the Kent Minerals and Waste Local Plans, and are the highways authority.
LDS	Local Development Scheme	The LDS is a summary business programme and timetable for the production of the local plans and Development Plan Documents.
MBC	Maidstone Borough Council	The local planning authority responsible for producing the Borough Local Plan.
NDP	Neighbourhood Development Plan	Neighbourhood Development Plans (also known as neighbourhood plans) are prepared by a parish council or neighbourhood forum for a particular neighbourhood area. Neighbourhood plans must be in conformity with the strategic policies of the Local Plan and, once made, form part of the Council's Development Plan.
	Planning Policy Guidance	Additional guidance which provides further detail to policies set out in local plans and is a material consideration in planning decisions but is not part of the local plan or the development plan. If subject to adequate stakeholder and public consultation, guidance can carry commensurate weight with SPDs in the decision making process.
	Policies Map	The Policies Map uses an on-line ordnance survey map base to show the spatial extent of all land use policies and proposals, and is updated with each new Local Plan so that it reflects the up-to-date planning strategy for the borough.

<b>Acronym</b>	<b>Term</b>	<b>Description</b>
SA	Sustainability Appraisal	The SA is a tool for appraising policies and proposals to ensure they reflect sustainable development objectives, including social, economic and environmental objectives. An SA must be undertaken for all local plans and incorporates a Strategic Environmental Assessment.
SCI	Statement of Community Involvement	The SCI specifies how the community and stakeholders will be involved in the process of preparing local planning documents, Neighbourhood Development Plans and the Development Management process.
SEA	Strategic Environmental Assessment	SEA is a generic term used to describe the environmental assessment of policies, plans and programmes. The European SEA Directive requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use.
SoS	Secretary of State	Secretary of State for Housing, Communities and Local Government.
SPD	Supplementary Planning Document	An SPD provides further detail to policies set out in local plans. SPDs are a material consideration in the decision making process but are not part of the Development Plan or the Local Plan. They follow a statutory production and consultation process.

Table 4.1 Glossary of terms

## EXECUTIVE MEETING

25 January 2023

### Provision of Cycle Ramp and Linkway, Land off Church Road and Woolley Road, Otham

#### Timetable

<b>Meeting</b>	<b>Date</b>
Corporate Services PAC	18 January 2023
Executive	25 January 2023

<b>Will this be a Key Decision?</b>	No
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	EXECUTIVE
<b>Lead Head of Service</b>	Mark Green Director of Finance, Resources & Business Improvement
<b>Lead Officer and Report Author</b>	Victoria Kellett Interim Estates Manager
<b>Classification</b>	Public
<b>Wards affected</b>	Downswood and Otham Shepway South

#### Executive Summary

Bellway Homes received full planning permission on appeal for the development of 421 homes at Land West of Church Road, Otham, Kent ME15 8SB.

Two conditions were included in the Inspector's report relating to the provision of a cycle ramp (ramp) and pedestrian linkway (linkway), the details of which were approved by planning committee.

Both the ramp and linkway are to be constructed on Council land and will thereafter become the responsibility of the Council.

The proposed works do not form part of any S106 Agreement. The provision of the ramp and linkway has therefore been reached by negotiation subject to Cabinet approval.

This matter is to be considered by the Corporate Services PAC before being passed to the Executive.

### **Purpose of Report**

Decision

### **This report recommends to the Executive that:**

1. The provision of the cycle ramp is approved
2. The provision of the link way is approved

## Provision of Cycle Ramp and Linkway, Land off Church Road and Woolley Road, Otham

### 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> <li>• Accepting the recommendations will materially improve the Council's ability to deliver its Corporate Priorities. The proposed licences will facilitate and support of the Council's priority of planning for sufficient homes to meet the Borough's needs.</li> </ul>	Head of Property and Leisure
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendation(s) supports the achievement(s) of the cross cutting objectives by:</p> <ul style="list-style-type: none"> <li>• improving connectivity and accessibility to public open space and the wider vicinity</li> <li>• Respecting and improving bio-diversity through a planned landscaping scheme and considered approach to any arboriculture work</li> </ul>	Head of Property and Leisure

<b>Risk Management</b>	Not agreeing the proposed licences could lead to the risk of an agreed housing development being materially delayed.	Head of Property and Leisure
<b>Financial</b>	<p>The granting of the Licences supports the Council's overall strategy of planning for new homes, which will promote economic development and alleviate the housing shortage in the Borough.</p> <p>The commuted sum received by the Council will support the maintenance of the new facilities. This contribution is only capable of being realised in the specific context described in this report.</p>	Section 151 Officer & Head of Finance
<b>Staffing</b>	<ul style="list-style-type: none"> <li>• We will deliver the recommendations with our current staffing.</li> <li>• We will need access to extra expertise to deliver the recommendations, as set out in section 3. The cost of the required expertise being met by the developer.</li> </ul>	Head of Property and Leisure
<b>Legal</b>	<ul style="list-style-type: none"> <li>• The planning conditions have been imposed by an inspector and there are both planning and reputational issues for the Council if the infrastructure is not delivered.</li> <li>• The Licence and associated documentation will need to be prepared by legal to ensure the terms protect the Council against ongoing risks.</li> </ul>	Team Leader Contentious and Corporate Governance
<b>Information Governance</b>	<ul style="list-style-type: none"> <li>• The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.</li> </ul>	Information Governance Officer
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities and Communities Officer
<b>Public Health</b>	<ul style="list-style-type: none"> <li>• We recognise that the recommendations will have a positive impact on population health or that of individuals.</li> </ul>	Housing and Inclusion Team Leader

	<ul style="list-style-type: none"> <li>In accepting the recommendations the Council would be fulfilling the requirements of the Health Inequalities Plan</li> </ul>	
<b>Crime and Disorder</b>	<ul style="list-style-type: none"> <li>The proposed licenses will not affect the safety of current or potential users of the open space and the resulting cycle and linkway may benefit road and pedestrian safety.</li> </ul>	Head of Property and Leisure
<b>Procurement</b>	<ul style="list-style-type: none"> <li>On accepting the recommendations, the Council will then follow procurement exercises for the appointment of external consultants. We will complete those exercises in line with financial procedure rules.</li> </ul>	Head of Property and Leisure & Section 151 Officer
<b>Biodiversity and Climate Change</b>	The implications of this report on biodiversity and climate change have been considered through the development of landscape strategy plans and Arboracultural Method Statements. Both the ramp and linkway align with the aims of the biodiversity and climate change action plan to support active travel.	Biodiversity and Climate Change Manager

## 2. INTRODUCTION AND BACKGROUND

2.1 Bellway Homes received planning for 421 houses on appeal on 7 January 2021.

2.2 In granting the full planning permission, the Inspector imposed by condition the provision of both an off-site of a ramp and a linkway. These were contained in conditions 9 and 11(b) for the ramp; and Condition 35 for the southern link. Extracts are below:

Ramp:

- 9) Before any part of the development hereby permitted is first commenced, details of a ramp to provide accessibility for all users including disabled persons, wheelchairs, pushchairs and cycles at the steps to the north west of the site along PROW KM86 shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be provided before any of the dwellings hereby permitted are first occupied and shall be retained as such thereafter.

- 11) Before any part of the development hereby permitted is first commenced, a plan and construction design specification shall be submitted to and approved by the local planning authority, which shows:
  - b) measures to ensure that cyclists can gain cycle access to 'The Beams' and the Play area to the north west of the site from the cycle routes.

Linkway:

- 35) The development shall not be occupied until details of the pedestrian and cycle link to and across the area of Council owned land to the south of the site providing a link to Woolley Road and the timing of its delivery have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 2.3 The details of the ramp and linkway were contained in application 21/503538/SUB and approved by Planning Committee on 24 February 2022.
  - 2.4 Relating to the ramp, attached as Appendix 1 are drawings showing the layout and levels.
  - 2.5 Relating to the linkway, attached as Appendix 2 is a plan of the area subject to the licence. The full design details of the linkway are to be submitted by Bellway for Council approval.
  - 2.6 These off-site infrastructure provisions affect Council land. Both areas are designated as public open space and this designation is to remain.
  - 2.7 Ordinarily off-site infrastructure improvements would be covered under a S106 agreement. However, as these conditions have been imposed by the Planning Inspector on appeal the mechanism for their provision was not addressed.
  - 2.8 The wording of the conditions is 'prior to development' for the ramp and 'prior to occupation' for the linkway. It should be noted that Bellway have the right to appeal the conditions and seek their removal on the grounds that agreement could not be reached with a third party land owner.
  - 2.9 Bellway are in a position to commence the development and therefore agreement needs to be reached on whether the Council will permit Bellway, through the provision of a licence, to access onto Council owned land to provide the infrastructure.

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### **3. AVAILABLE OPTIONS**

- 3.1 The Council do not grant a licence for either the ramp or the linkway. This is likely to result in Bellway appealing the conditions. This could result in:



- a delay to the provision of additional housing units (both private and social) in the borough
  - no off-site infrastructure improvements being delivered
  - the stepped access to the park remaining thereby limiting accessibility
  - potential adverse publicity for the Council from, but not exclusively from, cycling lobby, access groups and the house builder
- 3.2 The Council agree to either the ramp or the linkway being provided. The possible adverse implications could be as in 3.1 above
- 3.3 The Council grant Bellway a licence to access Council land in order to construct the ramp and linkway as per the plans approved by the Planning Committee. The Council would:
- receive an undertaking as to costs for legal and surveying fees
  - receive an undertaking for engineers' fees to ensure the ramp and linkway are built out in accordance with the plans and are free from defects
  - require a 12 months' warranty period prior to taking on responsibility for maintenance of both the structures and associated landscaping. During this time Bellway would remain responsible for their maintenance, remedying defects and ensuring establishment of landscaping
  - receive a commuted sum of £40,000 in lieu of on-going maintenance obligations once the warranty period has expired. This figure has been approved by Parks and Open Spaces as representing a reasonable sum to cover the additional expenses that will be incurred by the Council.

This would deliver:

- support the housing scheme and the amenity of not only its residents but existing residents too
- improve accessibility to open spaces
- improve connectivity of the proposed development to the immediate environs thereby supporting sustainability
- a commuted sum to the Council to support the maintenance and upkeep of the open space in the future

---

#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The third option described above is the preferred option because it achieves the delivery and compliance with planning conditions aimed at improving infrastructure, connectivity and accessibility for residents.
- 4.2 The Council will benefit from improved infrastructure which incorporates ecological improvements and greater diversity.
- 4.3 The Council's position has been safeguarded by the inclusion of a monitoring period together with the use of consultants to warranty the

quality of the infrastructure and planting being provided. In addition, a commuted sum is being provided to support the upkeep and maintenance in the long term.

---

## **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. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 The proposal forms part of a planning permission which was subject to wide consultation as part of the usual determination process. In addition, the provision of these facilities has been approved by Planning Committee as outlined in section 2 paragraph 2.3.
- 6.2 This issue will be considered by the Corporate Services Policy Advisory Committee on 18 January 2023, and the Committee's comments and recommendations will be reported to the Executive.
- 

## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Should the Executive agree that the licences be granted, officers within Corporate Services and Mid Kent Legal Services complete the relevant documentation with Bellway Homes, oversee the provision of the proposed infrastructure during construction and warranty period prior to the Council taking over responsibility and long-term maintenance.
- 

## **8. REPORT APPENDICES**

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

- Appendix 1: Cycle Ramp Documents and Details
  - Appendix 2: Linkway Proposed Licence Area
- 

## **9. BACKGROUND PAPERS**

None.



**OFF-SITE CYCLE RAMP NOTES & LEGEND**

--- DENOTES SITE BOUNDARY

PAVING TYPE 2 (FOOTWAYS) ASPHALT CONCRETE CONSTRUCTION, ADAPTABLE AND PRIVATE

BLACK COLOURED HIGH FRICTION SURFACING

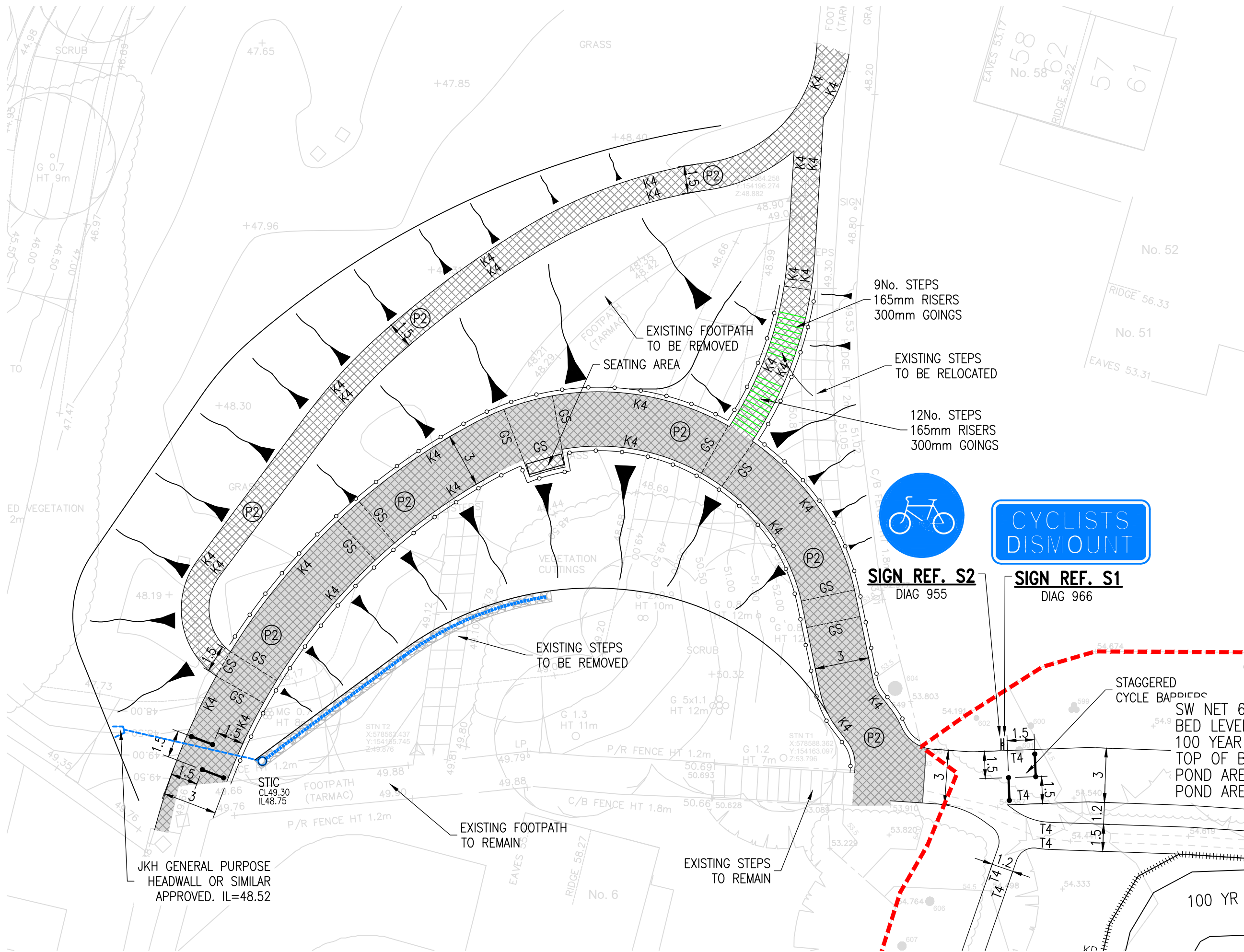
DENOTES GALVANISED STEEL HANDRAIL

DENOTES SURFACE WATER DRAIN AND SILT TRAP INSPECTION CHAMBER

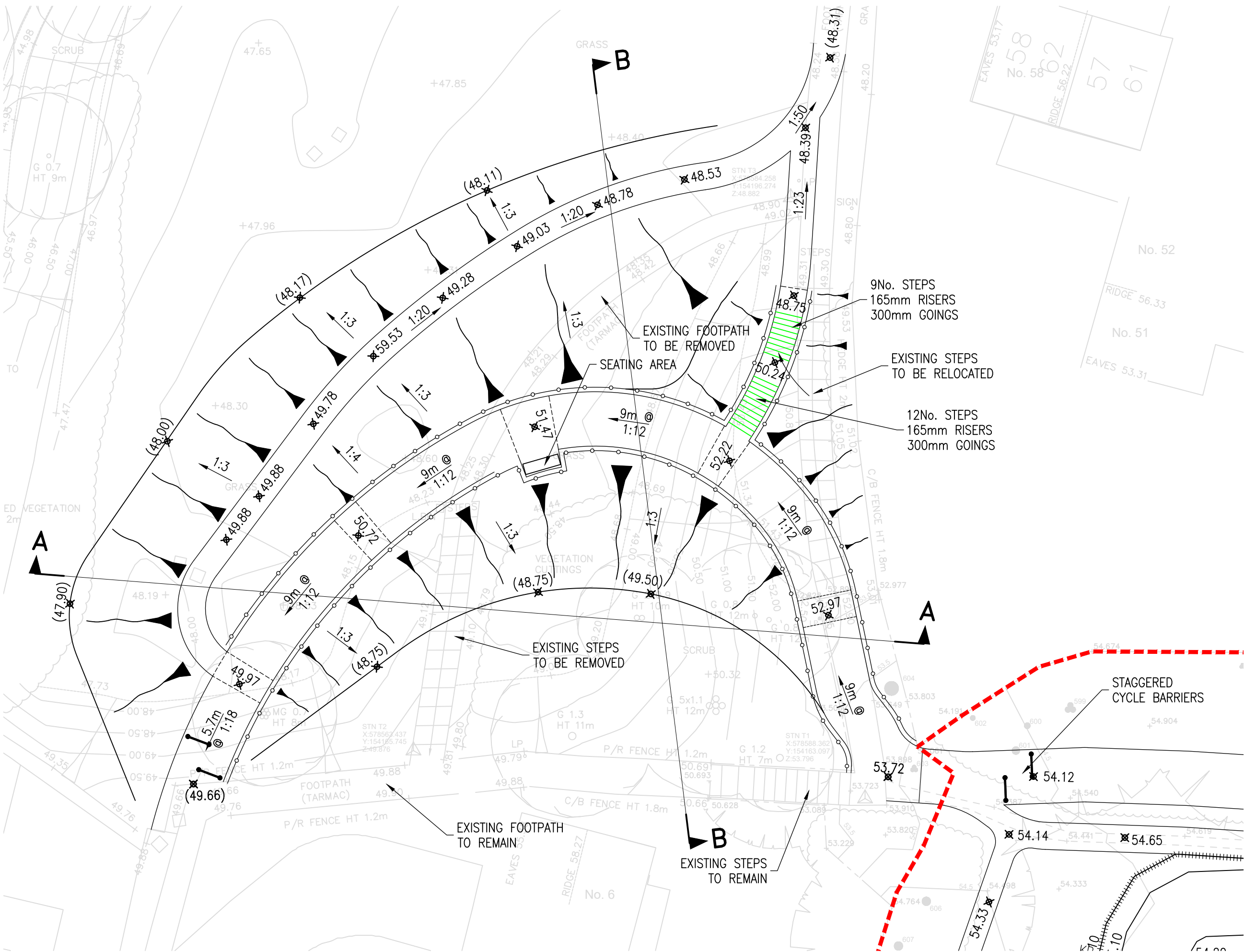
DENOTES LAND DRAIN

**KERB TYPES:**  
K4 - 150 x 50mm FLAT TOP KERB  
GS - 200 x 100mm GRANITE SETTS

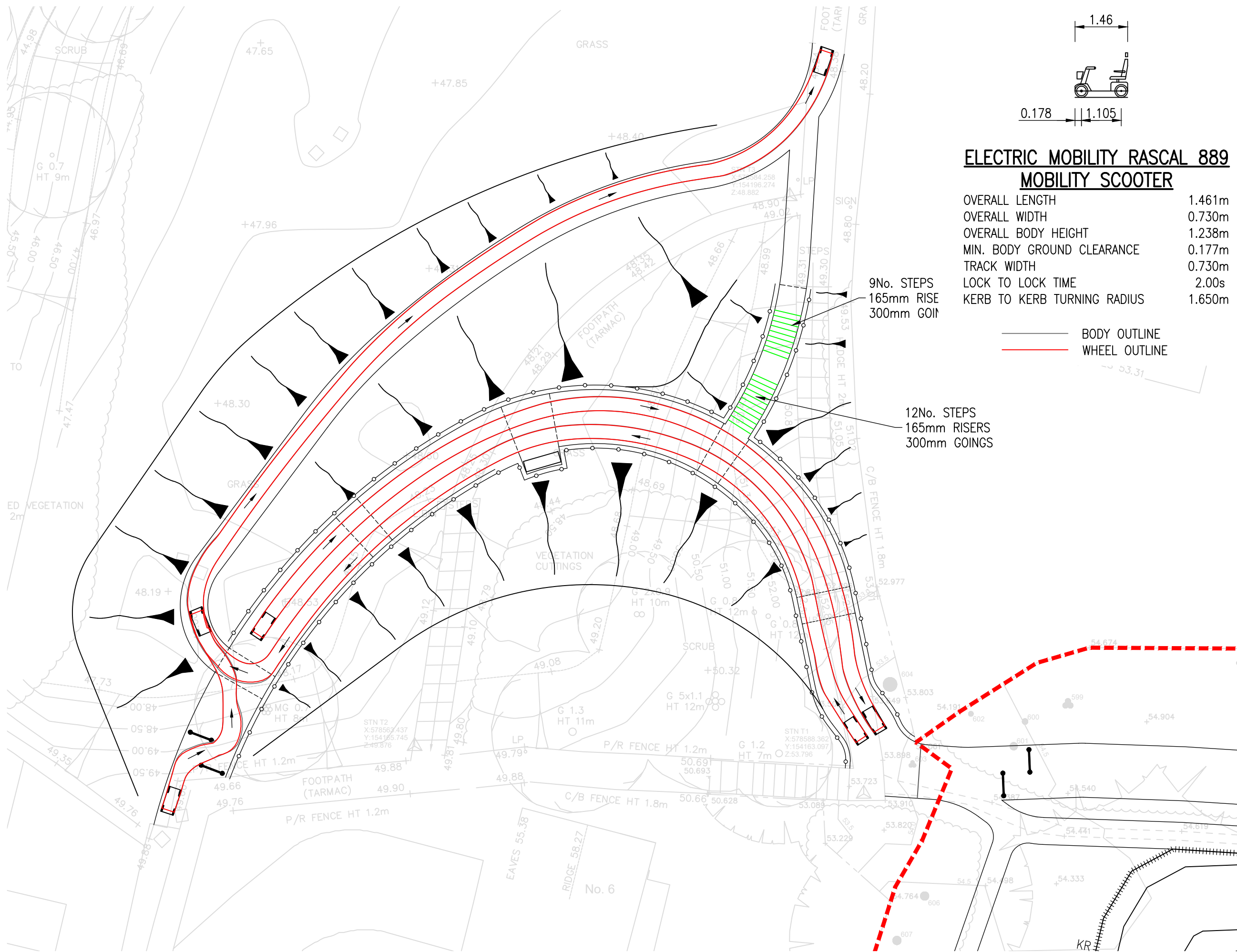
**HEALTH & SAFETY:**  
ALL WORKS TO BE CARRIED OUT BY A CONTRACTOR COMPETENT TO UNDERTAKE THE CONSTRUCTION OF WORKS AS INDICATED ON THIS DRAWING. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE JOB SPECIFIC RISK ASSESSMENT. THE HAZARDS NOTED ARE IN ADDITION TO THE NORMAL HAZARDS AND RISKS FACED BY A COMPETENT CONTRACTOR WHEN DEALING WITH THE TYPE OF WORKS DETAILED ON THIS DRAWING



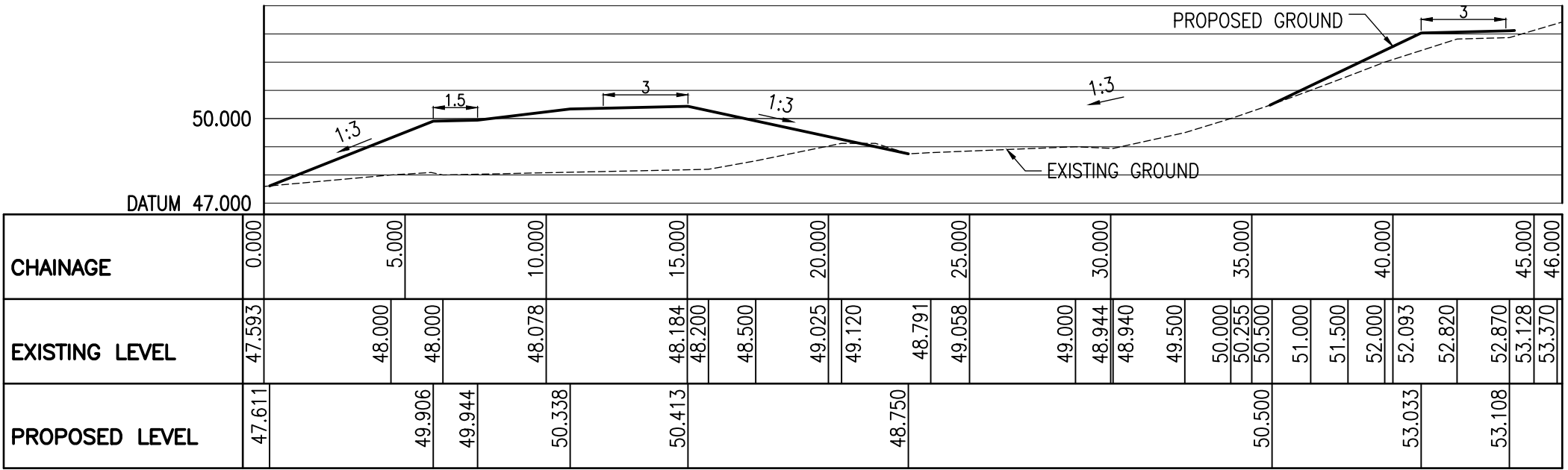
**OFF-SITE CYCLE RAMP LAYOUT**  
SCALE - 1:200



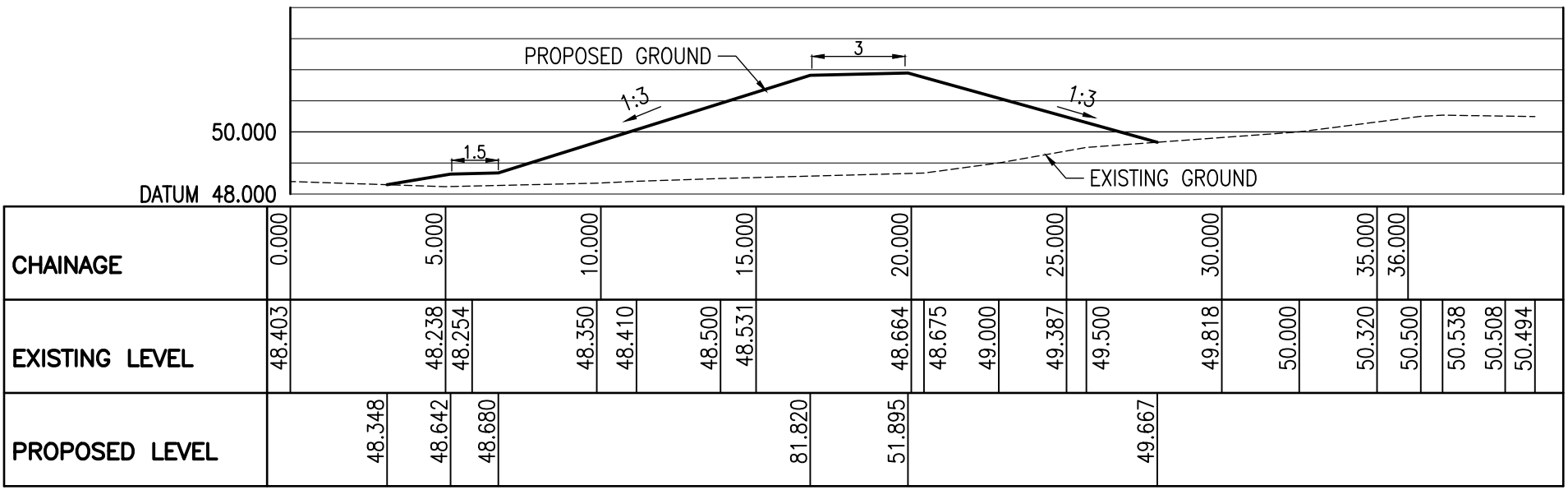
**OFF-SITE CYCLE RAMP LEVELS**  
SCALE - 1:200



**OFF-SITE CYCLE RAMP MOBILITY SCOOTER SWEEP PATH ANALYSIS**  
SCALE - 1:200



**SECTION A-A**  
SCALE 1:200



**SECTION B-B**  
SCALE 1:200

C2	27/05/22	K4 KERBS ADDED
C1	25/02/22	CONSTRUCTION ISSUE
Rev.	Date	Description

Original size 100mm - this print may be reduced

Note: All dimensions, materials and workmanship in accordance with NHBC standards and Building Regulations.  
Do not scale from this drawing. All dimensions to be verified with the drawing office.  
All dimensions shown are structural unless otherwise stated.

**Bellway**

Kent  
30 Tower View  
Kings Hill  
West Malling  
Kent ME19 4JY  
Telephone 01732 879750  
www.bellway.co.uk

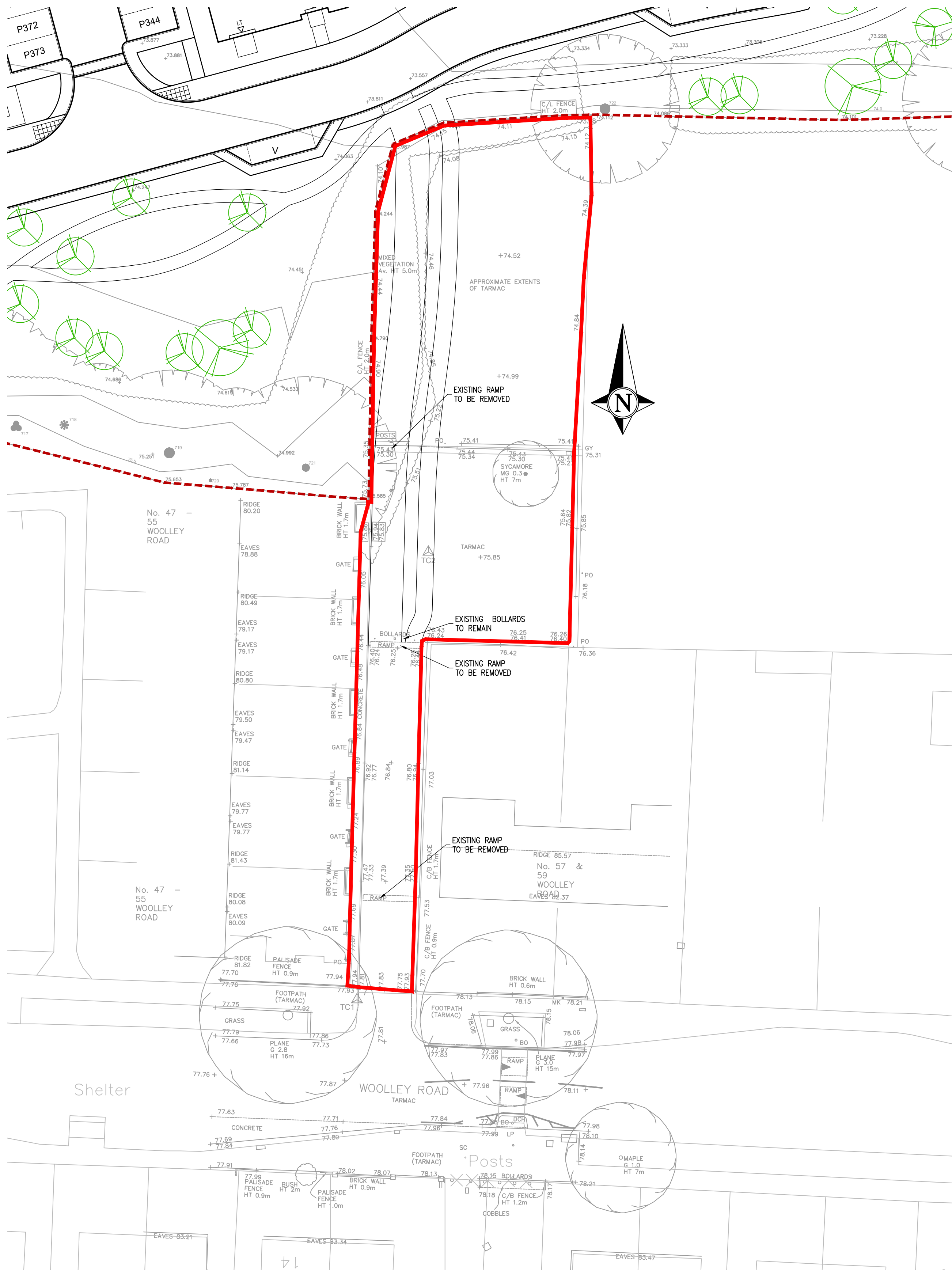
Project **CHURCH ROAD OTHAM**

Drawing Title **OFF-SITE CYCLE RAMP LAYOUT AND LEVELS**

Scale	Date	Drawn	Approved
1:250	06/21	PJ	RHB

Drawing No	Rev.
CK_CIVIL_1010-1	C2





Consultant Information

**RS**  
**REUBY & STAGG LTD.**  
CONSULTING CIVIL & STRUCTURAL ENGINEERS  
Hampshire Office: Telephone: 01425 484400  
Dewey House, 55 High Street, Facsimile: 01425 484409  
Ringwood, Hampshire BH24 1AE Email: admin@reuby-stagg.co.uk

Consultant Reference 10530

**LEGEND**

--- DENOTES SITE BOUNDARY  
--- DENOTES WORKING AREA FOR FOOTPATH/CYCLE LINK

**HEALTH & SAFETY:**  
ALL WORKS TO BE CARRIED OUT BY A CONTRACTOR COMPETENT TO UNDERTAKE THE CONSTRUCTION OF WORKS AS INDICATED ON THIS DRAWING. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE JOB SPECIFIC RISK ASSESSMENT. THE HAZARDS NOTED ARE IN ADDITION TO THE NORMAL HAZARDS AND RISKS FACED BY A COMPETENT CONTRACTOR WHEN DEALING WITH THE TYPE OF WORKS DETAILED ON THIS DRAWING

PRELIMINARY

C1	25/02/22	CONSTRUCTION ISSUE
Rev.	Date	Description

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**Bellway**

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30 Tower View  
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Telephone 01732 879750  
www.bellway.co.uk

Project  
**CHURCH ROAD  
OTHAM**

Drawing Title  
**WOOLLEY ROAD  
OFF-SITE CYCLE/FOOTPATH  
LINK**

Scale	Date	Drawn	Approved
1:250	12/22	PJ	MD

Drawing No	Rev.
CK_CIVIL_1010-2	P1

## Executive Meeting

25 January 2023

### Property Acquisition for 1,000 Affordable Homes programme

Timetable	
<b>Meeting</b>	<b>Date</b>
Communities, Housing and Environment Policy Advisory Committee	17 January 2023
Executive	25 January 2023

<b>Will this be a Key Decision?</b>	Yes
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Executive
<b>Lead Head of Service</b>	William Cornall, Director of Regeneration and Place
<b>Lead Officer and Report Author</b>	Shanaz Begum, Housing Acquisitions Consultant
<b>Classification</b>	<p>Public Report with Exempt Private Appendices</p> <p>The information contained within the Appendices has been considered exempt under the following paragraph of part 1 of schedule 12A to the Local Government Act 1972:-</p> <p>3 = Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>Public Interest Test</p> <p>On applying the public interest test, the public interest in non- disclosure of the appendices to the report outweighs the public interest in disclosing this information. The reasons in favour of disclosure are the public interest in ensuring value for money and the reasons against disclosure are the harm to the Council's</p>

	financial position in respect of a commercial transaction. Any disclosure of such information may compromise the negotiating position of the Council. Keeping the information exempt is therefore in the public interest.
<b>Wards affected</b>	<b>Staplehurst</b>

### **Executive Summary**

The development strategy to deliver 1,000 new affordable homes was agreed by the Policy and Resources Committee on 19<sup>th</sup> January 2022. As part of the agreed strategy there is an expectation that 50% of affordable homes delivered will be from non-council owned sites.

To support this programme an opportunity has arisen to purchase a site with outline permission submitted, for 10 apartments consisting of 2 x 1 beds and 5 x 2 beds, 3 x 3 beds and commercial space at ground floor .

Once built the apartments will be let at Affordable Rent, with rents set at 80% of prevailing market rent, but capped at Local Housing Allowance.

The Executive is asked to approve the purchase of the proposed freehold acquisition. The site is tenanted with a 5-year agreement, at a passing rent of £9,000 per annum. A mutual break clause is in place with a 6-month notice period.

### **Purpose of Report**

Decision

### **This report makes the following recommendations to the Executive:**

1. That 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. That 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. That 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.
- 4. That, 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)

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
CHE PAC	17 January 2023
Executive	25 January 2023

# Property Acquisition for the 1,000 Affordable Homes programme

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>The purchase of the homes described in this report supports the Councils Development Strategic plan in building 1,000 Affordable Homes, within the agreed capital spend of 200m.</p> <p>The report recommendations support all four of these.</p>	Director of Regeneration and Place
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations support the achievement of the Deprivation and Social Mobility is improved cross cutting objective by delivering a high-quality development of affordable homes.</p>	Director of Regeneration & Place
<b>Risk Management</b>	<ul style="list-style-type: none"> <li>• Refer to paragraph 5 of the report</li> </ul>	Director of Regeneration & Place



<b>Financial</b>	<ul style="list-style-type: none"> <li>The cost of acquiring the site as described in the report will be met from the 1,000 Affordable Homes capital budget agreed by the Council on 23<sup>rd</sup> February 2022. The projected return from the investment meets the criteria set out in the Council's capital strategy. A financial summary is provided in Appendix 1.</li> </ul>	Senior Finance Manager (Client)
<b>Staffing</b>	<ul style="list-style-type: none"> <li>We will deliver the recommendations with our current staffing. However, we will employ external consultants to help facilitate and oversee the redevelopment works with the appointed contractor</li> </ul>	Director of Regeneration & Place
<b>Legal</b>	<ul style="list-style-type: none"> <li>MBC has statutory power under section 1 of the Localism Act 2011 to do anything that individuals generally may do and under section 111 of the Local Government Act 1972 MBC has power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.</li> <li>S120(1)(2) of the 1972 Act also enables MBC to acquire land to be used for the benefit, improvement or development of their area or for the purpose of discharging MBC's functions.</li> <li>MBC must follow its internal procurement rules as detailed in the Constitution and comply with all legal requirements as may be applicable from time to time.</li> <li>Acting on the recommendations is within MBC's powers as set out in the above statutory provisions.</li> </ul>	Interim Team Leader (Contentious and Corporate Governance)

<b>Information Governance</b>	<ul style="list-style-type: none"> <li>The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.</li> </ul>	Information Governance Team
<b>Equalities</b>	<ul style="list-style-type: none"> <li>The recommendations do not propose a change in service therefore will not require an equalities impact assessment</li> </ul>	Equalities & Communities Officer
<b>Public Health</b>	<ul style="list-style-type: none"> <li>We recognise that the recommendations will not negatively impact on population health or that of individuals.</li> </ul>	Head of New Business
<b>Crime and Disorder</b>	<ul style="list-style-type: none"> <li>The recommendation will not have a negative impact on Crime and Disorder.</li> </ul>	Head of New Business
<b>Procurement</b>	<ul style="list-style-type: none"> <li>On accepting the recommendations, MBC will then follow procurement exercises for commissioning consultancy advice to complete delivery of the scheme. We will complete those exercises in line with financial procedure rules.</li> </ul>	Head of New Business
<b>Biodiversity and Climate Change</b>	<ul style="list-style-type: none"> <li>Providing 1,000 new affordable homes will have a significant impact on the Council's carbon footprint and 2030 Net Zero commitment. Highly thermally efficient, low carbon heating, and climate adapted housing, as well as consideration for shared heating solutions, renewable energy, active travel, and biodiversity enhancements as part of the development strategy will ensure alignment with the Biodiversity and Climate Change Action Plan.</li> </ul>	Biodiversity and Climate Change Manager

## 2. INTRODUCTION AND BACKGROUND

- 2.1 An outline planning application was submitted for a potential development site by a third party in 2021 for 2 x2beds, 5x2beds, 3x 3beds and class E commercial scheme at ground floor level. The decision is pending.
- 2.2 The Council now proposes to acquire the site and deliver the development. The proposed acquisition will provide 10 apartments and commercial space, subject to planning. The application drawings are shown in Exempt Appendix 2.
- 2.3 The proposed site will be acquired with an existing tenant in occupation, with the benefit of a 5-year lease agreement starting in 2021. The agreement includes a mutual break clause on six months' notice at any time.
- 2.4 On advice from the legal team, notice will be served to the existing tenants in order to obtain vacant possession of premises, at the appropriate time.
- 2.5 It is proposed the development will be delivered as 100% affordable housing. There are 10 proposed car park spaces and the scheme will be designed to national space standards.
- 2.6 The Council's offer for the proposed acquisition for the freehold of the site has been accepted (subject to committee approval, satisfactory contract, surveys and RICS valuation). The offer is based on a market valuation.
- 2.7 The offer is subject to an overage clause of £35,000 per flat, if the scheme is consented for more than 10 flats, not including the commercial space on the ground floor, within 20 years of the acquisition. We are confident due to planning constraints; we do not anticipate additional units.
- 2.8 A full schedule of accommodation along with the estimated market rent per unit, per calendar month (PCM) and subsequent total gross market rent per unit, per annum is summarised below:

Accommodation	Unit Totals	Unit Size Sq ft	Market Rent per unit (PCM)	Total Gross Rent per unit (PA) capped at LHA rates
1bed2p flat	2	570	£750	£6,979
2bed4p flat	2	764	£875	£8,638
2bed4p flat	3	872	£875	£8,638
3bed5p flat	3	928	£1,025	£9,698
commercial	1	3,100	£1,437	£75,000
Total	11			

All affordable housing will be let as Affordable Rented homes with rents set at 80% of market rent but capped at the local housing allowance as shown in table above. The homes will be let for Affordable Rented Housing to households on the Councils Housing register in accordance with allocations scheme policy.

## Financial Return and Commitments

- 2.8.1 The total Gross Rent for the scheme and subsequent total Net rent for the scheme after the deduction of allowance (before inflation and interest) is £81,924 and £71,347 respectively. The part 2 Appendix 1 shows the relevant financial scheme summary.
- 2.8.2 The overall returns are reasonable, especially in terms of affordable housing. However, the costs ratio is significantly above the required level mainly due to the unprecedented increase in build costs seen recently in the Southeast.
- 2.8.3 It is anticipated that part of the Total Scheme Cost will be funded by MBC applying for grant from Homes England as part of the Continuous Market Engagement bid process for the Affordable Homes programme 2021-2026. The remainder of the Total Scheme Cost would be funded from the existing approved capital programme to support the delivery of affordable housing.
- 2.8.4 The acquisition is financially viable and meets the Council's minimum internal financial parameters. It will provide much needed affordable homes in the area.
- 2.8.5 These properties will be managed by MBC Housing Management Team, which is within the Housing and Community Services Department. The team will be responsible for all tenant contact including repairs, voids, maintenance compliance and rent management.

## 2.9 Proposed Delivery Timescale:

- 2.9.1 Details of the proposed delivery timescale are given below. The dates should be regarded as indicative at this stage as the Council may need to extend/amend the timetable as necessary.

Acquisition completion	February 2023
Planning consent	August 2023
Start on site	November 2023
Practical completion	November 2024

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## 3. AVAILABLE OPTIONS

- 3.1 **Option 1:** The purchase of the proposed acquisition is approved. On approval of planning consent, professional consultants and a contractor will be procured to deliver the scheme. This site when built would assist with housing provision for single person and families in need of affordable housing, contributing towards delivering the development strategy of 1,000 affordable homes.

- 3.2 **Option 2:** The purchase of the proposed acquisition is not approved. The Council would however lose an excellent opportunity to purchase a site close to public transport and other amenities to add to its affordable housing stock. It will assist towards much needed accommodation in the Borough and contribute towards the Council's target of 1,000 Affordable homes.

#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 **Option 1** is the recommended option. A significant amount of work and negotiation has been completed by the officers to reach this accepted offer stage with the owners. The scheme has a good chance of being granted consent, with some modifications and liaison with the planning department. It represents a good investment opportunity which supports the 1,000 Affordable Homes Strategy. It also offers the opportunity to work with the owners who have several other small sites within the Borough, that could yield more opportunities in the future.

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#### **5. RISK**

- 5.1 The risks associated with this proposal is the increase in build costs since the start of the pandemic and recent inflationary pressures. Due to supply chains and shortage of labour construction costs have risen. Initial costings have been provided by Calfordseadon. The scheme is of a size to attract the smaller contractors, who have less overheads and can be competitive with pricing.
- 5.2 Officers will monitor the viability, as build costs remain turbulent. Therefore, post-consent, officers will monitor local rental values and demand. Upon completion of planning consent, there will be a procurement process to appoint the contractor. Officers will forward for approval to this Committee a detailed project delivery and investment plan (prior to the development itself commencing).
- 5.3 The appraisal has assumed some subsidy from Homes England. The housing will be 100% affordable rent on site. The chances of securing grant are much improved by MBC having acquired the site.

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#### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Previous committee feedback has expressed the desire for MBC to acquire potential housing led sites within the Maidstone Borough to deliver housing for social housing purposes for the benefit of the local community. This proposal achieves that intention.
- 6.2 This acquisition will be considered by the Communities, Housing and Environment Policy Advisory Committee on 17 January 2023, and the Committee's comments and recommendations will be reported to the Executive.

## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The next steps, subject to the decision made by the Executive, will be to secure the site with exchange and completion of contracts on the terms as agreed by the Director of Finance, Resources and Business improvement, subject to RICS valuation and satisfactory contract. Alongside the acquisition, officers will work alongside planning consultants to ensure a satisfactory consent. Once consent is received officers will work with appointed Employer's agents to source a suitable contractor within a deliverable price. And will return to Committee with recommendation for the contractor to be appointed and confirmed costs for the build.
- 7.2 The Head of Mid Kent Legal Services will also be authorised to instruct/appoint the Solicitors to complete the necessary contract documentation, deeds and contracts associated with the purchase.
- 

## **8. REPORT APPENDICES**

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

- Exempt Appendix 1: Site Layout
  - Exempt Appendix 2: Financial Summary
- 

## **9. BACKGROUND PAPERS**

None

## EXECUTIVE MEETING

**25 January 2023**

### Property Acquisition for 1,000 Affordable Homes Programme

Timetable	
<b>Meeting</b>	<b>Date</b>
Communities, Housing and Environment Policy Advisory Committee	17 January 2023
Executive	25 January 2023

<b>Will this be a Key Decision?</b>	Yes
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Executive
<b>Lead Head of Service</b>	William Cornall – Director of Regeneration & Place
<b>Lead Officer and Report Author</b>	Philip Morris – Housing Acquisitions Consultant
<b>Classification</b>	<p>Public Report with Exempt Private Appendices</p> <p>The information contained within the Appendices has been considered exempt under the following paragraph of part 1 of schedule 12A to the Local Government Act 1972:-</p> <p>3 = Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>Public Interest Test</p> <p>On applying the public interest test, the public interest in non- disclosure of the appendices to the report outweighs the public interest in disclosing this information. The reasons in favour of disclosure are the public interest in ensuring value for money and the reasons against disclosure are the harm to the Council’s financial position in respect of a commercial transaction. Any disclosure of such information may compromise the negotiating position of the Council. Keeping the information exempt is therefore in the public interest.</p>
<b>Wards affected</b>	Bridge Ward

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## **Executive Summary**

The development strategy to deliver 1,000 new affordable homes was agreed by the Policy and Resources Committee on 19th January 2022. As part of the agreed strategy, there is an expectation that 50% of affordable homes delivered will be from non-council owned urban brownfield sites.

As part of this programme an opportunity to purchase a town centre site has arisen. The site has an existing planning permission in place for the development of 19 residential units to include 6 x 1 beds and 13 x 2 bed apartments along with associated parking and landscaping.

Once built it is the intention to let the units as Affordable rent units set at 80% of market rent and capped at Local Housing Allowance levels.

The Committee is being asked to consider the freehold acquisition of the site, before being passed to the Executive to approve the purchase of the proposed freehold acquisition.

## **Purpose of Report**

Decision

## **This report makes the following recommendations to the Executive:**

1. That the financial returns for the proposed acquisition as shown in Exempt Appendix 2 of this report, which supports the Housing Development and Regeneration Investment Plan and overall Development Strategy, be approved.
2. That 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. That 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.

4. That, 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).

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
CHE PAC Committee	17 January 2023
Executive	25 January 2023

# Property Acquisition

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>The purchase of the homes described in this report supports the Councils Development Strategic plan in building 1,000 Affordable Homes, within the agreed capital spend of 200m.</p> <p>Accepting the recommendations will materially improve the Council's ability to achieve and support Embracing Growth and Enabling Infrastructure and Homes and Communities.</p>	Director of Regeneration & Place
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations support the achievement of the Deprivation and Social Mobility is improved cross cutting objective by delivering a high-quality development of affordable homes.</p>	Director of Regeneration & Place
<b>Risk Management</b>	Already covered in the risk section.	Director of Regeneration & Place

<b>Financial</b>	Development of the site is not currently included in the draft capital programme, with monies allocated for indicative schemes. This scheme would therefore draw upon those resources already allocated, subject to the risks set out in this report and to the initiatives described in the report to close any potential viability gap.	Section 151 Officer & Finance Team
<b>Staffing</b>	We will deliver the recommendations with our current staffing. However, we will employ external consultants to help facilitate and oversee the redevelopment works with the appointed contractor.	Director of Regeneration & Place
<b>Legal</b>	<p>MBC has statutory power under section 1 of the Localism Act 2011 to do anything that individuals generally may do and under section 111 of the Local Government Act 1972 MBC has power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.</p> <p>S120(1)(2) of the 1972 Act also enables MBC to acquire land to be used for the benefit, improvement or development of their area or for the purpose of discharging MBC's functions.</p> <p>MBC must follow its internal procurement rules as detailed in the Constitution and comply with all legal requirements as may be applicable from time to time.</p> <p>Acting on the recommendations is within MBC's powers as set out in the above statutory provisions.</p>	(Contentious and Corporate Governance)

<b>Information Governance</b>	The recommendations do not impact the personal information (as defined in UK GDPR and Data Protection Act 2018) that the Council processes.	Policy and Information Team
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Head of New Business
<b>Crime and Disorder</b>	The recommendation will not have a negative impact on Crime and Disorder.	Head of New Business
<b>Procurement</b>	On accepting the recommendations, MBC will then follow procurement exercises for commissioning consultancy advice to secure the works contract. We will complete those exercises in line with financial procedure rules.	Head of New Business
<b>Biodiversity and Climate change</b>	Providing 1,000 new affordable homes will have a significant impact on the Council's carbon footprint and 2030 Net Zero commitment. Highly thermally efficient, low carbon heating, and climate adapted housing, as well as consideration for shared heating solutions, renewable energy, active travel, and biodiversity enhancements as part of the development strategy will ensure alignment with the Biodiversity and Climate Change Action Plan.	Biodiversity and Climate Change Manager

## **2. INTRODUCTION AND BACKGROUND**

- 2.1 As covered under the planning section an application was submitted by the vendor in 2020 and subsequently approved in 2021 to build 19 residential units to include 6 x 1 beds and 13 x 2 bed apartments together with associated car parking, cycle storage and landscaping.
- 2.2 The site lies on the western edge of the Town centres close to Maidstone West Railway station. The site is considered a highly sustainable location with good access by foot and cycle to a number of services in close proximity. There are also a high number of easily accessible bus services just a short walk from the site.
- 2.3 The surrounding area is a mix of uses, including commercial, retail, leisure, healthcare and residential. The site itself is relatively small at circa 0.12 ha and currently comprised of a retail store at ground level with fitness use at first floor and to the rear. All tenants have now vacated the premises. A surface car park is located to the west of the site which provides parking for around 29-30 cars in unmarked bays, used for staff and customers and is accessed directly off Tonbridge Road. At this point the carriageway is one way westbound.
- 2.4 The proposal seeks to demolish the existing site and provide a part 3/4 storey building providing 19 apartments with 14 car parking spaces, two of which will be electric vehicle charging spaces. The development will benefit from the use of photovoltaic panels which will be fitted to the roof. There are 20 Cycle parking spaces proposed with secure storage area. Six of the two bed units have access to private amenity space in the form of balconies although the remaining units do not. An offsite contribution towards improvements to existing open space has been secured through the S106. The planning site layout for this development is shown at Exempt Appendix 1.
- 2.5 The existing planning permission for the site has no requirement for the provision of affordable homes. The S106 does contain a viability review mechanism which is to be carried out during construction and prior to completion of the 2<sup>nd</sup> floor slab. This review mechanism will determine if any affordable homes can be delivered on site or a commuted sum payment required.
- 2.6 It is proposed the development will be delivered as 100% affordable housing, comprising of affordable rent. Also contained within the S106 is a maximum threshold of affordable units to be delivered on site which is only 6 units. This is not in line with our proposals as outlined above. We are therefore intending to seek a deed of variation to remove this cap on the number of affordable homes being delivered on site.
- 2.7 Should the deed of variation not be obtained then the fallback position would be to proceed with the purchase and deliver 14 market rented units and 5 affordable rented units (all located on a separate floor to the market rented units ) which would be allowed under the existing planning permission and S106. The scheme has been designed to national space standards. The homes will be built to MBC standard specification for Affordable Rent.

2.8 The Councils offer for the proposed acquisition for the freehold of the site has been accepted (subject to committee approval, satisfactory contract, and RIC's Valuation). The offer was based on a desktop valuation based on Market Sales values and Market rents in the area.

Plot	Accommodation	Unit Size		Market Rent PCM	Total Gross Rent per unit /per annum capped at LHA rates	Mixed Tenure Gross Rents
		M2	Sq Ft			
1	1B2P	50	538	£ 700	£ 7,850	£ 7,850
2	2b4P	70	753	£ 900	£ 9,843	£ 9,843
3	2b4P	70	753	£ 900	£ 9,843	£ 9,843
4	2b4P	70	753	£ 900	£ 9,843	£ 9,843
5	1B2P	50	538	£ 700	£ 7,850	£ 7,850
6	1B2P	50	538	£ 700	£ 7,850	£ 8,400
7	2b4P	70	753	£ 900	£ 9,843	£ 10,800
8	2b4P	70	753	£ 900	£ 9,843	£ 10,800
9	2b4P	70	753	£ 900	£ 9,843	£ 10,800
10	2b4P	70	753	£ 900	£ 9,843	£ 10,800
11	1B2P	50	538	£ 700	£ 7,850	£ 8,400
12	2b4P	70	753	£ 900	£ 9,843	£ 10,800
13	2b4P	70	753	£ 900	£ 9,843	£ 10,800
14	2b4P	70	753	£ 900	£ 9,843	£ 10,800
15	2b4P	70	753	£ 900	£ 9,843	£ 10,800
16	2b4P	70	753	£ 900	£ 9,843	£ 10,800
17	2b4P	70	753	£ 900	£ 9,843	£ 10,800
18	1B2P	54	581	£ 700	£ 7,850	£ 8,400

19	1B2P	54	581	£ 700	£ 7,850	£ 8,400
Totals		<b>1218</b>	<b>13111</b>	<b>£ 190,800</b>	<b>£ 175,063</b>	<b>£ 186,830</b>

2.9 A full schedule of accommodation along with the estimated market rent per unit, per calendar month (PCM) and subsequent total gross rent per unit, per annum (PA) capped at Local Housing Allowance Levels, is summarised below:

2.10 All the affordable housing will be let as Affordable Rented Homes with rents set at 80% of market rent but capped at the local housing allowance levels as shown in table above. The homes will be let to households on the Councils Housing register in accordance with allocations scheme policy.

2.11 The Council have recently concluded the procurement process to appoint suitably experienced and qualified companies to carry out a number of professional specialist consultancy services to support our ambitious housebuilding programme. Part of these specialist services comprise of Employers Agent, Cost Consultancy, Principal Designer and Clerk of Works all of which will be required for this project. The Council will therefore utilise the services of the appointed consultancy firm (Calfordseaden) for these areas of works.

### **Financial Returns and Commitments**

#### **2.12 Option 1 -All Affordable Rent**

For the all affordable rent option the total Gross Rent for the Scheme and subsequent total Net rent for the scheme after the deduction of allowance (before inflation and interest) is £175,063 and £161,419 respectively. Exempt Appendix 2 shows the relevant scheme financial summary.

2.13 The overall returns are reasonable, especially in terms of affordable housing. However, the costs ratio is above the required level mainly due to the unprecedented increase in build costs seen recently in the Southeast which has been seen on a number of site appraisals recently.

2.14 It is proposed the part of the total scheme Costs (£5,408,753) will be funded with £950,000 coming from Homes England grant funding through continuous market engagement bid process for the affordable homes programme 2021-2026, and a sum of £304,000 from the Brownfield Land Release Fund (BLRF). The remaining estimated total works cost would be funded from the existing approved capital programme to support delivery of affordable housing. This would provide a TSC /MVS of 103.9% after deduction of the BLRF monies from the works costs.

2.15 The acquisition is financially viable and meets the Councils minimum internal financial parameters. It will provide much needed high quality affordable homes in the area.

2.16 These properties will be managed by MBC Housing Management Team, which is within the Housing and Community Services Department. The team will be responsible for all tenant contacts including repairs, voids, maintenance compliance and rent management.

2.17 Option 2- 14 Market Rent and 5 Affordable Rent Units

For the mixed tenure option, the total Gross Rent for the Scheme and subsequent total Net rent for the scheme after the deduction of allowance (before inflation and interest) is £186,830 and £181,134 respectively. Exempt Appendix 3 shows the relevant scheme financial summary.

2.18 The Council is in receipt of off-site s106 contributions for use towards the provision of affordable housing. It is proposed that part of the Total Scheme Cost (£5,500,493) will be funded with £225,000 coming from the aforementioned off-site contributions pool of monies and a sum of £304,000 from the Brownfield Land Release Fund (BLRF). The remainder of the estimated Total Scheme Cost would be funded from the existing approved capital programme to support the delivery of affordable housing. This would provide a TSC /MVS of 105.7% after deduction of the BLRF monies from the works costs.

2.19 The acquisition is financially viable and meets the Councils minimum internal financial parameters. It will provide 5 much needed high quality affordable homes and add to Maidstone Councils existing PRS stock in the area.

2.20 These properties will be managed by MBC Housing Management Team, which is within the Housing and Community Services Department. The team will be responsible for all tenant contacts including repairs, voids, maintenance compliance and rent management.

**Proposed Delivery Timescale**

2.21 Details of the proposed delivery timescale are given below. The dates should be regarded as indicative at this stage as the Council may need to extend and /or amend the timetable as necessary

<b>Activity</b>	<b>Finish Date</b>
Exchange and Completion of Contracts	February 2023
Procurement of Contractor	April 2023
Start On Site	September 2023
Practical Completion	April 2024



### **3. AVAILABLE OPTIONS**

- 3.1 **Option 1:** The Executive could choose not to approve the purchase of the proposed acquisition to the Executive. The Council would however lose an excellent opportunity to purchase a site with full planning permission with access to good transport links and amenities to add to its affordable housing stock. It will assist towards much needed affordable accommodation in the Borough and contribute towards the Council 1,000 Affordable Homes delivery target.
- 3.2 **Option 2:** The Executive approve the purchase of the proposed acquisition on the agreed terms and procures the professional consultants and Contractor to help deliver the scheme. This site when built would assist with affordable housing provision, contributing towards delivering the 1,000 affordable homes target.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 Option 2 is the recommended option. A significant amount of work and negotiation has been completed by officers to reach this accepted offer stage with the vendor. The scheme has full planning consent on purchase and represents a good investment opportunity which supports the 1,000 Affordable Homes Development Strategy.
- 4.2 The acquisition will also deliver 19 new apartments within a residential location, making a valuable contribution to the borough's identified affordable housing need.
- 4.3 Should MBC fail to secure the deed of variation required to allow the site to be delivered as 100% affordable it is recommended the site still be acquired and delivered as a mixed tenure scheme providing 14 market rent units and 5 affordable rent units which is in line with the existing planning permission and would not require any variation to the S106 agreement.
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### **5. RISK**

- 5.1 The risks associated with this proposal is the increase in build costs since the start of the pandemic. Due to supply chains and shortage of labour construction costs have risen. The BCIS which provides cost and price data for the UK construction Industry, is forecasting with the initial rise in January, prices will ease off slightly. Initial costings have been provided by Calfords Seaden based on similar schemes. The scheme is of a size to attract the smaller contractors, who will have less overheads and can be competitive with pricing.
- 5.2 Officers will continue to monitor the viability, as build costs remain turbulent. Therefore, post-acquisition, officers will monitor local rental values and demand. Upon completion of the procurement process to appoint a contractor, officers will bring forward for approval to this Committee a detailed project delivery and investment plan (prior to the

development itself commencing).

- 5.3 The appraisal has assumed some subsidy from Homes England. The housing will be 100% affordable rent on site. There is a restriction within the S106 regarding a maximum number of affordable homes to be delivered on site and so officers will need to obtain a deed of variation to agree this. MBC will be seeking grant from Homes England for the affordable rented provision. The chances of securing such grant funding are much improved by MBC having acquired the site with secured Full Planning Consent. If the grant is not forthcoming or officers are unable to agree the deed of variation, the homes could be provided for PRS housing through Maidstone Property Holdings Limited. A smaller number of affordable rented units could also be provided, all located on one separate floor, which would be consistent with the current planning consent, so this risk can be mitigated.
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## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Previous committee feedback has expressed the desire for MBC to acquire potential housing led sites within the Maidstone borough to deliver housing for social housing purposes for the benefit of the local community. This proposal achieves that intention.
- 6.2 This acquisition will be considered by the Communities, Housing and Environment Policy Advisory Committee on 17 January 2023, and the Committee's comments and recommendations will be reported to the Executive.
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The next steps, subject to the decision made by the Executive, will be to secure the site with exchange and completion of contracts on the terms as agreed by the Director of Finance, Resources and Business Improvement, subject to RICS valuation, and satisfactory contract. Alongside the acquisition, officers will work with the appointed Employers Agent to source a suitable contractor within a deliverable price and will return to Committee with recommendation for the Contractor to be appointed and confirmed costs for build.
- 7.2 The Head of Mid Kent Legal Services will also be authorised to instruct/appoint the Solicitors to complete the necessary contract documentation, deeds and contracts associated with the purchase.
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## **8. REPORT APPENDICES**

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

- Exempt Appendix 1: Site Layout
- Exempt Appendix 2: Financial Summary Option 1

- Exempt Appendix 3: Financial Summary Option 2
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## **9. BACKGROUND PAPERS**

***None***

# Agenda Item 25

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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