

MAIDSTONE BOROUGH COUNCIL

**COMMUNITIES, HOUSING AND ENVIRONMENT POLICY ADVISORY
COMMITTEE**

**MINUTES OF THE MEETING HELD ON 13 DECEMBER 2022 ADJORNED TO
19 DECEMBER 2022**

Attendees:

Committee Members:	Councillors McKenna (Chairman), Bartlett, Fort, Young, Cleator and Conyard
Lead Members:	Councillors Round (Lead Member for Environmental Services) and S Webb (Lead Member for Housing and Health)

79. APOLOGIES FOR ABSENCE

Apologies of absence were received by Councillors Newton, Khadka and R Webb.

80. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Conyard was present as a Substitute Member for Councillor Khadka.

Councillor Cleator was present as a Substitute Member for Councillor Rose.

81. URGENT ITEMS

There was one urgent item, which was the updated Appendix 1 to Item 15 – Granada House Refurbishment and was required for the consideration of the item. The Appendix was circulated on Thursday 8 December.

82. NOTIFICATION OF VISITING MEMBERS

Councillor Burton was in attendance as a Visiting Member for Item 13 - Fees and Charges 2023/24, Item 14 – Equalities Policy and Action Plan – Update, Item 15 – Mid Kent Waste Collection Contract and Item 16 – Granada House Refurbishment.

83. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

84. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

85. EXEMPT ITEMS.

RESOLVED: That all Items be taken in public unless any Member of the Committee wished to specifically refer to any of the information contained within Item 17 – Exempt Appendix 2 to Item 15 – Mid Kent Waste Collection Contract

and Item 18 – Exempt Appendix to Item 16 – Granada House Refurbishment, in which case the Committee would enter into closed session due to likely disclosure of exempt information.

86. MINUTES OF THE MEETING HELD ON 15 NOVEMBER 2022

RESOLVED: That the Minutes of the Meeting held on 15 November 2022 be approved as a correct record and signed.

87. PRESENTATION OF PETITIONS

There were no petitions.

88. QUESTION AND ANSWER SESSION FROM LOCAL RESIDENTS

There were no questions from local residents.

89. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members.

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

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

91. FEES AND CHARGES 2023/24

The Lead Member for Environmental Services introduced the report and explained that whilst the Head of Finance was not present, all of the relevant information had been included within the report.

The Director of Regeneration and Place advised that he and the Head of Environmental Services and Public Realm may be able to answer any questions, or provide additional information outside of the meeting if required. To assist in the Committee's consideration of the report, the Leader of the Council advised that the Executive had been considering the matter in great detail and welcomed the Committee's views on the issue.

In response to questions, the Head of Environment Services and Public Realm explained that the fly-tipping fixed penalty notice (FPN) fee was set at the statutory maximum. The fees were ring-fenced for reinvestment into the service, with the example given being the purchase of additional cameras. Depending on the severity of the fly-tipping, either an FPN would be issued, or the Council would attempt to prosecute the individuals involved; although the former was preferred given the ongoing delay to court proceedings arising from the Covid-19 pandemic. It was stated that FPNs for littering could also be issued where appropriate.

In response to further questions, the Head of Environmental Services and Public Realm confirmed that the Council could seize vehicles believed to be involved in fly-tipping. If unclaimed, the vehicle was scrapped or sold with any income generated used to cover the services cost.

In response to concerns arising from the proposed increase in trade waste collections and whether this would impact the service's use, the Head of Environment Services and Public Realm explained that the fees proposed were competitive in comparison to other local authorities, and provided greater flexibility to customers. For example, fortnightly collections could be arranged if required and a greater number of town centre businesses had been using the service due to its flexibility. The fees proposed would recover the cost of the service which had also increased.

The Head of Environmental Services and Public Realm explained as both the trade waste collection and fly-tipping services were managed by the same teams, any changes in trends would be visible and could be investigated.

The Committee expressed support for the proposed fees and charges for 2023/24.

RESOLVED: That;

1. The contents of the report be noted; and
2. The Executive be recommended to approve the Fees and Charges as detailed in Appendix 1 to the report.

92. EQUALITIES POLICY AND ACTION PLAN - UPDATE

The Chairman stated that the item was due to be withdrawn as the Lead Member for Communities and Public Engagement was unable to attend the meeting.

The Leader of the Council stated that as the matter was not time sensitive, it would be re-presented at the Committee's next meeting.

RESOLVED: That Item 14 – Equalities Policy and Action Plan Update be withdrawn from the agenda.

93. MID KENT WASTE COLLECTION CONTRACT

The Lead Member for Environmental Services introduced the report and explained in March 2021 the Communities, Housing and Environment Committee agreed to remain within the Mid Kent Waste Partnership (MKWP), alongside Ashford and Swale Borough Councils. The Mid Kent Waste Collection Contract had been tendered and one bid had been received.

The Committee were informed that the bid had been considered against the evaluation criteria agreed by the MKWP, scoring 81.88 out of 100. The service proposed would allow for the collection of food waste, refuse and recycling within the same vehicle at an increased payload to the vehicles currently used. Additionally, narrow access resources for garden waste would be provided to provide reliability and resilience to the service. The bidder had developed a partnership with Demelza Hospice Care to enable the reuse of bulky items where possible

The bid included the provision of improved vehicle tracking technology and improved management of customer services requests, to allow the waste team to have full visibility of the service's provision. Electric supervisor vans would be provided, with local sustainability champions and initiatives to be implemented at each depot. The other initiatives to be provided were outlined, to include the

extension the 'Go Green' initiative, skills and mental health training sessions, community and school events and internships, amongst other things.

It was proposed that the Council would allocate £5.8 million towards the fleet costs, to reduce the service's overall cost, based on the tender price and provision of an in-built contingency fund.

RESOLVED: That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reason specified, having applied the Public Interest Test:

Head of Schedule 12A and Brief Description

Exempt Appendix 2 to Item 15 Mid Kent Waste Collection Contract	3 – Financial/Business Affairs
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The Committee entered into closed session between 7.01 p.m. to 7.10 p.m. and asked questions on the proposal's finances, including across future years of the contract's life.

The Committee expressed support for the proposal.

RESOLVED: That the Executive be recommended to;

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

94. GRANADA HOUSE REFURBISHMENT

The Lead Member for Housing and Health introduced the report and explained that the Council purchased Granada House in 2016 as the town centre was due to be extended. The building was in poor condition. The Council had let the building on a long-term basis to Maidstone Property Holdings, however significant planned maintenance works were required, as there had been very little work undertaken since its construction in the 1930s.

The decommissioned Policy and Resources Committee had previously agreed the building's refurbishment. A tender exercise had taken place, but the Executive were dissatisfied with the value for money aspect of the bid received, and so a second procurement exercise is currently being undertaken. The projected cost as contained within Exempt Appendix 1 to the report had been set by the Executive.

If approved, the refurbishment works would provide benefits such as increased rental levels, increased demand for the apartments and a reduction in the cost of undertaking reactive repair works. The proposed works would take six months, likely commencing from March or April 2023. There would be an option to install

solar panels at further expenditure, although this would be considered at a later date once a contractor had been appointed.

RESOLVED: That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reason specified, having applied the Public Interest Test:

Head of Schedule 12A and Brief Description

Exempt Appendix 1 to Item 16 Granada House Refurbishment	-	3 – Financial/Business Affairs.
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The Committee entered into closed session between 7.16 p.m. to 7.28 p.m. The questions raised focused on the specification's contents and the works projected costs, as contained within Exempt Appendix 1 to the report.

In response to questions, the Director of Regeneration and Place stated that the relevant Council team and Pellings as the building surveyors would ensure that the specification achieved value for money, and the Council's Section 151 Officer, the Director of Finance, Resources and Business Improvement would have to sign-off the procurement process and finalised contract sum once agreed in accordance with the Council's financial procedure rules, which would include ensuring its value for money.

Several Members of the Committee felt that further clarification on the specifications contents was required, with particular reference made to ensuring that the building would be refurbished to a high standard within the projected cost envelope contained within Exempt Appendix 1 to the report and achieve value for money.

In response, the Director of Regeneration and Place reiterated that the previous tender exercise undertaken had resulted in the receipt of a bid at a significantly higher cost than the desired (by the Executive) cost envelope within Exempt Appendix 1 to the report. The bid was rejected by the Executive, with a second procurement exercise ongoing against a lower target scheme cost, with a value engineering exercise to be undertaken to achieve the best possible specification for the works. The director stated that priority would be given to ensuring the improving the external envelope the building and achieving compliance with health and safety requirements for the building's individual apartments, with value engineering to take place on certain components that could be refurbished rather than replaced. The director provided assurance that a suitable refurbishment could be completed within the target budget proposed. The issues, in terms of rapidly rising construction costs, being faced by the construction sector, were outlined.

Consideration was given to delaying the proposals consideration to the Committee's next meeting, to allow for further detail on the project specification to be provided to ensure that value for money was achieved in the use of public funds.

In response, the Director of Regeneration and Place strongly advised against delaying the proposals consideration for several reasons which included that the Council's obligations as a landlord needed to be met, particularly given the national focus on Housing Providers not prioritising disrepair within their

portfolios, the length of time since the building's purchase, to prevent a further loss of confidence from the professional firms working on the proposal and reduce additional costs through continued loss of rental income. The potential negative impact to the Council's reputation, alongside the risk that a poor-quality contractor could be appointed if the specification did not undergo a value engineering exercise, was also highlighted.

The Committee felt that the refurbishment works should be progressed without delay due to the importance of ensuring that the building was improved and made suitable for future use.

RESOLVED: That the Executive be recommended to:

1. Agree to carry out the proposed refurbishment works to Granada House up to the Total Scheme Cost as outlined in Table 1 within Exempt Appendix 1 – Financial Summary to the report.
2. Enter into contract with the preferred contractor to carry out the refurbishment works to Granada House.
3. Agree that:
 - 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 to the report) is only pursued after consultation, post contract award with the Lead Member on the Executive for Housing and Health.
4. Give delegated authority to the Director of Finance, Resources and Business Improvement to enter into any related appointments, legal actions, deeds, contracts and agreements which may be required to facilitate the refurbishment works required.
5. Authorise the Head of Mid Kent Legal Services is 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.

95. EXEMPT APPENDIX 2 TO ITEM 15 - MID KENT WASTE COLLECTION CONTRACT

RESOLVED: That the item be considered alongside Item 15 – Mid Kent Waste Collection Contract.

96. EXEMPT APPENDIX 1 TO ITEM 16 - GRANADA HOUSE REFURBISHMENT

RESOLVED: That the item be considered alongside Item 16 – Granada House Refurbishment.

97. DURATION

6:30 p.m. until 7:48 p.m.