

MAIDSTONE BOROUGH COUNCIL

CABINET

MINUTES OF THE MEETING HELD ON WEDNESDAY 25 OCTOBER 2023

Attendees:

Cabinet Members:	Councillors Burton (Chairman), Cooper, Garten, Parfitt-Reid and Perry
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48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Russell.

49. URGENT ITEMS

The Chairman stated that there was an urgent update to Item 13 – Matters Referred to the Cabinet by another Committee – Reference from Housing, Health and Environment Policy Advisory Committee – Notice of Motion, Replacement Refuse Bins, which provided an updated (draft) minutes of that Committee’s consideration of the item that would contribute to item’s consideration.

50. NOTIFICATION OF VISITING MEMBERS

Councillor Jeffery was present as a Visiting Member for Item 13 – Matters Referred to the Cabinet by another Committee – Reference from Housing, Health and Environment Policy Advisory Committee – Notice of Motion, Replacement Refuse Bins, Item 17 – Response to the Report of the Overview and Scrutiny Committee – Recommended actions arising from the review into the Water Management Cycle, and Item 18 – Air Quality Action Plan.

51. DISCLOSURES BY MEMBERS OR OFFICERS

There were no disclosures by Members or Officers.

52. DISCLOSURES OF LOBBYING

Councillor Cooper had been lobbied on Item 17 – Response to the Report of the Overview and Scrutiny Committee – Recommended actions arising from the review into the Water Management Cycle.

53. EXEMPT ITEMS

RESOLVED: That all items be taken in public, unless any Cabinet Member wished to refer to the information contained within Item 21 – Exempt Appendix to Item 20 – Property Acquisition for 1000 Affordable Homes Programme, in which case the Cabinet would enter into closed session due to the likely disclosure of exempt information, for the reason specified having applied the public interest test.

54. MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2023

RESOLVED: That the Minutes of the meeting held on 20 September 2023 be approved as a correct record and signed.

55. PRESENTATION OF PETITIONS

There were no petitions.

56. QUESTIONS FROM LOCAL RESIDENTS TO THE LEADER OR INDIVIDUAL CABINET MEMBER

There was one question from a Local Resident.

Question from Kate Moore to the Cabinet Member for Planning, Infrastructure and Economic Development

'With regards to the Telecoms Planning Application ref 23/501215/TNOT56 I would ask Maidstone Borough Council to consider why neither the CEO of the Trust and the Head Teachers & Governors of Valley Park, Invicta & The Science & Technology Schools in Maidstone were aware of the plans, through the proper channels, prior to approval?'

The Cabinet Member responded to the question.

Kate Moore asked the following supplementary question:

'Many 5G masts are being installed in and around Maidstone, and a number of these are situated close to schools and nurseries. The radiation from these masts is classified by the international agency for research on cancer, which is part of the World Health Organisation, as a group 2b possible carcinogen. Is Maidstone Borough Council happy that infants and young children are chronically exposed to radio frequency radiation while they are at school or in a nurse, or does it think that a precautionary approach is needed to ensure 5G masts are sited well away from these sensitive sites?'

The Cabinet Member responded to the supplementary question.

To listen to the answer to the question, please follow this link:

[Cabinet - Wednesday 25 October 2023 - YouTube](#)

57. QUESTIONS FROM MEMBERS TO THE LEADER OR INDIVIDUAL CABINET MEMBER

There were no questions from Members.

58. MATTERS REFERRED TO THE CABINET FOR RECONSIDERATION

There were no matters referred to the Cabinet for reconsideration.

59. ISSUES ARISING FROM OVERVIEW AND SCRUTINY

There were no issues arising from Overview and Scrutiny.

60. MATTERS REFERRED TO THE CABINET BY ANOTHER COMMITTEE - REFERENCE FROM HOUSING, HEALTH AND ENVIRONMENT POLICY ADVISORY COMMITTEE - NOTICE OF MOTION, REPLACEMENT REFUSE BINS

The Cabinet Member for Environmental Services stated that the decision concerning replacement refuse bins was an operational matter and was under constant review. It had been agreed that the matter would be reviewed by the Housing, Health and Environment Policy Advisory Committee (HHE PAC) in January 2024, with data being collated to supplement the report.

The mover of the motion supported a report being presented to the HHE PAC and Cabinet for consideration in January 2024. It was felt that no further action was required at this stage and as the matter was operational in nature, any issues that arose would be addressed as required.

RESOLVED: That the presentation of a report concerning the provision of wheeled bins in January 2024, be noted.

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

There were no matters relating to a Serious Service Failure or Nuisance.

62. RECEIPT OF WRITTEN REPRESENTATIONS FROM MEMBERS OF THE COUNCIL

There were no written representations from Members.

63. CABINET FORWARD PLAN

It was noted that update reports on the Town Centre Strategy and the Community Infrastructure Levy process would be added to the Forward Plan for December 2023 and January 2024 respectively.

RESOLVED: That the Forward Plan be noted.

64. RESPONSE TO THE REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - RECOMMENDED ACTIONS ARISING FROM THE REVIEW INTO THE WATER MANAGEMENT CYCLE

The Cabinet discussed the completed Overview and Scrutiny Recommendation Action Implementation Plan (SCRAIP), drawing particular attention to the following, that:

- The £100,000 requested had already been included within the capital programme to address flood mitigation measures. The funds were available for use, as opposed to the allocation of an additional £100,000 in funding, with partnership working reiterated. It was felt that this should be clarified within the SCRAIP;
- Many of the recommendations were carried out through existing building regulations, as part of the Council's daily business. An example was given of the public engagement on rainwater harvesting through the Biodiversity and Climate Change Action Plan and Council Eco-Hub; and

The Water Companies responsibility in responding to planning applications was emphasised, alongside highlighting that the management of SUD schemes could be reviewed through future Local Plan Reviews. Where improvements could be made to rainwater run-off, these could be picked up by the Planning Committee.

The SCRAIP would be presented to the Overview and Scrutiny for its consideration.

RESOLVED: That the response to the Overview and Scrutiny Committee's recommendations from the 'Water Management Cycle Review', be approved, with additional clarification on the capital funds allocated to flood mitigation schemes.

Note: Councillor Perry arrived during the item's consideration at 6.55 p.m. and stated that he did not have any disclosures of interest or lobbying to declare.

65. AIR QUALITY ACTION PLAN

RESOLVED: That the Air Quality Action Plan attached at Appendix 3 to the report, be approved.

66. COUNCIL TAX REDUCTION SCHEME

RESOLVED: That:

1. The full Council be recommended to:
 - a. Amend the grid amounts in line with the Department of Work and Pensions annual percentage increase of welfare benefits for 2024/25;
 - b. Continue the scheme with the existing principles and percentage awards (maximum award of 80%) for 2024/25; and
2. The progress of the income banded scheme be noted.

67. PROPERTY ACQUISITION FOR 1000 AFFORDABLE HOMES PROGRAMME

RESOLVED: That

1. The financial returns for the proposed acquisition as shown in Exempt Appendix 3 to the report, which supports the Housing Development and Regeneration Investment Plan and overall Development Strategy, be approved;
2. Delegated authority be given to the Director of Finance, Resources and Business Improvement to:
 - a) Negotiate terms for the purchase of the proposed acquisition for the sum as shown in the Exempt Appendix 3 to the 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 a Contractor if required;

- 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;
 - d) Negotiate and agree any lease between The Council and Maidstone Property Holdings.
3. The Head of Mid Kent Legal Services be authorised to appoint the Solicitors required to negotiate and complete the necessary contract documentation, deeds and agreements associated with the purchase and construction works on the terms as agreed by the Director of Finance, Resources & Business Improvement.

68. EXEMPT APPENDIX TO ITEM 20 - PROPERTY ACQUISITION FOR 1000 AFFORDABLE HOMES PROGRAMME

RESOLVED: That the Item be considered alongside Item 20 – Property Acquisition for 1000 Affordable Homes Programme.

69. DURATION OF MEETING

6.30 p.m. to 7.20 p.m.