

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON WEDNESDAY 17 JULY 2024

Present: Councillor Perry (Mayor), and
Councillors Barwick, Burke, Cannon, Clark, Cleator,
Coates, Conyard, Cooke, Cox, Dawes, Field, Forecast,
Fort, Greenan, Harper, Harwood, Jeffery, Jenkins-
Baldock, Jones, Kehily, Khadka, McKay, Milham,
D Naghi, M Naghi, Parfitt-Reid, Riordan, Rodwell,
Round, Russell, J Sams, T Sams, Spooner, Springett,
Summersgill, Sweetman, M Thompson, S Thompson,
Trzebinski, Wales, Wilby, D Wilkinson and J Wilkinson

27. PRAYERS

Prayers were said by the Pandit Prem Prasad Gaire of the Queen's Gurkha Engineers at Invicta Park Barracks, Maidstone.

28. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Couch, English, Gooch, Higson and Oliver.

29. DISPENSATIONS (IF ANY)

There were no applications for dispensations.

30. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

31. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

32. EXEMPT ITEMS

RESOLVED: That the items on the agenda be taken in public as proposed.

33. MINUTES OF THE ANNUAL MEETING OF THE BOROUGH COUNCIL HELD ON 18 MAY 2024

RESOLVED: That the Minutes of the Annual Meeting of the Borough Council held on 18 May 2024 be approved as a correct record and signed.

34. MAYOR'S ANNOUNCEMENTS

The Mayor and Deputy Mayor paid respect to the history and tradition of the Mayor's role and updated Members on recent and forthcoming engagements and events, including a visit to the Spadework charity and the Nepalese Gurkhas in Yalding, the celebration of the Royal Electrical and Mechanical Engineers being awarded the Freedom of the Parish of Lenham, and a visit to Maidstone's twin town, Beauvais, and thanked the civic team for their support during these events.

35. PETITIONS

There were no petitions.

36. QUESTION AND ANSWER SESSION FOR LOCAL RESIDENTS

Question from Sean Turner to the Cabinet Member for Climate Transition and Nature Recovery

Considering we have new Council members, and when the Climate Emergency Motion was previously considered on 10 April 2019 no recorded vote was taken. How will MBC express the support from its new council members and transparency towards its residents on upholding the Biodiversity & Climate change targets, which include long-term measures placed on Public & Private Travel, homes and the heightening costs of council tax contributions in supporting the decarbonisation of the estate and various funding of stakeholder and private partner green initiatives?

The Cabinet Member for Climate Transition and Nature Recovery responded to the question.

Sean Turner asked the following supplementary question of the Cabinet Member for Climate Transition and Nature Recovery:

Now five years on from the Climate Emergency Declaration what current unbiased, and preferably unsupported by the United Nations based evidence, can this Council provide to reassure us the people that there is an actual climate emergency and biodiversity crisis caused by human beings?

The Cabinet Member for Climate Transition and Nature Recovery responded to the question.

Question from Alana Diamond on behalf of Ulcombe Parish Council to the Chairman of the Planning Committee

With regards to the appeals, decisions and applications at Land Known as the Rear of the Meadows Traveller Site, Lenham Road and Land Adjacent to Neverend Farm, Pye Corner. Why does MBC want to ignore a Planning Inspectorate eviction decision and a major holiday condition in traveller planning appeals, having refused the planning applications in the first place?

The Chairman of the Planning Committee responded to the question.

Alana Diamond did not ask a supplementary question of the Chairman of the Planning Committee.

Question from Kate Hammond to the Leader of the Council

Do you think it is standard practice for the Chief Executive to write to the Independent Inspector of the Local Plan encouraging haste to finalise his report rather than allowing the Inspector the time to undertake further consultation and consider his findings?

The Leader of the Council responded to the question.

Kate Hammond asked the following supplementary question of the Leader of the Council:

At the 4th of March Council Meeting a number of members voiced their concern over the Local Plan and how fast it was being rushed through. They weren't all aware that the chief executive had tried to intervene in a critical consultation. Although you weren't the Leader or Cabinet Member at this point, I ask again, do you think she overstepped her remit?

The Leader of the Council responded to the question.

37. **QUESTIONS FROM MEMBERS OF THE COUNCIL**

Question from Councillor Cannon to the Leader of the Council

The previous Conservative administration reduced the cost of local government in Maidstone by reducing the number of councillors and holding whole council elections. Crucially it also found it was able to run the administration with 1 Leader and 5 Cabinet Members. The new Green and Liberal Democrat leadership has expanded the cabinet.

What is the total cost in terms of the new expanded cabinet and their SRAs to the taxpayer over the 4 year term of the new council?"

The Leader of the Council responded to the question.

Councillor Cannon asked the following supplementary question of the Leader of the Council:

Of that £104,000 of extra spending, what was the claimed special responsibility allowance of Councillor Vanessa Jones who left your Cabinet after just one month? Did the Leader not properly consider appointments first?

The Leader of the Council responded to the question.

Question from Councillor Russell to the Leader of the Council

Throughout the recent local election campaign I noted your repeated campaign message that you wouldn't build on any greenfield sites and

that you favoured brownfield sites. In both the 2017 Plan and the LPR Review that has now been adopted, a number of housing allocations have been made on brownfield sites, some of which are now already being delivered, with the balance being allocated to greenfield. With the overall housing target for the new plan period being circa 19,000 houses can you detail the amount of brownfield land (in acres or hectares) that is, as of 1st July 2024, left unallocated within Maidstone Borough that could have possibly been used for housing allocations instead of the greenfield sites that were chosen?

The Leader of the Council responded to the question.

Councillor Russell asked the following supplementary question of the Leader of the Council:

In a recent TV interview you did, you were standing with your back to the Town Hall and you were looking out towards the Metro Bank and you mentioned you could see a brownfield site right in front of you and I wondered what site you were looking at?

The Leader of the Council responded to the question.

Question from Councillor Parfitt to the Cabinet Member for Environmental Services and Enforcement

As both the cabinet member and leader are aware, one of my wheelchair bound residents who is eligible for assisted collections has in the last two months been trapped in his home on two occasions due to the failure of the waste crew to return his bin to the correct locality, and on a third occasion had his food bin placed on top of his recycling bin which also left him in a position of needing to contact me for help.

What reassurance can the cabinet member give that we are meeting the needs of our most vulnerable residents with regard to waste services and what steps have been put in place beyond persistently reminding the crew as this is clearly not cutting through?

In the absence of the Cabinet Member for Environmental Services and Enforcement, the Leader of the Council responded to the question.

Councillor Parfitt did not wish to ask a supplementary question of the Leader of the Council.

Question from Councillor Riordan to the Cabinet Member for Planning Policy and Management

What, if any, progress has been made on the Gypsy & Traveller DPD since the publication of the GTAA in order to accommodate the evidenced need for 529 additional pitches in our borough up to 2040?

The Cabinet Member for Planning Policy and Management responded to the question.

Councillor Riordan asked the following supplementary question of the Cabinet Member for Planning Policy and Management:

Are the proposed planning amendments with the new Government going to hold it up or is our Cabinet going to wait on that information before moving forward with the Gypsy & Traveller DPD and if so, what would be the proposed timescale because it is very difficult to assume?

The Cabinet Member for Planning Policy and Management responded to the question.

Question from Councillor Harper to the Cabinet Member for Healthier Stronger Communities

As the Cabinet Member will be aware it is current policy that the Council will provide either open a new or fully refurbished Leisure Centre at Mote Park by no later than the 31st March 2031. Amongst other things the current building is nearing the end of its economic life, and is one of the largest sources of carbon emissions in the borough. Can the Cabinet member for Healthier Stronger Communities please confirm that it remains the policy of the new Green/ Liberal Democrat administration of Maidstone Borough Council to either open a new or fully refurbished Leisure Centre at Mote Park by no later than the 31st March 2031?

The Cabinet Member for Healthier Stronger Communities responded to the question.

Councillor Harper asked the following supplementary question of the Cabinet Member for Healthier Stronger Communities:

Without an up to date leisure facilities how can you address the issue of obesity, which you as an administration set out as a prime priority?

Question from Councillor J Sams to the Cabinet member for Environmental Services and Enforcement

SUEZ failed to provide a meaningful and reliable garden waste collection service for the first 12 weeks of their contract. Do you feel that residents in those areas most badly affected and who received such a poor service should be offered forward crediting to offset their non service and inconvenience?

In the absence of the Cabinet Member for Environmental Services and Enforcement, the Leader of the Council responded to the question.

Councillor J Sams asked the following supplementary question of the Leader of the Council:

The areas most badly affected must be known by the Council in the basis of information gained from Councillors and by complaints by residents, should SUEZ pay for this dreadful service and recompense residents from the most badly affected areas with a three month forward credit?

The Leader of the Council responded to the question.

Question from Councillor T Sams to the Cabinet Member for Planning Policy and Management

The previous council hurriedly adopted the local plan. How do you see the time frame for the next local plan?

The Cabinet Member for Planning Policy and Management responded to the question.

Councillor T Sams asked the following supplementary question of the Cabinet Member for Planning Policy and Management:

Lidsing is a garden community put forward within our adopted plan and those residents have paid many times over to defend their community. To add further should the judicial review fail, the Council would be awarded costs in that process. Do you think it's reasonable that the Council could collect these?

The Cabinet Member for Planning Policy and Management responded to the question.

Question from Councillor Jones to the Leader of the Council

Can the Leader of the Council please give an update regarding the Council's progress on land acquisition at Lenham Heath?

The Leader of the Council responded to the question.

Councillor Jones asked the following supplementary question of the Leader of the Council:

I know you are aware of alleged intimidation of land owners being pressurized to sell their land, please can you give more information regarding what you know about this and what actions you are taking?

The Leader of the Council responded to the question.

Question from Councillor Dawes to the Leader of the Council

In relation to Agenda Item 16, why does the Cabinet judge it necessary to take control of those outside bodies?

The Leader of the Council responded to the question.

Councillor Dawes did not wish to ask a supplementary question of the Leader of the Council.

Question from Councillor Forecast to the Cabinet Member for Environmental Services and Enforcement

Many treated the waste service delays and missed collections, following a change of operator, as a political football. Yet, since the local elections there has been no significant improvements at all. This has meant every taxpayer in the borough is being let down. What action is the Cabinet Member taking to ensure that SUEZ pays the bill?

In the absence of the Cabinet Member for Environmental Services and Enforcement, the Leader of the Council responded to the question.

Councillor Forecast did not wish to ask a supplementary question of the Leader of the Council.

Question from Councillor Spooner to the Cabinet Member for Planning Policy and Management

Given both the complexity and controversy of the proposed Adopted Local Plan proposal for a Heathlands Garden Settlement, it is vitally important that we mitigate this as best as possible to provide as much reassurance as practical to the public and to their representatives in this chamber. Therefore, can the Cabinet Member for Planning Policy and Management provide me with reassurance that the SPD for this proposed development is progressing well and provide a timescale for its preparation?

The Cabinet Member for Planning Policy and Management responded to the question.

Councillor Spooner asked the following supplementary question of the Cabinet Member for Planning Policy and Management:

I fully appreciate the complexities of what's involved and the sensitivities, my concern is that if there are any delays we are laying the whole borough open to speculative planning applications in every field through the borough, and we must be prepared for that if there's any delay in that SPD. Do we still have Homes England on side, are we working collaboratively with our consultees to produce those SPDs as quickly as possible because they are urgently needed other we will face an onslaught of speculative applications across the borough which we will be unable to defend?

The Cabinet Member for Planning Policy and Management responded to the question.

38. **CURRENT ISSUES - REPORT OF THE LEADER OF THE COUNCIL, RESPONSE OF THE GROUP LEADERS AND QUESTIONS FROM COUNCIL MEMBERS**

Councillor Jeffery, the Leader of the Council, submitted his report on current issues. After Councillor Jeffery had submitted his report, Councillor Russell, the Leader of the Conservative Group, Councillor Harwood, on behalf of the Leader of the Liberal Democrat Group, Councillor Cleator, the Leader of the Labour Group, and Councillor Harper, the Leader of the Independent and Fant and Oakwood Independents' Group, responded to the issues raised.

Councillor Jeffery then responded to questions on matters relevant to his role as the Leader.

39. TO CONSIDER ANY MOTION MOVED BY THE LEADER OF THE COUNCIL IN RESPECT OF THE ADMINISTRATION'S PROGRAMME FOR THE MUNICIPAL YEAR 2024/25

It was moved by Councillor Jeffery, seconded by Councillor Harwood, that the Administration's programme for the Municipal Year 2024/25 be approved.

The four priorities outlined were:

- Listening and engaging with people and partners. The Council would be inclusive for all residents and re-energise partnerships for better services. Communication with residents would be in plain language and accessible to all.
- Adapting our Borough to the future. A revised biodiversity and climate change action plan would be created and reviews would commence on the Local Plan and planning policies. Biodiversity would be increased throughout the Borough.
- Delivering quality homes and enabling healthier lives. The Council would reduce the number of residents living in temporary accommodation or were homeless, and the length of time people on the housing list would be reduced. The Council's stock of social and affordable housing would increase and a review would be conducted on the Council's air quality action plan to reduce emissions.
- Meeting societies' needs while protecting and improving our environment. A circular economy and local economy would be developed and local jobs and businesses in the town centre would be promoted. The current arts, culture, leisure and entertainment facilities in the Borough would be further developed.

RESOLVED: That the Administration's programme for the Municipal Year 2024/25 be approved.

40. REPORT FROM THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE AND DEMOCRACY AND GENERAL PURPOSES COMMITTEE - REVISED MEMBERS' CODE OF CONDUCT AND ARRANGEMENTS FOR DEALING WITH COUNCILLOR CONDUCT COMPLAINTS

It was moved by Councillor Field, seconded by Councillor Jeffery, that the recommendation of the Audit, Governance and Standards Committee and Democracy and General Purposes Committee relating to the revised Member's Code of Conduct and Arrangements for Dealing with Councillor Conduct Complaints be approved.

RESOLVED: That

1. The revised Member Code of Conduct (Appendix 1 to the report) and revised arrangements for dealing with Councillor conduct complaints (Appendix 2 to the report) be agreed and;
2. The changes to the Constitution to give effect to the introduction of the revised Member Code of Conduct and revised arrangements for dealing with Council conduct complaints be agreed.

41. REPORT FROM THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE HELD ON 19 JULY 2024 - CONSTITUTIONAL AMENDMENTS

It was moved by Councillor Jeffery, and seconded by Councillor Harwood, that the recommendation of the Democracy and General Purposes Committee relating to Constitutional Amendments be approved.

RESOLVED: That point (i) in Part B4 2.2.3 Joint Transportation Board (JTB) is deleted.

42. REPORT FROM THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE HELD ON 19 JULY 2024 - OUTSIDE BODIES 2024/25

It was moved by Councillor Jeffery, seconded by Councillor Harwood, that the recommendation of the Democracy and General Purposes Committee relating to Outside Bodies be approved.

An amendment was moved by Councillor McKay and seconded by Councillor Harper, to amend table 1.3 in the report to include members outside of the Cabinet with suitable skills or qualifications. This motion was agreed.

RESOLVED: That

1. The constitution be amended to properly reflect which Outside Bodies are related to Cabinet portfolios and which are for appointment by the Democracy and General Purposes Committee (as set out in table 1.3 in the report, with the addition of the Leader of the Council being able to appoint members outside of the Cabinet with suitable skills or qualifications to cabinet outside body positions); and
2. The limitation for Maidstone Street Pastors to be High Street Ward members only, be removed.

43. NOTICE OF MOTION - VOTING AGE TO 16

Notice of the following motion was given by Councillor Clark, seconded by Councillor Wilby:

This Council re-iterates its support for reducing the voting age to 16 and agrees that our worshipful Mayor should, following the general election on

4th July, write an open letter to the Prime Minister requesting the introduction of legislation to reduce the voting age to 16.

Separately, this council will explore the creation of an advisory board, consisting of student representatives from colleges and secondary schools in the borough, allowing the sharing of opinions and perspective while considering issues faced by younger citizens.

We believe that encouraging participation in the political process is a valuable means of engaging young people in modern society and note law changes in both Scotland and Wales, where under 16's can vote in the Scottish Parliament and Welsh Assembly elections and also in local council elections.

Historically "Voting at 16" motions have gained cross party support at Kent County Council and Maidstone Borough Council. We recognise the important contribution of 16 and 17 year olds in Wales and Scotland and continue to believe that the young citizens of Maidstone should also play an important role in determining the future of their borough and country.

When moving the motion, Councillor Clark, with the consent of the meeting and Councillor Wilby, his seconder, amended it by replacing the author of the letter from 'the Mayor' to 'the Leader of the Council'.

An amendment was moved by Councillor Harper, seconded by Councillor Dawes, to include "the Council endorses the democratic engagement strategy and requests work to prioritise engagement with 18 to 21 year olds." The amendment was accepted by the mover of the motion, Councillor Clark, and the seconder, Councillor Wilby.

In accordance with Council Procedure Rule 12.9.2, at the conclusion of the debate, the Mayor referred the motion, as amended, to the Cabinet for consideration.

RESOLVED:

That the following motion be referred direct to the Cabinet for consideration:

This Council re-iterates its support for reducing the voting age to 16 and agrees that our worshipful Mayor should, following the general election on 4th July, write an open letter to the Prime Minister requesting the introduction of legislation to reduce the voting age to 16.

Separately, this council will explore the creation of an advisory board, consisting of student representatives from colleges and secondary schools in the borough, allowing the sharing of opinions and perspective while considering issues faced by younger citizens.

We believe that encouraging participation in the political process is a valuable means of engaging young people in modern society and note law changes in both Scotland and Wales, where under 16's can vote in the

Scottish Parliament and Welsh Assembly elections and also in local council elections.

Historically "Voting at 16" motions have gained cross party support at Kent County Council and Maidstone Borough Council. We recognise the important contribution of 16 and 17 year olds in Wales and Scotland and continue to believe that the young citizens of Maidstone should also play an important role in determining the future of their borough and country.

The Council endorses the democratic engagement strategy and requests work to prioritise engagement with 18 to 21 year olds.

44. NOTICE OF MOTION - NATURE RECOVERY DECLARATION

Notice of the following motion was given by Councillor Harwood, seconded by Councillor Rodwell:

"Maidstone Borough Council recognises the catastrophic and ongoing declines impacting the natural world and the profound harm this can inflict on local health and wellbeing and our economic resilience. Through a democratic confirmation of a Maidstone Borough Council Nature Recovery Declaration, this Local Authority makes a solemn commitment to embed positive change across all its interactions with the natural world and to become a powerful local advocate and champion for nature recovery."

RESOLVED:

In accordance with Council Procedure Rule 12.9.3, at the conclusion of the debate, there being no proposal to refer the matter directly to the Cabinet, the Mayor referred the motion, to the Climate Transition, Corporate and Environmental Services Policy Advisory Committee.

45. DURATION OF MEETING

6.30 p.m. to 9.33 p.m.