

**MAIDSTONE BOROUGH COUNCIL**

**POLICY AND RESOURCES COMMITTEE**

**MINUTES OF THE MEETING HELD ON 14 DECEMBER 2016**  
**ADJOURNED TO 3 JANUARY 2017**

**Present:** Councillor Mrs Wilson (Chairman), and  
**14 Dec** Councillors Mrs Blackmore, Boughton, Brice,  
**2016** D Burton, Cox, Fermor, Garland, Mrs Gooch, Harper,  
Harvey, Harwood, McLoughlin, Pickett and Powell

**Also Present:** Councillors Newton and Perry

128. APOLOGIES FOR ABSENCE

It was noted that apologies had been received from Councillor Round.

129. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor D Burton was substituting for Councillor Round.

130. URGENT ITEMS

The Chairman drew the Committee's attention to the exempt report of the Head of Housing and Community Services relating to a Temporary Accommodation Lease.

131. NOTIFICATION OF VISITING MEMBERS

Councillor Newton indicated his wish to speak on Agenda Item 15 – report of the Director of Finance and Business Improvement - Land at Gore Court Road and Councillor Perry indicated his wish to speak on Agenda Item 14 – report of the Director of Finance and Business Improvement – Surrenden Field, Staplehurst.

132. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

133. DISCLOSURES OF LOBBYING

It was noted that all Members of the Committee had been lobbied on Agenda Item 13 – report of the Director of Finance and Business Improvement on the Medium Term Financial Strategy and Budget Proposals 2017/18.

The Chairman and Councillors Blackmore, Boughton, D Burton, Cox, Fermor, Harper, Harvey, Powell and McLoughlin stated that they had been

lobbied on Agenda Item 14 – report of the Director of Finance and Business Improvement – Surrenden Field, Staplehurst.

The Chairman and Councillors Boughton, Cox, D Burton, Harper and Pickett stated that they had been lobbied on Agenda Item 15 – report of the Director of Finance and Business Improvement – Land at Gore Court Road.

134. EXEMPT ITEMS

**RESOLVED:** That the exempt report of the Head of Housing and Community Services relating to a Temporary Accommodation Lease be taken in private as proposed.

135. MINUTES OF THE MEETING HELD ON 23 NOVEMBER 2016

**RESOLVED:** That the Minutes of the meeting held on 23 November 2016 be approved as a correct record and signed subject to the following amendments:-

Minute 125 – Report of the Director of Mid Kent Services – Council Tax Reduction Scheme 2017/18 – That the Voting for the amendment to option 12 should read: 6 – For, 7 – Against, 1 – Abstention

Minute 126 – Report of the Director of Regeneration and Place – Review of the Maidstone Borough Council Commercialisation Strategy 2014/15 – 2018/19 – That a third paragraph be inserted as follows:-

“However, this would not be at the exclusion of possible investments in standalone commercial property when an appropriate opportunity arose”.

136. PRESENTATION OF PETITIONS

There were no petitions.

137. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

138. COMMITTEE WORK PROGRAMME

The Committee considered the Committee Service Work Programme.

The Director of Finance and Business Improvement advised that a report on the Flood Prevention Measures would not be available for the January meeting but would instead be presented to the February meeting.

In view of Members’ concerns, the Director of Finance and Business Improvement advised that he would give a brief update to the January meeting.

139. REPORT OF THE DIRECTOR OF MID KENT SERVICES - IRRECOVERABLE BUSINESS RATES

The Committee considered the report of the Director of Mid Kent Services which related to the irrecoverable business rates where the Council had exhausted all options to collect the debt and had no prospect of recovery.

In response to comments from Members, the Director of Mid Kent Services advised that:-

- Every effort was made to contact the debtor.
- That the Director would circulate to the Committee the aggregate amount for the write offs and would include those in future reports.
- Some of the debtors entered into arrangements at first and then defaulted, hence why some debts were over several years.
- Even if a Company was dissolved, a business could be set up again with the same/similar name. The Council could report this to the insolvency service but there is no guarantee any action would be taken.

**RESOLVED:** That the unpaid Business Rates debt identified in Appendix A to the report of the Director of Mid Kent Services be agreed.

Voting: For: 15 Against: 0 Abstentions: 0

140. REPORT OF THE HEAD OF REGENERATION AND ECONOMIC DEVELOPMENT - BUSINESS TERRACE UPDATE

The Committee considered the report of the Head of Regeneration and Economic Development which gave an update on the Business Terrace's operation after one year of operation.

The Committee noted that the operation was still performing well, with all 11 offices being occupied. A new Business Co-ordinator had been appointed bringing in new skills and innovation. Work was ongoing to consider expansion of the business so there would be a 'move on' facility.

**RESOLVED:**

1. That the report be noted;
2. That consideration be given as to whether a Business Terrace mark two can be accommodated as part of the Council's own office requirements and that the accommodation project group should consider the whole cost and level of future subsidy.

Voting: For: 14 Against: 0 Abstentions: 0

141. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - STRATEGIC PLAN 2015-20, 2017-18 REFRESH

The Head of Policy and Communications presented a report on the Strategic Plan 2015-20, 2017-18 Refresh.

Members noted that this was the first stage in refreshing the Plan and a workshop had been held with the Leadership Team and the Chairs and Vice-Chairs from all the four Service Committees.

In addition a consultation had taken place where respondents had been asked two questions:-

- Rank the ten services in order of importance where 1 was the most important and 10 was the least important
- For the same list of services, to say if they thought funding for that service should remain the same, be reduced or be cut altogether

As a result of the workshop and consultation two of the action areas had been reworded as follows:-

- Enhancing the appeal of the town centre for everyone had been changed to: Regenerating the Town Centre
- Planning for sufficient homes to meet our Borough's need had been changed to: A Home for Everyone

There were also three areas suggested for the Council to focus on in 2017-18 out of the eight action areas, these were as follows:-

- Providing a clean and safe environment – a clean and tidy Borough was consistently a high priority for our residents
- A home for everyone – housing was in the top 5 for residents and in light of the spend and needs in this area, an area for focus in 2017-18
- Regenerating the town centre – focussing on delivery of our regeneration projects and working with partners

In the ensuing discussion the following comments were made:-

- That instead of 'regenerating the town centre' should more thought be given to the regeneration of tired housing estates
- The Borough should be the greenest and most beautiful within the county
- The Council should be celebrating all the work being carried out in Mote Park

- A Member Working Group should take forward the creation of the Strategic Plan
- The amount of KPIs should be reduced

Councillor Harwood proposed and Councillor Fermor seconded that the action point 'Regenerating the town centre' should be changed to 'Regeneration across the Borough'.

When put to the vote, this motion was not carried.

Voting: For: 4 Against: 11 Abstentions: 0

**RESOLVED:**

1. That the refreshed Strategic Plan 2015-2020 be approved for further development by the service committees, prior to approval in February before submission to full Council in March; and

Voting: For: 13 Against: 1 Abstentions: 1

2. That the focus be on performance reporting for 2017-18 on the three prioritised action areas described at paragraph 2.7 in the report of the Head of Policy and Communications. This would be supported by each Service Committee agreeing performance reports for their respective areas.

Voting: For: 11 Against: 4 Abstentions: 0

142. REPORT OF THE DIRECTOR OF FINANCE AND BUSINESS IMPROVEMENT - SURRENDEN FIELD, STAPLEHURST

Members considered the report of the Director of Finance and Business Improvement relating to Surrenden Field, Staplehurst.

Councillor Pickett, as Chairman of Heritage, Culture and Leisure Committee, declared that although this item had previously come to his Committee he would listen to both sides of the debate before making up his mind, and intended to speak and vote.

The Director of Finance and Business Improvement advised the Committee that the Heritage, Culture and Leisure Committee had agreed to declare the land surplus to requirements and to dispose of the site to Staplehurst Parish Council by way of freehold transfer with the proviso that if the land were placed on the market in the future, ownership would revert back to the Borough Council. However, this would be difficult to enforce and was not supported by Officers. Members noted that the current Council policy supported a long term leasehold arrangement.

Members were informed that Surrenden Field was owned freehold by the Borough Council and had been leased to Staplehurst Parish Council for the last 18 years. The current lease was for a term of 21 years, expiring in

2019. Staplehurst Parish Council had requested that a new arrangement be considered instead of another lease.

Members were advised that there were three options available for consideration which were:-

1. To grant the Parish Council a 125 year lease of the land and Nicolson Walk which would satisfy the future plans for the playing field.
2. Decide to follow the provisions of the Landlord and Tenant Act 1954 and grant the Parish Council a new lease on identical terms to the current lease.
3. Dispose of the site to the Parish Council by way of freehold transfer.

In the ensuing discussion, comments raised by Members included:-

- An offer of a longer term lease would not be accepted by the Parish Council as they consider that major investment is needed for both the land and Nicolson Walk. They would be prepared to carry out this work if offered the freehold on the land.
- The field was at the heart of the village and considered an important asset to the community. The land was well used and events held there included the Village Fete and Carnival.
- A longer term lease would give the Parish Council certainty and the Council protection.
- The Borough Council had an obligation to get best value for the land if it were to offer it on a freehold basis to the Parish Council.

**RESOLVED:** That the disposal of Surrenden Field and Nicolson Walk on a freehold basis to Staplehurst Parish Council be agreed and that delegation of the negotiation of terms of transfer be given to the Director of Finance and Business Improvement in consultation with the Chairman and Vice Chairman of the Policy and Resources Committee.

Voting: For: 12 Against: 3 Abstentions: 0

143. REPORT OF THE DIRECTOR OF FINANCE AND BUSINESS IMPROVEMENT - LAND AT GORE COURT ROAD

The Committee considered the report of the Director of Finance and Business Improvement relating to land at Gore Court Road.

Members were reminded that a referred decision was taken by the Committee at its meeting on 26 October 2016 from Heritage, Culture and Leisure Committee and the land in question was declared surplus to operational requirements. This would enable access to a development site where planning permission had already been granted.

During the ensuing discussion, concern was expressed that the Ecological Survey had been carried out too soon as it did not take into account that the wildlife that inhabit the hedgerow would be hibernating for the winter shortly. A true perspective should therefore be obtained in the Spring.

It was suggested that recommendation 2 be amended to read 'That a covenant be agreed that will ensure that a replacement native hedgerow is provided six months in advance of removal of the existing hedge with details to be submitted to and approved by the local Planning Authority'.

Members were keen to ensure that a covenant should be included as part of the negotiations with the developer to ensure the specification and timing of the planting of the new hedge, the process and timing for removal the old hedge and the establishment of a maintenance regime to ensure the new hedge flourishes are all carried out.

It was also suggested that the Heritage, Culture and Leisure Committee be recommended to consider the implementation of a semi-natural buffer within the Senacre Recreation Ground bounding the new hedgerow which would increase its value for wildlife and long term protection.

**RESOLVED:**

1. That the disposal of an area of open space, with a total of 414 square metres, to the west of Gore Court Road as outlined on red on the plan attached to the report of the Director of Finance and Business Improvement be agreed;
2. That a covenant be agreed that would ensure that a replacement native hedgerow is provided six months in advance of removal of the existing hedge with details to be submitted to and approved by the local Planning Authority; and

Voting: For: 12 Against: 2 Abstentions: 1

3. That the Heritage, Culture and Leisure Committee be recommended to consider the implementation of a semi-natural buffer within the Senacre Recreation Ground bounding the new hedgerow which would increase its value for wildlife and long term protection.

Voting: For: 10 Against: 4 Abstentions: 1

144. **EXCLUSION OF THE PUBLIC FROM THE MEETING**

**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  
Briefing Description**

Exempt Report of the Head of Housing and Community Services - Temporary Accommodation Lease      Paragraph 3 – Information re financial/business affairs

145. EXEMPT REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - TEMPORARY ACCOMMODATION LEASE

The Committee considered the exempt report of the Head of Housing and Community Services relating to a temporary accommodation lease.

Members noted that by entering into a long lease with a developer the Council had been able to negotiate a rent at a preferential level that represented better value for money than the 'nightly paid' temporary accommodation the Council currently relied upon to provide emergency housing for homeless families. If the Council leased this property it would bring its total of units up to 37, with a target figure of 50 units.

**RESOLVED:**

1. That the Council exercises its ability to lease accommodation from the private sector in order to fulfil its statutory homelessness duty; and

Voting: For: 15 Against: 0 Abstentions: 0

2. That the lease arrangements as set out in the exempt report be agreed subject to the Council having the right to sub-let the accommodation.

Voting: For: 15 Against: 0 Abstentions: 0

146. LONG MEETING

Following consideration of the exempt report of the Head of Housing and Community Services relating to the temporary accommodation lease the Committee agreed that the meeting would stand adjourned.

**RESOLVED:** That at 10.45 p.m. the Committee agreed that the meeting would stand adjourned.

147. ADJOURNMENT OF MEETING

**RESOLVED:** That the meeting be adjourned until 3 January 2017 to enable the remaining item on the agenda to be discussed which related to the report of the Director of Finance and Business Improvement on the Medium Term Financial Strategy and Budget Proposals 2017/18.

148. DURATION OF MEETING

7.15 p.m. to 10.45 p.m