

**You are hereby summoned to attend a meeting of the**

**MAIDSTONE BOROUGH COUNCIL**

Date: Wednesday 25 September 2019  
Time: 6.30 p.m.  
Venue: Town Hall, High Street, Maidstone

**Membership:**

Councillors Adkinson, Bartlett, Mrs Blackmore, Brice, Brindle, D Burton, M Burton, Chappell-Tay, Clark, Cox, Cuming, Daley, English, Eves, Fermor, Fissenden, Fort, Garland, Garten, Mrs Gooch, Mrs Grigg, Harper, Harvey, Harwood, Hastie, Hinder, Mrs Hinder, Joy, Khadka, Kimmance, Lewins, McKay, McLoughlin, Mortimer, Munford, Naghi, Newton, Parfitt-Reid, Perry, Powell, Purle, Mrs Ring (Mayor), Mrs Robertson, D Rose, M Rose, Round, J Sams, T Sams, Spooner, Springett, Vizzard, Webb, de Wiggondene-Sheppard, Wilby and Young

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**AGENDA**

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1. Prayers
2. Apologies for Absence
3. Dispensations (if any)
4. Disclosures by Members and Officers
5. Disclosures of Lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
7. Minutes of the meeting of the Borough Council held on 17 July 2019 1 - 7
8. Minutes of the extraordinary meeting of the Borough Council held on 17 July 2019 8 - 10
9. Mayor's Announcements
10. Presentation of a Certificate to Mrs Fran Wilson Confirming her Appointment as an Honorary Alderman of Maidstone Borough Council

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**Issued on Tuesday 17 September 2019**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

11. Petitions
12. Question and Answer Session for Members of the Public
13. Questions from Members of the Council to the Chairmen of Committees
14. Current Issues - Report of the Leader of the Council, Response of the Group Leaders and Questions from Council Members
15. Joint Report of the Policy and Resources Committee held on 23 July 2019 and the Audit, Governance and Standards Committee held on 30 July 2019 - Updated Capital Strategy 11 - 32
16. Report of the Audit, Governance and Standards Committee held on 30 July 2019 - Audit, Governance and Standards Committee - Annual Report to Council 2018/19 33 - 43
17. Report of the Democracy and General Purposes Committee held on 4 September 2019 - Amendments to the Constitution - Outside Bodies 44 - 68
18. Report of the Strategic Planning and Infrastructure Committee held on 10 September 2019 - Loose Neighbourhood Plan 69 - 145
19. Oral Report of the Communities, Housing and Environment Committee to be held on 17 September 2019 (if any)
20. Oral Report of the Policy and Resources Committee to be held on 18 September 2019 (if any)
21. Oral Report of the Licensing Committee to be held on 19 September 2019 (if any)
22. Oral Report of the Communities, Housing and Environment Committee Acting as the Crime and Disorder Committee to be held on 24 September 2019 (if any)
23. Notice of Motion - Access to Information  
 Notice of the following motion has been given by Councillor Perry:  
  
*Members of this Council are elected by the Residents of this Borough to represent their interests. And in order for Members to carry out their duties effectively the Council agrees that all committee agendas, reports and information relating to items on the agenda (Minutes etc.) should be made available to all Members; including information made exempt from publication under Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972.*
24. Re-appointment of Councillor Peter Coulling of Teston Parish Council as a Non-Voting Parish Council Representative on the Audit, Governance and Standards Committee, No Other Nominations having been Received

## **PUBLIC SPEAKING AND ALTERNATIVE FORMATS**

If you require this information in an alternative format please contact us, call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk).

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 5 p.m. one clear working day before the meeting (i.e. 23 September 2019). If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

To find out more about the work of the Council, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk).

## MAIDSTONE BOROUGH COUNCIL

### MINUTES OF THE MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON WEDNESDAY 17 JULY 2019

**Present: Councillor Mrs Ring (The Mayor) and Councillors Adkinson, Bartlett, Mrs Blackmore, Brice, Brindle, D Burton, M Burton, Chappell-Tay, Clark, Cox, Cuming, Daley, Fermor, Fissenden, Fort, Garten, Mrs Gooch, Harper, Harvey, Hastie, Hinder, Mrs Hinder, Mrs Joy, Khadka, Kimmance, Lewins, McKay, McLoughlin, Mortimer, Munford, Naghi, Parfitt-Reid, Perry, Powell, Purle, Mrs Robertson, D Rose, M Rose, Round, Spooner, Vizzard, Webb, de Wiggondene-Sheppard and Young**

24. MINUTE'S SILENCE

The Council stood in silence for one minute in memory of Mr Brian Mortimer, a former Member of the Borough Council and Mayor of the Borough of Maidstone, who passed away in May.

25. PRAYERS

Prayers were said by the Reverend Ian Parrish.

26. RECORDING OF PROCEEDINGS

Councillor D Burton reserved his right to record the proceedings.

27. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Garland, Mrs Grigg, Harwood, Newton, J Sams, T Sams, Springett and Wilby.

28. DISPENSATIONS

There were no applications for dispensations.

29. DISCLOSURES BY MEMBERS AND OFFICERS

The representative of the Head of Legal Partnership advised the Council that there was no requirement under the Councillors' Code of Conduct for Members to disclose an interest in the report of the Independent Remuneration Panel relating to the Members' Allowances Scheme. Members' Allowances was defined in the Code as an "Authority Function" and there was no requirement under the Code for Members to disclose an interest when an "Authority Function" was being discussed.

There were no disclosures of interest by Members or Officers.

30. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

31. EXEMPT ITEMS

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

32. MINUTES OF THE ANNUAL MEETING OF THE BOROUGH COUNCIL HELD ON 18 MAY 2019

**RESOLVED:** That the Minutes of the Annual Meeting of the Borough Council held on 18 May 2019 be approved as a correct record and signed.

33. MAYOR'S ANNOUNCEMENTS

The Mayor updated Members on recent and forthcoming engagements and thanked them for their support.

The Mayor and Councillors Cox, Mrs Gooch, McKay, Perry and Powell, on behalf of their respective Political Groups, paid tribute to Mr Brian Mortimer who had passed away in May.

34. PETITIONS

There were no petitions.

35. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

36. QUESTIONS FROM MEMBERS OF THE COUNCIL TO THE CHAIRMEN OF COMMITTEES

**Question to the Chairman of the Democracy and General Purposes Committee**

Councillor Hinder asked the following question of the Chairman of the Democracy and General Purposes Committee:

*Each year on Armistice day the County town of Maidstone like hundreds of other towns, villages and cities throughout the country pauses and unites to remember the fallen from two world conflicts and numerous other conflicts that have occurred throughout the world.*

*This takes place at present at the memorial site alongside Tonbridge Road.*

*In order for this commemoration to take place at present it necessitates many staffing costs taking out various traffic orders, the manning of barriers at road closures on key junctions which brings traffic to a standstill and further increases of pollution levels from idling engines.*

*Would it not benefit all if the War Memorial were moved to Remembrance Square which I believe was renamed to accommodate this? I believe that this would be of great benefit to the town, residents and motorists to avoid bringing the town to a standstill.*

*Can the Chairman of the Democracy and General Purposes Committee tell me what the current costs are for this commemoration and if any proposals exist for the War Memorial to be moved to a more fitting location?*

The Chairman of the Democracy and General Purposes Committee responded to the question.

Councillor Hinder did not wish to ask a supplementary question of the Chairman of the Democracy and General Purposes Committee on the subject of the original question.

Note: Councillor Hastie entered the meeting after consideration of this item (6.50 p.m.).

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

Councillor Cox, the Leader of the Council, submitted his report on current issues.

After the Leader of the Council had submitted his report, Councillor Perry, the Leader of the Conservative Group, Councillor Mrs Gooch, the Leader of the Independent Group, Councillor McKay, the Leader of the Labour Group, and Councillor Powell, the Leader of the Independent Maidstone Group, responded to the issues raised.

A number of Members then asked questions of the Leader of the Council on the issues raised in his speech.

38. REPORT OF THE INDEPENDENT REMUNERATION PANEL HELD ON 24 AND 25 APRIL 2019 - MEMBERS' ALLOWANCES SCHEME

It was moved by the Mayor, seconded by Councillor Cox, that the recommendations of the Independent Remuneration Panel relating to the Members' Allowances Scheme be approved.

In accordance with Council Procedure Rule 22.4, five Members requested that a named vote be taken. The voting was as follows:

FOR (20)

Councillors Adkinson, Clark, Cox, Daley, Fissenden, Mrs Gooch, Harper, Harvey, Mrs Joy, Khadka, Kimmance, Lewins, McKay, Mortimer, Munford, Naghi, Mrs Robertson, M Rose, Vizzard and Webb.

AGAINST (24)

Councillors Bartlett, Mrs Blackmore, Brice, Brindle, D Burton, M Burton, Chappell-Tay, Cuming, Fermor, Fort, Hastie, Hinder, Mrs Hinder, McLoughlin, Parfitt-Reid, Perry, Powell, Purle, Mrs Ring, D Rose, Round, Spooner, de Wiggondene-Sheppard and Young

ABSTAINED (1)

Councillor Garten

#### MOTION NOT CARRIED

The Chief Executive advised the Council that since the motion was not carried, the current arrangements would remain in place.

39. REPORT OF THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE - AUDIT, GOVERNANCE AND STANDARDS COMMITTEE - SELECTION PROCESS FOR THE APPOINTMENT OF NON-VOTING PARISH COUNCIL REPRESENTATIVES

It was moved by Councillor Mrs Gooch, seconded by Councillor Webb, that the recommendations of the Democracy and General Purposes Committee relating to the introduction of a selection process for the appointment of non-voting Parish Council representatives to serve on the Audit, Governance and Standards Committee be approved.

#### **RESOLVED:**

1. That if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, the selection process outlined below be followed culminating in a recommendation being made to the Council:

*Completion of an expression of interest form by each candidate in support of their nomination; and  
Interview by the Democracy and General Purposes Committee if appropriate.*

2. That to facilitate this process, the following changes to the Constitution be agreed:

Part 2 – Responsibility for Functions

Section 2.2.9 – Democracy and General Purposes Committee

FUNCTIONS	DELEGATION OF FUNCTIONS
<del>6. To be responsible for the appointment of independent persons to the Independent Remuneration Panel for Councillors' Allowances.</del>	N/A
6. Consider applications from persons wishing to act as Independent Persons in connection with Councillor and Statutory Officer conduct; and for the Independent Remuneration Panel and make recommendations to Council to appoint such persons.	N/A
7. In the event of more than one candidate being nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, to consider expressions of interest in support of the nominations, and make a recommendation to Council as to the person to be appointed.  <i>Subsequent paragraphs to be renumbered</i>	N/A

40. ORAL REPORT OF THE STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE HELD ON 9 JULY 2019

There was no report from the Strategic Planning and Infrastructure Committee on this occasion.

41. ORAL REPORT OF THE COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE HELD ON 16 JULY 2019

There was no report from the Communities, Housing and Environment Committee on this occasion.



42. LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN PUBLIC REPORT

It was moved by Councillor Cox, seconded by Councillor Hastie, that the recommendation contained in the report of the Head of Policy, Communications and Governance relating to the public report issued by the Local Government and Social Care Ombudsman following an investigation into a complaint from a local resident regarding the Housing Service be approved.

It was noted that the report had found fault with the Council's actions and set out a number of actions that had since been implemented.

**RESOLVED:** That the report and findings made by the Local Government and Social Care Ombudsman be accepted and that the actions that have been taken by the Council be noted.

43. MEMBERSHIP OF COMMITTEES

The Mayor advised the Council that she understood that the Leader of the Liberal Democrat Group also wished to make a change to the membership of Committees by adding Councillor Wilby as a Substitute Member of the Strategic Planning and Infrastructure Committee.

It was moved by the Mayor, seconded by Councillor D Rose, that the wishes of the Leader of the Conservative Group and the Leader of the Liberal Democrat Group with regard to the membership of Committees be accepted.

**RESOLVED:**

1. That the following changes be approved to reflect the wishes of the Leader of the Conservative Group:

**Audit, Governance and Standards Committee**

Delete Councillor Bartlett as a Member of the Committee and add Councillor Brindle

**Economic Regeneration and Leisure Committee**

Delete Councillor Cuming as a Member of the Committee and add Councillor Bartlett

**Planning Committee**

Add Councillor Brindle as a Substitute Member of the Committee

2. That the following changes be approved to reflect the wishes of the Leader of the Liberal Democrat Group:

## **Strategic Planning and Infrastructure Committee**

Add Councillor Wilby as a Substitute Member of the Committee

### 44. DURATION OF MEETING

6.30 p.m. to 8.05 p.m.

# Agenda Item 8

## MAIDSTONE BOROUGH COUNCIL

### MINUTES OF THE EXTRAORDINARY MEETING OF MAIDSTONE BOROUGH COUNCIL HELD AT THE TOWN HALL, HIGH STREET, MAIDSTONE ON WEDNESDAY 17 JULY 2019

**Present: Councillor Mrs Ring (The Mayor) and  
Councillors Adkinson, Bartlett, Brice, Brindle,  
D Burton, M Burton, Chappell-Tay, Clark, Cox,  
Cuming, Daley, Fermor, Fissenden, Fort, Garten,  
Mrs Gooch, Harper, Harvey, Hinder, Mrs Hinder,  
Mrs Joy, Khadka, Kimmance, Lewins, McKay,  
McLoughlin, Mortimer, Munford, Naghi, Parfitt-Reid,  
Perry, Powell, Purle, Mrs Robertson, D Rose, M Rose,  
Round, Spooner, Vizzard, Webb and Young**

45. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Mrs Blackmore, English, Eves, Garland, Mrs Grigg, Harwood, Hastie, Newton, J Sams, T Sams, Springett, de Wiggondene-Sheppard and Wilby.

46. DISPENSATIONS

There were no applications for dispensations.

47. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures of interest by Members or Officers.

48. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

49. EXEMPT ITEMS

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

50. PETITIONS

There were no petitions.

51. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

52. QUESTIONS FROM MEMBERS OF THE COUNCIL TO THE CHAIRMEN OF COMMITTEES

There were no questions from Members of the Council to the Chairmen of Committees.

53. NOTICE OF MOTION - APPOINTMENT OF HONORARY ALDERMAN

The following motion was moved by Councillor Mrs Gooch, seconded by Councillor Cox:

Appointment of Honorary Alderman

Section 249 of the Local Government Act 1972 states that a Council may confer the title of Honorary Alderman on any person who, in the opinion of the Council, has rendered eminent services to the Council as a past Member of that Council, but who is no longer a Member of the Council. It brings no special rights, but is intended to reflect the esteem of the Council and of the wider community. Maidstone Borough Council adopted a Protocol for such an appointment in September 2018 and it is now included in our Constitution. It is proposed that Mrs Fran Wilson should receive such an honour.

Fran was a Member for High Street Ward for nearly 22 years; leader of the Liberal Democrat Group from 2007 to 2018; Leader of the Council twice: firstly in 2007/8 and again from 2015 to 2018 before stepping down from the Council in May 2019. During that time she had served on every Committee, many as Chairman.

Hard working, determined, very thorough, hugely experienced, a consummate politician and a great strategic thinker, Fran's contribution has been immense from start to finish: environmental issues were one of her greatest concerns. She oversaw the Council's change of governance from the Cabinet system to the Committee System, and during her last months as a Councillor she successfully led an in-depth review of that Committee system.

She saw the significance of having a Local Plan in place and in the face of considerable opposition, her strength and determination helped to drive the Local Plan through to the public examination stage.

It is highly appropriate that the first person, upon whom this Council bestows the title of Honorary Alderman, should be Mrs Fran Wilson.

I therefore propose that in pursuance of Section 249 of the Local Government Act 1972, this Council confers the title of Honorary Alderman upon Mrs Fran Wilson in recognition and acknowledgement of her eminent services rendered to the Council.

**RESOLVED:** That in pursuance of Section 249 of the Local Government Act 1972, this Council confers the title of Honorary Alderman upon Mrs

Fran Wilson in recognition and acknowledgement of her eminent services rendered to the Council.

54. DURATION OF MEETING

8.15 p.m. to 8.35 p.m.

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**25 SEPTEMBER 2019**

#### **JOINT REPORT OF THE POLICY AND RESOURCES COMMITTEE HELD ON 23 JULY 2019 AND THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE HELD ON 30 JULY 2019**

#### **UPDATED CAPITAL STRATEGY**

##### **Issue for Decision**

To agree the updated Capital Strategy including the updated Capital Programme set out as Table 1 within the Strategy.

##### **Recommendation Made**

That the updated Capital Strategy, attached as Appendix A, including the updated Capital Programme set out as Table 1 within the Strategy, be agreed.

##### **Reasons for Recommendation**

CIPFA's Prudential Code, which governs the Council's capital investment and borrowing, introduced a new requirement in 2019/20 for a Capital Strategy. The intention was to ensure that Councils provide a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services, along with a description of how associated risk is managed and the implications for future financial sustainability.

Accordingly, the Capital Strategy articulates in a single place a number of strategies and policies that the Council already addresses elsewhere: it is an overarching document linking the Strategic Plan, the Medium Term Financial Strategy, the Treasury Management Strategy and the Asset Management Plan.

The Audit, Governance and Standards Committee, at its meeting on 14 January 2019, agreed to recommend a Capital Strategy to the Council. The Capital Strategy was subsequently adopted by the Council when setting the budget for 2019/20 at its meeting on 27 February 2019. Since then, practice amongst Councils in meeting the requirements of the Prudential Code for a Capital Strategy has evolved. Maidstone Borough Council has also started working with new treasury advisers, Link Asset Services. It is considered that the Council should be taking the opportunity to adopt some of the good practice that has been seen elsewhere and to update its Capital Strategy. The draft updated Capital Strategy is attached as Appendix A.

The Capital Strategy includes at Table 1 an updated Capital Programme which reflects (a) capital expenditure that has slipped from 2018/19 and (b) decisions made by the Policy and Resources Committee to take advantage of new opportunities that have arisen.

The Policy and Resources Committee, at its meeting on 23 July 2019, agreed that the updated Capital Strategy including the updated Capital Programme be recommended to the Council for approval. The Audit, Governance and Standards Committee, at its meeting on 30 July 2019, endorsed this recommendation.

If adopted the Capital Strategy will serve to guide decisions about capital investment and financing and will be subject to regular review as part of the annual budget setting process.

### **Alternatives Considered and Why Not Recommended**

The alternatives would be to amend the Capital Strategy and agree any alternative wording and/or to amend the Capital Programme. This is not recommended as the Capital Strategy draws on a number of other strategies and policies, including the Strategic Plan and the Medium Term Financial Strategy, which have been subject to extensive consultation. The Capital Programme has been updated to reflect slippage from 2018/19 and decisions made by the Policy and Resources Committee to take advantage of new opportunities that have arisen.

### **Background Documents**

None

### **Appendices**

Appendix A – Updated Capital Strategy

**MAIDSTONE BOROUGH COUNCIL**  
**CAPITAL STRATEGY**



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## **1. INTRODUCTION**

- 1.1 CIPFA's Prudential Code, which governs the Council's capital investment and borrowing, introduced a new requirement in 2019/20 for a Capital Strategy. The intention was to ensure that councils provide a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services, along with a description of how associated risk is managed and the implications for future financial sustainability.
- 1.2 Accordingly, the Capital Strategy articulates in a single place a number of strategies and policies that the Council already addresses elsewhere: it is an overarching document linking the Strategic Plan, the Medium Term Financial Strategy, the Treasury Management Strategy and the Asset Management Plan.

## **2. CAPITAL EXPENDITURE AND LINKS TO OTHER CORPORATE STRATEGIES**

### **Strategic Plan**

- 2.1 Capital expenditure at Maidstone Borough Council 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.
- 2.2 The current Strategic Plan originated in a detailed process of discussion and development over the period June – October 2018 and was approved by Council on 12 December 2018. It sets out four objectives, as follows:
- Embracing Growth and Enabling Infrastructure
  - Homes and Communities
  - A Thriving Place
  - Safe, Clean and Green.

The ways in which capital expenditure can support these priorities are described below.

#### *Embracing Growth and Enabling Infrastructure*

The Council has a vital role in leading and shaping our borough as it grows. This means being proactive in policy and master planning for key sites in the borough, and where appropriate, investing directly ourselves.

Separate objectives, set out below, address specifically the development of new housing, and other investments intended to make Maidstone a thriving place. As a first step, in order to enable these developments to take place, investment in infrastructure will be needed. In general, infrastructure schemes are funded from the benefits gained from the development. To address any potential funding gap, the Council will enable infrastructure spending, to the extent that it meets our strategic priorities.

Accordingly, £3.6 million has been set aside within the current capital programme to contribute towards provision of local infrastructure, and to indicate our intention to invest to unlock development and attract matching funding.

#### *Homes and Communities*

The Strategic Plan seeks to make Maidstone a place where people love to live and can afford to live. This means a range of different types of homes, including affordable housing.

The Council plans to develop new housing, providing a mixture of tenures, under the Housing Development and Regeneration Investment Plan agreed by Policy and Resources Committee in July 2017. Developments are under way at Brunswick Street and Union Street. Lenworth House was acquired in 2018/19 and further acquisitions are envisaged. Private sector rented accommodation will be managed by the Council's subsidiary, Maidstone Property Holdings Limited. The Council is seeking partnerships to enable further development to take place.

In total, £35.6 million has been provided in the capital programme for the Housing Development and Regeneration Investment Plan. This will be supplemented by grants, eg from Homes England, where additional resources are needed in order to ensure the financial viability of developments.

We aim, and are required by law, to address homelessness and rough sleeping. The Council has invested in temporary accommodation for homeless families, thereby ensuring a good standard of accommodation and providing a more cost-effective solution than is offered by the private sector. In 2018/19 we acquired 17 homes for use as temporary accommodation and we plan to buy a further 10 units in 2019/20, for which £3.2 million has been provided in the capital programme.

The Council also works with Kent County Council Social Services to deliver adaptations and facilities to enable disabled people to remain at home. This work forms part of the capital programme, although it is funded directly by central government grant. £4 million has been provided in the capital programme for Disabled Facilities Grants.

### *A Thriving Place*

The Strategic Plan seeks to make Maidstone a borough that is open for business, attractive for visitors and is an enjoyable and prosperous place to live for our residents. This can be achieved through investment in the County town and rural service centres.

There are a number of ways in which the Council will take the lead, including working with partners and through direct investment ourselves. The Council has a successful track record of acquiring property as part of its Commercial Investment Strategy. These acquisitions both generate a financial return that supports the objective of making the Council financially resilient and self-sufficient, and contribute to making Maidstone a thriving place. We will continue to seek good quality investment opportunities.

Where appropriate, we will seek to achieve the necessary scale of investment by identifying joint venture partners. The amount available for direct investment by Maidstone Council is governed by the overall size of the capital programme, but we will adopt a flexible approach within this constraint in order to take advantage of investment opportunities that meet our criteria.

Specific projects that will contribute to a Thriving Place include Maidstone East, where the Council is working in partnership with Kent County Council to redevelop a key site next to the railway station, and the Kent Medical Campus, where the Council has secured external funding to match the Council's own funds to provide £10.5 million in total to create an Innovation Centre for growing businesses in the life science, healthcare and med-tech sectors.

The Council has already made a significant investment in improving the public realm in the Town Centre. The current capital programme includes a further investment of £1.5 million, including partner contributions, in the bus station to improve its efficiency and attractiveness to customers.

### *Safe, Clean and Green*

The Council seeks to protect and where possible enhance our environment and to make sure our parks, green spaces, streets and public areas are of a high quality.

Recent investment has included a programme of developments in our flagship local park, Mote Park. An Adventure Zone opened in May 2019 and plans are under way for the construction of a new Visitor Centre. Mote Park Lake is effectively a reservoir, and we are required to reduce the risk of the lake overtopping the dam at its western end. The necessary work is due to take place in Summer 2020 and current estimates are that the total scheme cost will be around £2 million.

The floods of winter 2013/14 highlighted the risks faced by the borough generally. Maidstone Borough Council is part of the Medway Flood Partnership, which includes the Environment Agency and Kent County Council. The Partnership plans to spend at least £19 million over the next five years in the Medway catchment area, of which Maidstone is contributing £1 million.

### **Medium Term Financial Strategy**

- 2.3 The overall context for the MTFS is one where the Council is increasingly dependent on locally-generated resources, whether from Council Tax or a range of other income streams, including parking income, planning fees and the Council's property portfolio. The MTFS supports the Council's need to become financially self-sufficient.
- 2.4 In drawing up the capital programme, there is therefore a focus on schemes that both meet strategic priorities and are self-funding. Specifically:
- the Commercial Investment Strategy builds on the Council's existing commercial investment property portfolio and assumes that we will continue to expand the portfolio, subject to opportunities arising that generate the required rate of return.
  - the Housing Development and Regeneration Investment Plan provides for the Council to develop housing ourselves, thereby addressing the need for new homes in the borough and generating long term revenue returns through developing homes for market rent.
- 2.5 In general, the capital programme is reviewed and developed so that investment is focused on strategic priorities. The capital programme, as set out in the current MTFS 2019/20 to 2023/24, with updates to reflect slippage from 2018/19 and recent investment decisions of Policy and Resources Committee, is shown below.

**Table 1: Capital Programme 2019/20 to 2023/24**

	19/20 £000	20/21 £000	21/22 £000	22/23 £000	23/24 £000	Total £000
Brunswick Street - Net Cost	3,441	-100				3,341
Union Street - Net Cost	2,085	-1,843				242
Indicative Schemes	4,124	5,426	3,750	3,750		17,050
Housing Delivery Partnership			3,750	3,750	7,500	15,000
<i>Sub-total Housing Development and Regeneration</i>	<i>9,650</i>	<i>3,483</i>	<i>7,500</i>	<i>7,500</i>	<i>7,500</i>	<i>35,633</i>
Disabled Facilities Grants	1,570	800	800	800	800	4,770
Temporary Accommodation	3,236					3,236
Housing Incentives	1,040	175	175	175	175	1,740
Gypsy Site Improvement Works	42					42
CCTV Upgrade and Relocation	150					150
Commercial Waste	180					180
Street Scene Investment	147	25				172
Flood Action Plan	1,000	63				1,063
<b>Communities, Housing &amp; Environment Total</b>	<b>17,015</b>	<b>4,546</b>	<b>8,475</b>	<b>8,475</b>	<b>8,475</b>	<b>46,986</b>
Improvements to Play Areas	422					422
Crematorium and Cemetery Projects	140	130				270
Mote Park Improvements	374					374
Mote Park Visitor Centre	2,122					2,122
Mote Park Lake - Dam Works	267	1,650	100			2,017
Other Parks Improvements	100					100
Museum Development Plan	11	125	200	64		401
<b>Economic Regeneration &amp; Leisure Total</b>	<b>3,437</b>	<b>1,905</b>	<b>300</b>	<b>64</b>		<b>5,706</b>
High Street Regeneration	547					547
Asset Management / Corporate Property	1,417	467	175	175	175	2,409
Feasibility Studies	113	50	50	50	50	313
Infrastructure Delivery	1,200	600	600	600	600	3,600
Software / PC Replacement	124	287				411
Digital Projects	20	20	20	20	20	100
Acquisition of Commercial Assets	24,850	2,500	2,500	2,500	2,500	34,850
Kent Medical Campus-Innovation Centre	649	8,250	1,500			10,399
Maidstone East	520					520
<b>Policy &amp; Resources Total</b>	<b>29,440</b>	<b>12,174</b>	<b>4,845</b>	<b>3,345</b>	<b>3,345</b>	<b>53,149</b>
Mall Bus Station Redevelopment	1,540					1,540
Bridges Gyratory Scheme	121					121
<b>Strategic Planning &amp; Infrastructure Total</b>	<b>1,661</b>					<b>1,661</b>
<b>Sub-Total</b>	<b>51,553</b>	<b>18,625</b>	<b>13,620</b>	<b>11,884</b>	<b>11,820</b>	<b>107,502</b>
Section 106 Contributions / CIL	201	280	63	754	60	1,358
<b>TOTAL</b>	<b>51,754</b>	<b>18,905</b>	<b>13,683</b>	<b>12,638</b>	<b>11,880</b>	<b>108,860</b>

## **Treasury Management Strategy**

- 2.6 The Treasury Management Strategy sets out how the Council manages its investments and cash flows, including banking, money market and capital market transactions, and how optimum performance is assured whilst managing the risks associated with these activities.
- 2.7 The specific aspects of the Treasury Management Strategy that are relevant here are how it addresses the Council's capital expenditure plans and how borrowing needs are met. Capital expenditure is funded from the New Homes Bonus, internal resources, borrowing and third party contributions such as Section 106 or CIL payments on new developments. To date, the Council has relied primarily on New Homes Bonus and internal resources, but it is envisaged that this will change owing to the reduction in New Homes Bonus payments and the scale of the capital programme.
- 2.8 The current local authority funding regime does not set cash limits for borrowing. However, borrowing must be sustainable in terms of the Council's ability to fund interest payments and ultimately repayment of capital.
- 2.9 Further details are set out in Section 4.

## **Asset Management Plan**

- 2.10 The longer term maintenance of the Council's capital assets is addressed by the Council's Asset Management Plan. The Asset Management Plan ensures that the Council's assets, as a resource, support the delivery of the Council's objectives by:-
- Providing a suitable standard of accommodation for services including those shared with other authorities
  - Maintaining commercial investment assets and ensuring that they deliver the required rate of return
  - Providing an asset management service to the property holding company
  - Meeting the needs of the local community by maintaining assets in parks and open spaces and other community assets
  - Safeguarding local heritage through ownership and preservation of historic and scheduled ancient monuments.

The current capital programme includes a provision of £2.4 million for Corporate Property Improvements, based on the requirements of the Asset Management Plan.

- 2.11 The Asset Management Plan is currently under review. An updated Plan is due to be considered by Policy and Resources Committee in late 2019.

### **3. GOVERNANCE FRAMEWORK**

#### **Background**

- 3.1 Capital expenditure proposals are developed in response to the Council's strategic priorities, as described in the previous section. Individual schemes are incorporated in the capital programme, which is included within the Council's Medium Term Financial Strategy.
- 3.2 The MTFS states that capital schemes will be reviewed and developed so that investment is focused on strategic priorities. The MTFS is updated on an annual basis, as part of the annual budget cycle.
- 3.3 Subsequent to preparation of the MTFS and its approval by Council each year, capital estimates form part of the annual budget that is submitted to Council for approval.

#### **Developing capital expenditure proposals**

- 3.4 The development of capital expenditure proposals follows 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, eg 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.
- 3.5 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 would also be 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 can be demonstrated to be commercial in nature and require the use of prudential borrowing, a business case must first be prepared.
- 3.6 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.



- 3.7 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.
- 3.8 The 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.
- 3.9 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. they are commercial in nature;
    - ii. the outcome returns a financial benefit at least equal to the cost incurred by borrowing to fund the schemes;
    - iii. after covering the cost of funding, a further financial or non-financial 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 New Homes Bonus for capital purposes 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.
- 3.10 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 Committee appraises the proposals based on a comparison with corporate priorities. Policy & Resources Committee recommends the capital programme which is then presented to Council in March each year.
- 3.11 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.

- 3.12 All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). Further details are set out in section 4 of the Capital Strategy.

### **Performance Monitoring**

- 3.13 The Council has a corporate project management framework that applies to most of the projects included within the capital programme. This provides for designation of a project manager and sponsor, and includes a mechanism for progress on corporate projects to be reported quarterly to a Corporate Projects Board.
- 3.14 Financial monitoring of capital projects is addressed by the Council's Financial Procedure Rules. Individual Member Service Committees receive quarterly reports on capital expenditure for the services for which they are responsible.

### **Capitalisation**

- 3.15 Accounting principles govern what counts as capital expenditure. Broadly, it must yield benefits to the Council and the services it provides, for a period of more than one year. This excludes expenditure on routine repairs and maintenance of non-current assets which are charged directly to service revenue accounts.
- 3.16 The Council has adopted a minimum threshold of £10,000 for capitalisation.

### **Asset Disposals**

- 3.17 The Council's policy for asset disposals is set out in a policy adopted by Policy and Resources Committee at its meeting on 25<sup>th</sup> July 2017.
- 3.18 The policy distinguishes between the following categories.
- Operational Property held and used by the Council for the direct delivery of services for which it has either a statutory or discretionary responsibility. Assets may be disposed of if they have reached the end of their economic or useful life.
  - Investment Property held by the Council for revenue generation purposes, which should be assessed by its potential for improved rates of return by either better asset management, or disposal and re-investment of the receipt.
  - Community assets such as open space. The Council will not usually dispose of areas of parks or other areas which are classed as public open space.
- 3.19 Certain schemes within the capital programme are partially funded through sale of some of the completed asset(s) to partner organisations. In this case, the capital scheme value is shown net of these receipts in the capital programme, as the receipt is ringfenced for this purpose.

## 4. FINANCING THE CAPITAL PROGRAMME

- 4.1 Typically, local authorities fund capital expenditure by borrowing from the Public Works Loan Board, which offers rates that are usually more competitive than those available in the commercial sector. Maidstone Borough Council has so far not borrowed to fund its capital programme, instead relying primarily on New Homes Bonus to fund the capital programme. Borrowing is however likely to be required in future.

### Financing Requirement

All capital expenditure must be financed, either from external sources (government grants, including New Homes Bonus, and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and other long term liabilities). The planned financing of the expenditure set out in Table 1 is as follows:

**Table 2: Capital Financing**

	19/20 £000	20/21 £000	21/22 £000	22/23 £000	23/24 £000	Total £000
External sources	6,901	9,179	3,253	2,782	860	22,975
Own resources	15,185	1,082	1,277	1,485	1,682	20,712
Debt	29,667	8,644	9,153	8,371	9,338	65,173
<b>TOTAL</b>	<b>51,754</b>	<b>18,905</b>	<b>13,683</b>	<b>12,638</b>	<b>11,880</b>	<b>108,860</b>

- 4.2 Where capital expenditure is funded by borrowing, the cost is reflected in the Council's revenue account by a Minimum Revenue Provision (MRP). This provision allocates the cost over the asset's perceived useful life, which could typically be fifty years. Alternatively, proceeds from selling capital assets (capital receipts) may be used to fund capital expenditure, although currently no capital receipts are assumed.

**Table 3: Replacement of debt finance**

	19/20 £000	20/21 £000	21/22 £000	22/23 £000	23/24 £000	Total £000
MRP	185	1,082	1,277	1,485	1,682	5,712
Capital receipts	0	0	0	0	0	0
<b>TOTAL</b>	<b>185</b>	<b>1,082</b>	<b>1,277</b>	<b>1,485</b>	<b>1,682</b>	<b>5,712</b>

- 4.3 The Council's Minimum Revenue Provision statement is included within the Treasury Management Strategy.
- 4.4 The Council's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP and capital receipts used to replace debt. The CFR is expected to increase by £44.146m during 2019/20. Based on the above figures for expenditure and financing, the Council's estimated CFR is as follows:

**Table 4: Prudential Indicator: Estimates of Capital Financing Requirement**

	19/20 £000	20/21 £000	21/22 £000	22/23 £000	23/24 £000
Brought forward	12,031	56,177	64,291	72,928	80,761
Capital Expenditure	51,754	18,905	13,683	12,638	11,880
External funding	-6,901	-9,179	-3,253	-2,782	-860
Own resources	-521	-530	-517	-537	-568
MRP	-185	-1,082	-1,277	-1,485	-1,682
<b>TOTAL CFR</b>	<b>56,177</b>	<b>64,291</b>	<b>72,928</b>	<b>80,761</b>	<b>89,531</b>

**Borrowing Strategy**

- 4.5 The Council’s main objectives when borrowing are to achieve a low but certain cost of finance while retaining flexibility should plans change in future. These objectives are often conflicting, so the Council will seek to strike a balance between cheap short-term loans (currently available at around 1%) and long-term fixed rate loans where the future cost is known but higher (currently 2% - 3%).
- 4.6 Projected levels of the Council’s total outstanding debt (which comprises borrowing and other long-term liabilities) are shown below, compared with the capital financing requirement.

**Table 5: Prudential Indicator: Gross Debt and the Capital Financing Requirement**

	31.3.19 actual £000	31.3.20 forecast £000	31.3.21 budget £000	31.3.22 budget £000	31.3.23 budget £000	31.3.24 budget £000
Debt (excl. PFI & leases)	0	29,667	38,312	47,465	55,836	65,173
Capital Financing Requirement	12,031	56,177	64,291	72,928	80,761	89,531

- 4.7 Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As can be seen from table 5, the Council expects to comply with this in the medium term.
- 4.8 Liability benchmark: To compare the Council’s actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes that cash and investment balances will be fully utilised to fund the capital programme. The Liability Benchmark is currently £4m above the net borrowing requirement, representing the balance of working capital used for short term purposes and the use of investment income.

**Table 6: Borrowing and the Liability Benchmark**

	31.3.19 actual £000	31.3.20 forecast £000	31.3.21 budget £000	31.3.22 budget £000	31.3.23 budget £000	31.3.24 budget £000
Outstanding borrowing	0	25,667	34,312	43,465	51,836	61,173
Liability benchmark	4,000	29,667	38,312	47,465	55,836	65,173

- 4.9 The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year. In line with statutory guidance, a lower “operational boundary” is also set as a warning level should debt approach the limit.

**Table 7: Prudential Indicators: Authorised limit and operational boundary for external debt**

	2019/20 limit £000	2020/21 limit £000	2021/22 limit £000	2022/23 limit £000	2023/24 limit £000
Authorised limit – borrowing	43,853	53,579	64,009	73,865	84,885
Authorised limit – PFI and leases	3,057	2,527	2,010	1,473	905
Authorised limit – total external debt	46,910	56,106	66,019	75,338	85,790
Operational boundary – borrowing	33,853	43,579	54,009	63,865	74,885
Operational boundary – PFI and leases	3,057	2,527	2,010	1,473	905
Operational boundary – total external debt	36,910	46,106	56,019	65,338	75,790

- 4.10 Treasury investments arise from receiving cash before it is paid out again. Investments made for service reasons or for pure financial gain are not generally considered to be part of treasury management.
- 4.11 The Council’s policy on treasury investments is to prioritise security and liquidity over yield, that is to focus on minimising risk rather than maximising returns. Cash that is likely to be spent in the short term is invested securely, for example with the government, other local authorities or selected high-quality banks, to minimise the risk of loss. Money that will be held for longer terms is invested more widely, including in bonds, shares and property, to balance the risk of loss against the risk of receiving returns below inflation. Both short-term and longer-term

investments may be held in pooled funds, where an external fund manager makes decisions on which particular investments to buy and the Council may request its money back at short notice.

**Table 8: Treasury management investments**

	31.3.2019 actual £000	31.3.2020 forecast £000	31.3.2021 budget £000	31.3.2022 budget £000	31.3.2023 budget £000
Short-term investments	15,014	4,000	4,000	4,000	4,000
Longer-term investments	0	2,000	2,000	2,000	2,000
<b>TOTAL</b>	<b>15,014</b>	<b>6,000</b>	<b>6,000</b>	<b>6,000</b>	<b>6,000</b>

4.12 Decisions on treasury management investment and borrowing are made daily and are therefore delegated to the Director of Finance and Business Improvement and staff, who must act in line with the treasury management strategy approved by council. Quarterly reports on treasury management activity are included within the budget monitoring reports which are presented to the council Policy & Resources Committee with the half yearly and annual reviews which are scrutinised by Audit, Governance and Standards Committee then recommending to Full council. The Audit, Governance and Standards Committee is responsible for scrutinising treasury management decisions.

### Revenue Budget Implications

4.13 Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

**Table 9: Prudential Indicator: Proportion of financing costs to net revenue stream**

	2018/19 actual	2019/20 forecast	2020/21 budget	2021/22 budget	2022/23 budget
Financing costs (£000)	-220	243	868	1,120	1,373
Proportion of net revenue stream	-1.1%	1.2%	4.7%	6.2%	7.2%

4.14 Due to the very long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend beyond 5 years into the future. The Director of Finance and Business Improvement is satisfied that the proposed capital programme is prudent, affordable and sustainable.

## **5. OTHER LONG TERM LIABILITIES**

- 5.1 This section deals with other long term liabilities to which the Council has committed itself in order to secure capital investment. The Council has no Private Finance Initiative Schemes, but the following scheme is a similar contract as it is defined as a service concession arrangement.
- 5.2 The Council entered into an agreement during 2009/10 with Serco, the managing contractor of Maidstone Leisure Centre, to undertake a major refurbishment of the centre. Under the terms of the agreement Serco have initially funded the cost of the works through a loan, and the Council are then repaying this loan over a 15 year term, by equal monthly instalments. The principal element of this loan is reflected on the Council's Balance Sheet, and will be written down annually by the amount of principal repaid. Interest paid on the loan is charged to revenue.

### **Investments for Service Purposes**

- 5.3 The Council can make investments to assist local public services, including making loans to local service providers, local small businesses to promote economic growth, Charities and the Council's subsidiaries that provide services. In light of the public service objective, the Council is willing to take more risk than with treasury investments, however it still plans for such investments to provide value for money to the tax payer.
- 5.4 Decisions on service investments are made by the relevant service manager in consultation with the Director of Finance and Business Improvement and relevant committee (where appropriate), and must meet the criteria and limits laid down in the investment strategy. Most loans are capital expenditure and purchases will therefore also be approved as part of the capital programme.

## **6. COMMERCIAL ACTIVITIES**

- 6.1 The Council originally developed a Commercialisation Strategy in 2014, in response to the withdrawal of Revenue Support Grant and the freedoms and flexibilities offered to local authorities through the Localism Act. A review of the Strategy in November 2016 indicated that it had been successful in promoting a more business-like approach to the Council's revenue generating activities, but new initiatives had met with varying degrees of success.
- 6.2 It was decided by Policy and Resources Committee, on the basis of this review, to refocus the strategy on housing and regeneration, which provided the opportunity both to generate a financial return for the Council and to support its strategic priorities. As a result, a Housing Development and Regeneration Plan, to which reference has already been made here, was developed and adopted in July 2017. Similarly, the Council's Commercial Property Investment Strategy is intended to support the local economy and regeneration objectives, as well as to generate a financial return.
- 6.3 Accordingly, none of the Council's capital investment is undertaken for purely commercial purposes.



## **7. KNOWLEDGE AND SKILLS**

- 7.1 The Council employs professionally qualified and experienced staff in senior positions with responsibility for making capital expenditure, borrowing and investment decisions. The Director of Finance and Business improvement is a qualified accountant with over 15 years' experience in local government, the Corporate Property Manager and the team are experienced in Property Management and the Council pays for junior staff to study towards relevant professional qualifications including CIPFA, ACT (treasury), and ACCA.
- 7.2 The Council currently employs Link Asset Services as treasury management advisers and a number of property consultants including Harrisons Property Surveyors Limited and Sibley Pares Limited. This approach is more cost effective than employing such staff directly, and ensures that the Council has access to knowledge and skills commensurate with its risk appetite.
- 7.3 The Council carries out consultation as part of the development of the MTFS in order to establish the wider community's priorities for budget spending. In addition, consultation is carried out each year on the detailed budget proposals with individual Service Committees about budget proposals relating to the services within their areas of responsibility.

## **8. RISK MANAGEMENT**

8.1 The capital programme forms an increasingly important part of the Council's strategy for delivering its overall priorities. Accordingly, it is of fundamental importance that the associated risks are managed actively. The Council has a comprehensive risk management framework, through which risk in relation to capital investment is managed at all levels.

### **Corporate**

8.2 Corporate risks are identified and reported on a quarterly basis to the Corporate Leadership Team and twice a year to the Policy and Resources Committee. Risks are owned by named Directors and controls developed to mitigate risk. Risks at this level may be generic, relating to a number of capital projects, although it is possible that a single capital project could pose a corporate risk.

### **Financial**

8.3 A Budget risk register 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 meeting.

8.4 Typically, risks in this area would relate to funding of the capital programme and over/underspending on individual capital projects.

8.5 For all risks shown on the Budget Risk Register, appropriate controls have been identified and their effectiveness is monitored on a regular basis.

### **Service**

8.6 Individual service areas maintain risk registers, with identified risk owners and details of controls to mitigate risk.

### **Project**

8.7 The Council's project management framework requires managers to maintain risk registers at a project level.

## Document History

Date	Description	Details of changes
28.06.19	First draft to Corporate Leadership Team	
23.07.19	Draft submitted to Policy and Resources Committee	Incorporates references to Maidstone Property Holdings, CIL and financial self-sufficiency as requested by CLT.
30.07.19	Draft submitted to Audit Governance and Standards Committee	Para 4.2 amended to provide clearer explanation of Minimum Revenue Provision.

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**25 SEPTEMBER 2019**

### **REPORT OF THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE HELD ON 30 JULY 2019**

#### **AUDIT, GOVERNANCE AND STANDARDS COMMITTEE – ANNUAL REPORT TO COUNCIL 2018/19**

##### **Issue for Decision**

To note the Audit, Governance and Standards Committee Annual Report which demonstrates how the Committee discharged its duties during 2018/19.

##### **Recommendation Made**

That the Audit, Governance and Standards Committee Annual Report 2018/19 be noted.

##### **Reasons for Recommendation**

The Audit, Governance and Standards Committee, at its meeting held on 30 July 2019, considered its Annual Report for 2018/19 (copy attached as Appendix A). It was noted that:

- The Annual Report outlined how the Committee had fulfilled its responsibilities as set out in its terms of reference. The report covered the work undertaken by the Committee during 2018/19, the complaints received under the Members' Code of Conduct during 2018/19 and the development briefings which had been delivered during the year.
- The report also set out a proposed programme of updates and development briefings that could be provided during 2019/20.
- The overall conclusion was that the Committee could demonstrate that it had appropriately and effectively fulfilled its duties during 2018/19.

The Committee agreed that the Audit, Governance and Standards Committee Annual Report for 2018/19 be approved for submission to the Council.

The Committee also agreed that the proposed programme of updates and development briefings be approved with the inclusion of a briefing session on the Capital Strategy which is now a requirement of CIPFA's Prudential Code governing capital investment and borrowing.

##### **Alternatives Considered and Why Not Recommended**

No alternative actions are considered appropriate as the report demonstrates how the Committee discharged its duties during 2018/19, provides assurance

that important internal control, governance and risk management issues are being monitored and addressed by the Committee and provides additional assurance to support the Annual Governance Statement.

### **Background Documents**

None

### **Appendices**

Appendix A – Audit, Governance and Standards Committee Annual Report 2018/19

# **Audit, Governance & Standards Committee**

# **Annual Report 2018/19**



## Introduction

Maidstone Borough Council has always supported and understood the value and benefits of having an independent Audit Committee. The role of the committee was expanded in 2015 when the Council established the Audit, Governance and Standards (AGS) Committee. Its functions incorporate those undertaken by the former Audit Committee as well as some of the functions previously the responsibility of the Standards Committee.

The AGS Committee is an essential check on the corporate governance framework, providing an independent and high-level overview of internal control, governance and risk management for the Council.

The Committee monitors internal and external audit activity, reviews and comments on the effectiveness of the Council's regulatory framework and reviews and approves the Council's annual statements of accounts.

The Committee is independent from the Council's executive management and Service Committee functions and has clear reporting lines and rights of access to discharge its responsibilities in line with its Terms of Reference (Appendix I). This includes direct access to the Council's Appointed Auditor and Head of Audit Partnership without the presence of other officers where appropriate.

The Committee is not a substitute for the management function in relation to internal or external audit, risk management, governance, or any other review or assurance function. It is the Committee's role to examine these functions, and to offer views and recommendations on the way the management of these functions is conducted.

## Statement of Purpose

The promotion and maintenance of high standards of Councillor and Officer conduct within the Council.

Adopting and reviewing the Council's Annual Governance Statement.

Independent assurance of the adequacy of the financial and risk Management framework and the associated control environment.

Independent review of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment.

Oversee the financial reporting processing.

*Maidstone Borough Council  
Constitution*

## Meetings & Attendance

The Audit, Governance & Standards Committee met five times in 2018/19:

- 30 July 2018
- 17 September 2018
- 19 November 2018
- 14 January 2019
- 18 March 2019

On all occasions the Committee was well attended and able to fulfil its duties.

During 2018/19 the Audit, Governance and Standards Committee was comprised of 9 Borough Councillors and 2 non-voting Parish Councillors. The following Councillors were Members of the committee at various points during the year:

Members	
Cllr McLoughlin (Chair)	Cllr Perry
Cllr Harvey (Vice-Chair)	Cllr Purle
Cllr Bartlett	Cllr Webb
Cllr Cox	Parish Cllr Coulling
Cllr Daley	Parish Cllr Titchener
Cllr Garland	

The Audit, Governance & Standards Committee is supported by senior officers of the Council who are regularly present at meetings, including:

- Director of Finance & Business Improvement (Section 151)
- Head of Audit Partnership
- Head of Policy, Communications & Governance
- Legal Services

In addition, the Council's External Auditors (Grant Thornton) attended each meeting of the Audit Committee during 2018/19. All the Audit, Governance & Standards Committee agenda papers and minutes are available on the Council's [website](#).



## Business

During the year the Audit, Governance & Standards Committee has commented, examined and reviewed the following:

Audit Activity
Annual Internal Audit Report & Opinion 2017/18
Interim Internal Audit and Assurance Report
Internal Audit Charter
Internal Audit & Assurance Plan 2019/20
External Audit (Grant Thornton)
External Audit Progress Reports
External Auditor's Annual Letter
External Auditor's Audit Plan 2018/19
External Auditor's Fee Letter 2018/19
Housing Benefit Grant Claim
Finance
Annual Accounts 2017/18
Budget Strategy - Risk Assessment Update
Changes to Financial and Contract Procedure Rules
Contract Management Update
Treasury Management Annual Review 2017/18
Treasury Management Mid-Year Review 2018/19
Treasury Management, Investment and Capital Strategies 2019/20
Governance
Annual Complaints Report 2017/18
Annual Governance Statement 2017-2018
Annual Governance Statement Update
Annual Risk Management Report
Audit, Governance and Standards Committee - Annual Report
CIPFA Position Statement on Audit Committees in Local Authorities and Police
Complaints received under the Member's Code of Conduct
Data Protection Act 2018 (GDPR) Progress to Compliance
Investigatory Powers Commissioner's Officer Inspection Report
Maidstone Property Holdings Governance Arrangements

The business outlined above has been fulfilled in accordance with the Committee's agreed Terms of Reference (detailed in Appendix I). Furthermore, the Committee has, where applicable to 2018/19, undertaken the functions outlined within the Terms.

## Sources of Assurance

In drawing a conclusion for the year, the Audit, Governance and Standards Committee gained assurance from the following sources:

<b>The Work of Internal Audit</b>
The Head of Audit Partnership issued an unqualified Head of Audit Opinion for 2017/18 which concluded that the Council was operating a sound system of internal control, governance and risk management.
Throughout the year the Committee has been kept up to date with delivery of the Internal Audit plan and the implementation of audit recommendations. It has also been kept aware of emerging risks and the risk management process.
The Internal Audit plan for 19/20 included a breakdown of internal audit assurance work for the coming year, and the Committee were given the opportunity to comment on the work of internal audit prior to endorsing the plan for delivery.
<b>The Work of External Audit (Grant Thornton)</b>
The external auditors report back to the Audit, Governance and Standards Committee providing regular updates on their programme of work. During the year, the External Auditors presented an unqualified value for money conclusion and an unqualified opinion on the financial statements.
The Committee has provided effective challenge to the External Auditors as appropriate and gained assurance from the reports and updates provided during the year.
<b>Finance &amp; Governance Reports</b>
The Committee provided challenge prior to approving the statements of accounts and financial statements in July 2018.
The Committee receives updates on the Council's Treasury Management activity and has provided robust challenge and comment to the overall Strategy and performance of investments.
Assurance is obtained from the Annual Governance Statement which the Committee reviews and approves. The statement is produced following a review of the Council's governance arrangements and includes actions addressing any significant governance issues identified. The Committee receives updates on progress towards remedying these issues throughout the year.
Updates on the implementation of General Data Protection Regulation action plan, and progress towards achieving compliance with the new legislation.

## Dealing with complaints about Council Members

The Localism Act 2011 obliges Councils to have both a Code of Conduct and a procedure for dealing with allegations that a member has breached that Code of Conduct. The Act further provides that the District/Borough Council for the area is responsible for dealing with complaints against all the Parish and Town Councillors for its area as well as dealing with complaints against Borough Councillors.

Full Council, at its meeting on 5 July 2012, resolved to adopt the 'Kent Procedures' for dealing with Member Complaints. Under the procedures, authority is delegated to the Monitoring Officer to make an initial assessment of the complaint (in consultation with the Independent Person appointed under the provisions of the Localism Act 2011) and, if appropriate, the Monitoring Officer will seek to resolve the complaint informally. If it is decided the complaint should be investigated, then following that investigation a Sub-Committee of the Audit, Governance and Standards Committee will determine the complaint.

The Localism Act 2011 sets out the role of the Independent Person in any procedures designed for investigating allegations that a member has breached the Code of Conduct. The Independent Person's views must be sought and taken into account prior to a decision being made following an investigation into a complaint. The Independent Person's views may also be sought at other times during the process. The appointment of the Council's Independent Person, Ms Barbara Varney, was extended in July 2017, for 3 years, by the Democracy Committee.

During the year ending 31 March 2019, 17 new Member complaints were received. Six of the complaints related to Borough Councillors with the remaining complaints relating to parish councillors.

- 7 concluded there was no breach.
- 6 were resolved through informal resolution.
- 3 were not concluded due to lack of response from the complainant.
- 1 was rejected as failed one or more of the legal jurisdiction tests.

## Member Development

As part of this annual report the Committee agrees a programme of development briefings. These are delivered prior to each Committee meeting, and the invitation is extended to all Members not just those on the Committee. For 2018/19 Members continued to show an interest to continually develop their knowledge and skills and as such the following sessions were delivered over the year:

- Delivering an internal audit
- Risk Management
- Recharging
- Role of the Audit Committee
- Financial Statements

## **Proposed Programme 2019/20**

The table below details a proposed programme of updates and briefings that could be delivered during 2019/20. Other areas could be added, including those of more specific local interest, or skills / knowledge development in line with CIPFA's recent position statement 2018 (see appendix II). Any of these development briefings can be added or adapted at the request of the Committee.

Member training remains a high priority and we are currently looking at alternative methods for presenting these sessions such as webcasting. The first briefing is to be on Member Standards and below are possible other topics for inclusion in the Member development program for 2019/20:

- Assurance across the partnerships;
- Role of internal and external audit;
- Internal Audit Standards;
- Assurance on value for money;
- Treasury Management;
- Reviewing the Annual Governance Statement.

## **Conclusion**

The Audit, Governance & Standards Committee, in partnership with the Council's Internal and External Auditors, and with the support of Officers has provided robust and effective independent assurance to the Council on a wide range of risk, governance and internal control areas.

The Audit, Governance & Standards Committee can demonstrate that it has appropriately and effectively fulfilled its duties during 2018/19.

## Terms of Reference & Responsibilities

Audit Activity
<p>a) To consider the Head of Internal Audit Partnership’s annual report and opinion, and a summary of Internal Audit activity (actual and proposed) and the level of assurance it can give over the Council’s corporate governance arrangements.</p> <p>b) To consider reports dealing with the management and performance of Internal Audit services, including consideration and endorsement of the Strategic Internal Audit Plan and any report on agreed recommendations not implemented within a reasonable timescale; and the Internal Audit Charter.</p> <p>c) To consider the External Auditor’s Annual Audit Letter, relevant reports, and any other report or recommendation to those charged with governance; and ensure that the Council has satisfactorily addressed all issues raised. To comment on the scope and depth of external audit work and to ensure it gives value for money.</p> <p>d) To review and approve the annual statement of accounts. Specifically to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Policy and Resources Committee or Council.</p> <p>e) Consider and review the effectiveness of the Treasury Management Strategy, Investment Strategy, Medium Term Financial Strategy, Annual Report and Mid-Year review and make recommendations to the Policy and Resources Committee and Council.</p> <p>f) Recommend and monitor the effectiveness of the Council's Counter-Fraud and Corruption Strategy.</p>

Governance
<p>a) To maintain a financial overview of the operation of Council’s Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.</p> <p>b) In conjunction with Policy and Resources Committee to monitor the effective development and operation of risk management and corporate governance in the Council to ensure that strategically the risk management and corporate governance arrangements protect the Council.</p> <p>c) To monitor Council policies on ‘Raising Concerns at Work’ (Whistleblowing') and the ‘Anti-fraud and corruption’ strategy.</p> <p>d) To oversee the production of the authority’s Annual Governance Statement and to agree its adoption.</p> <p>e) The Council’s arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice and high standards of ethics and probity. This Committee will receive the annual review of the Local Code of Corporate Governance and may make recommendations to Policy and Resources Committee for proposed amendments, as necessary.</p> <p>f) To consider whether safeguards are in place to secure the Council’s compliance with its own and other published standards and controls.</p>

## Standards

- a) The promotion and maintenance of high standards of conduct within the Council.
- b) To advise the Council on the adoption or revision of its Codes of Conduct.
- c) To monitor and advise the Council about the operation of its Codes of Conduct in the light of best practice, and changes in the law, including in relation to gifts and hospitality and the declaration of interests.
- d) Assistance to Councillors, Parish Councillors and co-opted members of the authority to observe the Code of Conduct.
- e) To ensure that all Councillors have access to training in Governance, Audit and the Councillor Code of Conduct; that this training is actively promoted; and that Councillors are aware of the standards expected under the Councils Codes and Protocols.
- f) To deal with complaints that Councillors of the Borough Council and Parish Councils may have broken the Councillor Code of Conduct.
- g) Following a formal investigation and where the Monitoring Officer's investigation concludes that there has been a breach of the Code of Conduct a hearing into the matter will be undertaken. *See the procedure at 4.2 of the Constitution for dealing with complaints that a Councillor has breached the Code of Conduct.*
- h) Advice on the effectiveness of the above procedures and any proposed changes.
- i) Grant of dispensations to Councillors with disclosable pecuniary interests and other significant interests, in accordance with the provisions of the Localism Act 2011.

# Agenda Item 17

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**25 SEPTEMBER 2019**

### **REPORT OF THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE HELD ON 4 SEPTEMBER 2019**

#### **AMENDMENTS TO THE CONSTITUTION – OUTSIDE BODIES**

##### **Issue for Decision**

To agree amendments to the Constitution relating to Outside Bodies.

##### **Recommendations Made**

That:

1. The changes to Schedule 2 of the Constitution, attached as Appendix 2, be agreed.
2. The changes to Committee Terms of Reference, attached as Appendix 3, be agreed.

##### **Reasons for Recommendation**

This option is recommended as this will ensure that the Constitution accurately reflects the latest information relating to Outside Bodies, in line with the research undertaken by Democratic Services and the comments made by the Democracy and General Purposes Committee.

##### **Alternatives Considered and Why Not Recommended**

To do nothing. This is not recommended as this means that Schedule 2 of the Constitution would not reflect the present state of Outside Bodies that the Council appoints representatives to.

The Council could request that Officers explore further potential changes to Schedule 2. The changes proposed have been suggested following research and engagement with relevant Outside Bodies, therefore, any additions or changes would need to be researched in a comparable manner before implementation.

The Council could request a formal review of Outside Bodies. This is not recommended, as significant resource has been dedicated to creating uniformity and consistency across the current Outside Body arrangements. Furthermore, the D&GP Committee recently agreed principles for reviewing Outside Bodies that will allow incremental changes to the administrative arrangements when required. A full review is likely to require additional resource and the expected benefits of a review are not anticipated to represent an effective use of resource.

## **Background Documents**

Appendix 1: Report to Democracy and General Purposes Committee 4  
September 2019

Appendix 2: Draft Schedule 2 of the Constitution

Appendix 3: Draft Committee Terms of Reference



**APPENDIX 1**

**REPORT TO DEMOCRACY AND GENERAL PURPOSES  
COMMITTEE HELD ON 4 SEPTEMBER 2019**

**AMENDMENTS TO THE CONSTITUTION – OUTSIDE BODIES**

<b>Final Decision-Maker</b>	Council
<b>Lead Head of Service</b>	Angela Woodhouse, Head of Policy, Communications and Governance
<b>Lead Officer and Report Author</b>	Mike Nash, Democratic Services Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

This report begins by summarising the work that has been undertaken by Democratic Services to consolidate the records held for each Outside Body listed in the Constitution. As a result of the work, a number of amendments are required to ensure clarity regarding outside bodies.

The suggested changes fall into two key categories:

- Updating the Constitution to reflect the current administration of Outside Body appointments.
- Improvements to the future administration of Outside Body appointments.

**Purpose of Report**

Decision

**This report makes the following recommendations to this Committee:**

That:

1. Council be recommended to agree the changes to Schedule 2 of the Constitution, attached as Appendix 1.
2. Council be recommended to agree the changes to committee Terms of

Reference, attached as Appendix 2.

3. The amended terms of office for Council Representative positions on the Collis Millennium Green Trust and Kent Downs AONB Joint Advisory Committee be noted.

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
Democracy and General Purposes Committee	4 September 2019
Council	25 September 2019

# AMENDMENTS TO THE CONSTITUTION – OUTSIDE BODIES

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	Amending the Constitution to reflect the current state of Outside Bodies means that Council Representatives are suitably appointed and can champion the Council’s corporate objectives with appropriate organisations.	Democratic Services Officer
<b>Cross Cutting Objectives</b>	Each organisation has a different remit and will contribute to the cross-cutting objectives in various ways.	Democratic Services Officer
<b>Risk Management</b>	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.	Democratic Services Officer
<b>Financial</b>	No implications.	Paul Holland, Senior Finance Manager (Client)
<b>Staffing</b>	No implications.	Democratic Services Officer
<b>Legal</b>	Under Section 3 of the Local Government Act 1999 the Council has a statutory duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. Accepting the recommendations will assist in demonstrating compliance with the statutory duty and ensure that the information relating to Outside Bodies in the Constitution is accurate and up to date.	Team Leader (Corporate Governance), MKLS
<b>Privacy and Data Protection</b>	Data will be held and processed in accordance with the data protection principles contained in the Data Protection Act 2018.	Team Leader (Corporate Governance), MKLS
<b>Equalities</b>	The proposed amendment would create a greater level of equality for all Council Members when applying to be Members of Outside Bodies.	Clare Harvey, Data Intelligence Officer

<b>Public Health</b>	No implications.	Democratic Services Officer
<b>Crime and Disorder</b>	No implications.	Democratic Services Officer
<b>Procurement</b>	No implications.	Democratic Services Officer

## 2. INTRODUCTION AND BACKGROUND

2.1 Between June 2019 and August 2019, Democratic Services reviewed information that the Council held relating to Outside Bodies. The key elements of this work were:

- Outside Bodies were asked to provide updated contact information and Job Descriptions.
- Vacant Outside Body positions were advertised to all Councillors.
- Reports were submitted to each appropriate committee. These reports outlined current appointments, nominations received and outstanding vacancies for each Outside Body.

<b>Committee</b>	<b>Date</b>
Economic Regeneration and Leisure (ERL) Committee	2 July 2019
Democracy and General Purposes (D&GP) Committee	3 July 2019
Strategic Planning and Infrastructure (SPI) Committee	9 July 2019
Communities, Housing and Environment (CHE) Committee	16 July 2019
Policy and Resources (P&R) Committee	23 July 2019

- A database was introduced, which allows Democratic Services to effectively monitor the status of Council Representative positions and proactively seek nominations when required.

2.2 There are 63 Council Representative positions, of which approximately 43 (68%) were filled in 2018/19. 49 positions (78%) have been filled in 2019/20. Following the re-advertisement of vacancies, three further nominations, and two re-appointments, are to be considered by committees in September 2019.

2.3 As a result of the work, opportunities to update the Constitution were identified. The changes are designed to achieve the following:

- Establishment of a "base position" to enable consistent administration of Outside Body appointments.
- Alignment of the information in the Constitution with the accepted administrative practices regarding appointments to Outside Bodies.

- Promotion of Councillor participation on Outside Bodies through the removal of appointment restrictions.
- Alignment of Outside Bodies with committees, when considering appointment arrangements and/or the remit of the organisations.
- Correction of anomalies in the Constitution.

2.4 The proposed changes are summarised in the below table (Table 1. Summary of Outside Body Amendments).

Table 1. Summary of Outside Body Amendments

Ref	Outside Body	Issue	Suggested Action	Report Document
#1	South East Rail Passenger Group	<p>Democratic Services were recently notified that the South East Rail Passenger Group has been decommissioned. This has been superseded by the South Eastern Railway Stakeholder Forum, which does not require a specific Council Representative.</p> <p>Any Councillor who attends the South Eastern Railway Stakeholder Forum will do so in an unofficial capacity and will not represent Maidstone Borough Council (MBC) at these meetings. Councillors will not be able to claim travel expenses for these meetings.</p>	<p>Remove from Schedule 2</p> <p>The South East Rail Passenger Group was previously attributable to SPI. Therefore, Democratic Services have arranged for South Eastern Railway to invite SPI Members to all future meetings of the South Eastern Railway Stakeholder Forum. Any Councillor can request to be included on the distribution list, either by contacting South Eastern Railway directly or by liaising with Democratic Services.</p>	<p>Appendix 1</p> <p>N/A</p>

<b>Ref</b>	<b>Outside Body</b>	<b>Issue</b>	<b>Suggested Action</b>	<b>Report Document</b>
#2	Kent Health and Wellbeing Board	<p>The Kent County Council Constitution states that the membership on this board includes three elected Members representing the Kent district councils (nominated through the Kent Council Leaders). These positions are rotated annually, but this is not recognised in the MBC Constitution.</p> <p>The Chairman of P&amp;R, as Leader of the Council, is the MBC Councillor who attends the Kent Leaders Forum. Consequently, the Chairman of P&amp;R is assigned this role, but only when MBC are required to provide a representative.</p>	<p>Include a note in the "Role of the Chairman of Policy and Resources" regarding the rotating membership on this organisation amongst the Kent district councils, explaining that the representative of P&amp;R will attend only when MBC are required to provide a representative</p>	Appendix 2
#3	Kent and Medway Joint Health and Wellbeing Board	<p>The constitution does not currently refer to this external board. The Membership includes two non-voting District Council Representatives, determined by the Kent Council Leaders. These positions are rotated annually.</p> <p>The Chairman of P&amp;R, as Leader of the Council, is the MBC Councillor who attends the Kent Leaders Forum. Consequently, the Chairman of P&amp;R is assigned this role, but only when MBC are required to provide a representative.</p>	<p>Include this board under the "Role of the Chairman of Policy and Resources"</p> <p>Include a note regarding the rotating membership on this organisation amongst the Kent district councils, explaining that the representative of P&amp;R will attend only when MBC are required to provide a representative</p>	<p>Appendix 2</p> <p>Appendix 2</p>



<b>Ref</b>	<b>Outside Body</b>	<b>Issue</b>	<b>Suggested Action</b>	<b>Report Document</b>
#4	KCC Health Overview and Scrutiny Committee	The rotating membership for this board is comparable to the Kent Health and Wellbeing Board (#2) and Kent and Medway Joint Health and Wellbeing Board (#3). Consequently, MBC are not required to provide a representative every year. Boards with a rotating membership are listed under committee Terms of Reference, rather than Schedule 2.	Remove from Schedule 2  Include a note in "Role of the Chairman of Communities, Housing and Environment Committee", explaining that the representative of P&R will attend only when MBC are required to provide a representative	Appendix 1  Appendix 2
#5	Allington Millennium Green Trust	At its meeting on 3 July 2019, the D&GP Committee stated that following a boundary review, conducted between May 2000 and May 2001, the Allington Millennium Green is now located in Bridge Ward.  Discussions were held with the Outside Body and the Council Representative on this organisation. <sup>1</sup> It was established that there are no requirements in the Trust's Deeds for the Council Representative to be an Allington Ward Member.  It is also recommended that the Allington Millennium Green Trust is moved to fall under the CHE Committee, as the Outside Body is best aligned with the remit of this Committee. This would also enhance the consistency with the Collis Millennium Green Trust.	Remove the requirement for an Allington Ward Member to hold this position  Relocate this Outside Body from the D&GP Committee to the CHE Committee	Appendix 1  Appendix 1

<sup>1</sup> Councillor Daley was the Council Representative on the Allington Millennium Green Trust at the time of writing the report, 18 July 2019.

Ref	Outside Body	Issue	Suggested Action	Report Document
#6	Vinters Valley Park Trust	<p>Imposing appointment restrictions creates inflexibility, as it significantly reduces the number of potential nominees for a position. It is therefore proposed that the requirement for a Boxley Ward Member to be appointed to the Vinters Valley Park Trust is removed to promote opportunities for Councillor participation.</p> <p>If an Outside Body position was to receive multiple nominations, then it would be for the appropriate committee to decide on the most suitable appointment. The committee could consider whether a nominee representing a specific ward was beneficial when debating the appointment. Nominees may wish to consider this information as part of their nomination form.</p>	Remove the requirement for a Boxley Ward Member to hold this position	Appendix 1
#7	Headcorn Aerodrome Consultative Committee	<p>It is proposed that the requirement for a Headcorn Ward Member to be appointed to the Headcorn Aerodrome Consultative Committee is removed. (See #6 for rationale.)</p> <p>It is further suggested that the Headcorn Aerodrome Consultative Committee be relocated to the SPI Committee, as it aligns best with the committee remit.</p>	<p>Remove the requirement for Headcorn Ward Members to hold these positions</p> <p>Relocate this Outside Body from the D&amp;GP Committee to the SPI Committee</p>	<p>Appendix 1</p> <p>Appendix 1</p>

<b>Ref</b>	<b>Outside Body</b>	<b>Issue</b>	<b>Suggested Action</b>	<b>Report Document</b>
#8	Howard de Walden Centre	<p>It is proposed that the requirement for an East and North Ward Member to be appointed to the Howard de Walden Centre is removed. (See #6 for rationale.)</p> <p>It is further suggested that the Howard de Walden Centre be relocated to the CHE Committee, as it aligns best with the committee remit.</p>	<p>Remove the requirement for an East and North Ward Member to hold these positions</p> <p>Relocate this Outside Body from the D&amp;GP Committee to the CHE Committee</p>	<p>Appendix 1</p> <p>Appendix 1</p>
#9	Hayle Park Nature Reserve	<p>It is proposed that the requirement for South Ward Members to be appointed to the Hayle Park Nature Reserve is removed. (See #6 for rationale.)</p> <p>It is further suggested that the Hayle Park Nature Reserve be relocated to the CHE Committee, as it aligns best with the committee remit.</p>	<p>Remove the requirement for South Ward Members to hold these positions</p> <p>Relocate this Outside Body from the D&amp;GP Committee to the CHE Committee</p>	<p>Appendix 1</p> <p>Appendix 1</p>
#10	Maidstone Street Pastors Management Committee	<p>It is proposed that the requirement for a High Street Ward Member to be appointed to the Maidstone Street Pastors Management Committee is removed. (See #6 for rationale.)</p>	<p>Remove the requirement for a High Street Ward Member to hold this position</p>	Appendix 1
#11	Collis Millennium Green Trust	<p>It is proposed that the requirement for a High Street Ward Member to be appointed to the Collis Millennium Green Trust is removed. (See #6 for rationale.)</p> <p>In order to fully align the Collis and Allington Millennium Green Trusts, the term of office for the Council Representative on the Collis Millennium Green Trust is to be extended. The next time this position is appointed to, the term of office will be for a period of four years.</p>	<p>Remove the requirement for a High Street Ward Member to hold this position</p> <p>Extend the term of office to four years when a vacancy is next advertised</p>	<p>Appendix 1</p> <p>N/A</p>

<b>Ref</b>	<b>Outside Body</b>	<b>Issue</b>	<b>Suggested Action</b>	<b>Report Document</b>
#12	Kent and Medway Economic Partnership	Due to the appointment criteria for this role, Appendix 1 includes the Outside Body under the P&R Committee, rather than D&GP.	Relocate this Outside Body from the D&GP Committee to the P&R Committee	Appendix 1
#13	Kent and Medway Police and Crime Panel	Due to the appointment criteria for this role, Appendix 1 includes the Outside Body under the P&R Committee, rather than D&GP.	Relocate this Outside Body from the D&GP Committee to the P&R Committee	Appendix 1
#14	West Kent Improvement Board Elected Members Forum	This Committee is already included in Schedule 2 of the Constitution, however the current name, "West Kent Improvement Board", is out of date.  Due to the appointment criteria for this role, Appendix 1 includes the Outside Body under the P&R Committee, rather than D&GP.	Update the name of the organisation  Include a note regarding the automatic appointment of the P&R Chairman, with the option for the committee to delegate this position  Relocate this Outside Body from the D&GP Committee to the P&R Committee	Appendix 1  Appendix 1  Appendix 1
#15	Brenchley Charity	In line with the current arrangements for this organisation, Appendix 1 includes an explanatory note to state that the Chairman and Vice-Chairman of the ERL Committee are automatically appointed as Council Representatives on this Outside Body.	Include a note regarding the automatic appointment of the ERL Chairman and Vice-Chairman	Appendix 1

<b>Ref</b>	<b>Outside Body</b>	<b>Issue</b>	<b>Suggested Action</b>	<b>Report Document</b>
#16	Quality Bus Partnership	To align the appointment information for this Outside Body with the SPI Committee Terms of Reference, Appendix 1 specifies that the Chairman of the SPI Committee is automatically appointed as the Council Representative on this Outside Body. This does not alter current practice, but simply enhances the consistency and clarity of information in the Constitution.	Include a note regarding the automatic appointment of the SPI Chairman	Appendix 1
#17	Local Government Association General Assembly	Confirmation has been received from the Local Government Association General Assembly that a non-voting member, currently appointed by the P&R Committee, is not required.  The Chairman of P&R is currently automatically appointed as a voting member, and no changes are proposed for this position.  The Draft Schedule 2 consequently removes reference to the appointment of a non-voting member but retains the information regarding the automatic appointment of the voting member.	Remove the requirement to appoint a non-voting member	Appendix 1
#18	Maidstone Area Arts Partnership	In line with the current arrangements for this organisation, Appendix 1 includes an explanatory note to state that the Chairman of the ERL Committee is automatically appointed as Council Representatives on this Outside Body.	Include a note regarding the automatic appointment of the ERL Chairman	Appendix 1
#19	Relief in Need Charities	In line with the current arrangements for this organisation, Appendix 1 includes an explanatory note to state that the Mayor is appointed as Council Representatives on this Outside Body as "ex officio".	Include a note regarding the automatic appointment of the Mayor	Appendix 1

Ref	Outside Body	Issue	Suggested Action	Report Document
#20	Kent Downs AONB Joint Advisory Committee	Following discussions with the Kent Downs AONB Joint Advisory Committee, it was confirmed that there are no restrictions on the term of office that a Council Representative can be appointed for. Currently, MBC appoints a representative annually. When this position is next advertised, it will be for a two-year term of office. This will help to promote continuity while simultaneously streamlining the administrative processes associated with appointing Council Representatives.	Extend the term of office to two years when a vacancy is next advertised	N/A

## **Recommendations from the CHE Committee – 16 July 2019**

2.5 At its meeting on 16 July 2019, the CHE Committee made the following resolution:

*"That the Democracy and General Purposes Committee be recommended to consider as part of their ongoing review of outside bodies the following:-*

*1) That there should be more automatic appointments of the Chairman or Vice-Chairman to outside bodies from the Service Committees*

*2) That it be suggested to organisations where any positions are not filled by Members within a year that the position be opened up to other persons whilst still maintaining contact with their local Councillors."*

2.6 In terms of recommendation one, many of the changes suggested in this report are designed to clarify the appointment criteria for Outside Bodies, which includes specifying when Chairmen and Vice-Chairmen are automatically appointed. This, however, does not prevent other positions from being automatically appointed to if committees deemed this appropriate. Committees will be considering an annual Outside Body report between February and March 2020, which will contain updates from Council Representatives. This presents an opportunity for committees to consider whether the appointment criteria for specific Outside Bodies could be adjusted.

2.7 If a Committee considers it appropriate to adjust the appointment criteria for a specific Outside Body, this could be recommended to the D&GP Committee for consideration in March 2020. If the proposed changes conform with the governance arrangements of the relevant Outside Bodies, then D&GP could recommend these amendments to Council for adoption at the Annual Meeting in May 2020. This would ensure that the responsibilities of Chairmen and Vice-Chairmen are clearly understood and agreed ahead of the Snap Committees for the 2020/21 municipal year.

2.8 With regards to recommendation two, at its meeting on 3 July 2019, the D&GP Committee agreed principles for reviewing vacant Outside Body positions. The principles specifically included a period of two years for a vacancy, as this allows (in most circumstances) for two Borough Council Elections to take place. This means that there would be sufficient opportunity for a new Councillor to be elected who may be interested in holding a position on an Outside Body. Opening positions to persons other than Councillors would be possible if the organisations governance arrangements permit this, and it could therefore be identified as the possible course of action to fill the vacancy, as outlined in the principles agreed by this committee in July.

## **Minor Amendments to the Constitution**

- 2.9 Further to the above changes, a number of formatting changes have been made to improve the clarity of information, while grammatical inconsistencies have also been rectified.
- 2.10 Additionally, following the implementation of recommendations in the Committee Structure Review for the 2019/20 municipal year, the Strategic Planning, Sustainability and Transportation Committee has been amended to "Strategic Planning and Infrastructure Committee".
- 2.11 The specification that the P&R Committee appoints one Member on One Maidstone has also been removed, as this information is not included for other Outside Bodies. The name of this Outside Body has also been updated to "One Maidstone BID Advisory Board".
- 2.12 The current Constitution states that the Leader may delegate specific roles on outside bodies, however, under the committee system an individual Member cannot delegate responsibility to another Member. The draft Schedule 2 has therefore been amended to state that the appropriate committee can delegate specific roles, where appropriate.
- 2.13 Following queries from Councillors, a sentence has been included in Schedule 2 that specifically states that a Council Representative does not have to be a Member of the Committee that the Outside Body is listed under.
- 2.14 These are minor changes that can be implemented using the Monitoring Officer's delegated authority, therefore this Committee is not required to make a decision on the adjustments outlined in paragraphs 2.9 to 2.13.
- 

## **3. AVAILABLE OPTIONS**

- 3.1 The Committee could choose to do nothing. This is not recommended as this means that Schedule 2 of the Constitution would not reflect the present state of Outside Bodies that the Council appoints representatives to.
- 3.2 The Committee could choose to recommend the constitutional changes outlined in Appendices 1 and 2 to Council. This will ensure that Schedule 2 of the Constitution reflects the current state of Outside Bodies.
- 3.3 The Committee could request that Officers explore further potential changes to Schedule 2. The changes proposed in this report have been suggested following research and engagement with relevant Outside Bodies, and therefore, any further additions or changes would need to be researched in a comparable manner before being considered by Council. Due to the timescales, these would be recommended directly to Council.
- 3.4 The Committee could request a formal review of Outside Bodies. This is not recommended, as significant resource has been dedicated to creating uniformity and consistency across the current Outside Body arrangements. Furthermore, the D&GP Committee recently agreed principles for reviewing



Outside Bodies that will allow incremental changes to the administrative arrangements when required. A full review is likely to require additional resource and the expected benefits of a review are not anticipated to represent an effective use of resource.

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

- 4.1 Option 3.2 is recommended as this will ensure that Schedule 2 of the Constitution accurately reflects the latest information relating to Outside Bodies, in line with the research undertaken by Democratic Services.
- 

#### **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 All consultation with Outside Bodies and MBC Councillors has been summarised in Section 2.
- 

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

- 7.1 If the amendments to the Constitution are recommended by this Committee, the changes will be considered by Council at its meeting on 25 September 2019.
- 

#### **8. REPORT APPENDICES**

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

- Appendix 1: Draft Schedule 2 of the Constitution
  - Appendix 2: Draft Committee Terms of Reference
- 

#### **9. BACKGROUND PAPERS**

None.

## SCHEDULE 2

### LIST OF OUTSIDE BODIES

*It is not a requirement for Council Representatives to be a Member of the Committee that appoints to Outside Body positions.*

Appointed by Policy and Resources Committee

1. Kent and Medway Civilian-Military Partnership Board

*P&R – Chairman automatically appointed, unless he/she invites the Committee to delegate to another member*

2. Kent and Medway Economic Partnership

*P&R Chairman automatically appointed, unless he/she invites the Committee to delegate to another member*

3. Kent and Medway Police and Crime Panel

*P&R Chairman automatically appointed, unless he/she invites the Committee to delegate to another member*

4. Local Government Association General Assembly

*P&R – to appoint non-voting member (Leader Chairman automatically appointed as a voting member)*

5. One Maidstone BID Advisory Board – to appoint one Member

6. Rochester Bridge Trust

7. Upper Medway Internal Drainage Board

8. West Kent Improvement Board Elected Members Forum

*P&R Chairman automatically appointed, unless he/she invites the Committee to delegate to another member.*

Appointed by Strategic Planning ~~Sustainability and Transportation~~ and Infrastructure Committee

9. Headcorn Aerodrome Consultative Committee

*Headcorn Ward Members to be appointed, unless no relevant Ward Member nomination is received, in which case this restriction no longer applies.*

10. Kent Community Railway Partnership

11. Kent Downs AONB Joint Advisory Committee

~~1.~~ Maidstone Cycling Forum

~~12.~~

~~13.~~ Maidstone Quality ~~B~~bus- Partnership

*~~SPI Chairman automatically appointed~~*

~~2.~~ Medway Valley Line Steering Group

~~14.~~

~~3.~~ Parking and Traffic Regulations Outside London Adjudication Joint Committee  
("PATROLAJC")

~~15.~~

~~4.~~ ~~South East Rail Passenger Group~~

Appointed by Communities, Housing and Environment Committee

16. Action with Communities in Rural Kent

17. Age UK

18. Allington Millennium Green Trust

*Bridge Ward Members to be appointed, unless no relevant Ward Member nomination is received, in which case this restriction no longer applies.*

19. Citizens Advice Bureau

20. Collis Millennium Green Trust

*High Street Ward Members to be appointed, unless no relevant Ward Member nomination is received, in which case this restriction no longer applies.*

21. Cutbush and Corral Charity

22. Hayle Park Nature Reserve

*South Ward Members to be appointed, unless no relevant Ward Member nomination is received, in which case this restriction no longer applies.*

23. Howard de Walden Centre

*East and North Ward Members to be appointed, unless no relevant Ward Member nomination is received, in which case this restriction no longer applies.*

24. Maidstone Mediation Scheme

25. Relate West and Mid Kent

26. Vinters Valley Park Trust

*Boxley Ward Members to be appointed, unless no relevant Ward Member nomination is received,*

*in which case this restriction no longer applies.*

~~KCC Health Overview & Scrutiny – Chairman automatically appointed or Chairman can delegate to another member~~

~~Vinters Valley Park Trust – appoint a Ward Member~~

~~Collis Millennium Green Trust – one High Street Ward Member~~

Appointed by Economic Regeneration and Leisure Committee

~~27. 22. BBrenchley Charity~~

~~*ERL Chairman and Vice-Chairman automatically appointed*~~

~~28. Maidstone Area Arts Partnership~~

~~*ERL Chairman automatically appointed*~~

~~29. Maidstone Twinning Association~~

~~30. Maidstone Sea Cadets~~

~~23. Maidstone Area Arts Partnership~~

~~24. Maidstone/Beauvais Twinning Association~~

~~25. Maidstone Sea Cadets~~

Appointed by Democracy and General Purposes Committee

~~31. South East Employers~~

~~32. Maidstone Street Pastors Management Committee~~

~~*High Street Ward Members to be appointed, unless no relevant Ward Member nomination is received, in which case this restriction no longer applies.*~~

~~5. Relief in Need Charities Committee 26. South East Employers~~

~~33.~~

~~*Mayor automatically appointed "ex officio"*~~

~~Allington Millennium Green Trust – Allington Ward Member~~

~~Headcorn Aerodrome Consultative Committee – Headcorn Ward Member~~

~~Howard de Walden Centre – East and North Ward Members~~

~~Hayle Park Nature Reserve – South Ward Member~~

~~Maidstone Street Pastors Management Committee – High Street Ward Member~~

~~Relief in Need Charities~~

~~Kent and Medway Police and Crime Panel – Leader automatically appointed or Leader to delegate to another member~~

~~Kent and Medway Economic Partnership – Leader automatically appointed or Leader to delegate to~~

*another member*

~~West Kent Improvement Board – Leader automatically appointed or Leader to delegate to another member~~

## **ROLE OF THE CHAIRMAN OF POLICY AND RESOURCES COMMITTEE**

- Be a figurehead for the Council
- Provide strong, clear leadership in the co-ordination of policies and in building a political consensus around council policies
- Take the lead within this Committee and with the other chairmen, of working with others in building a vision for the Council and community and for overall co-ordination of all Committees work in this respect
- Represent the Council and its interests on regional and national bodies as appropriate, including the Kent Council Leaders
- Represent the Council and its interests on appropriate bodies such as and the Kent Health and Wellbeing Board and Kent and Medway Joint Health and Wellbeing Board, when the Council is required to provide a representative
- To be responsible for the Council's role in partnerships including leading the Council's contribution to the Mid Kent Improvement Partnership and supporting partnerships and organisations in the private, public and voluntary sectors
- To act as Ambassador for the Council and its activities amongst external advisory and interest groups not falling within the responsibility of the other Committees
- To act as an advocate for the Council in pressing for changes in national policy
- Act as Councillor Health & Safety at Work Champion and attend Corporate Health and Safety Committee meetings
- Champion Health and Safety training in order to make sure the authority has the right Health and Safety Strategy
- To oversee the objectives are set and delivered by the Corporate Health and Safety Committee and to encourage employee engagement
- To support the authority's efforts to access expert Health and Safety Advice when required
- To foster close links with the business community and develop partnerships to achieve outcomes identified in the Economic Development and Regeneration Strategy
- To foster close links and develop partnerships with skills and education providers to achieve outcomes identified in the Economic Development Strategy
- To take responsibility for relationships with funders including KCC and the Heritage Lottery fund, service delivery partners including the Chamber of Commerce, Federation of small businesses, Locate in Kent, education and skills providers, voluntary and community groups

## **ROLE OF THE CHAIRMAN OF COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE**

- Taking the lead within this Committee of working with others in building a vision for the Council and community
- To take the lead within this Committee for external relationships with properly constituted Tenants and Resident's Groups and Parish Councils including the Parish Services Scheme
- To take the lead within this Committee for all aspects of community engagement
- To work with groups such as the Older Person's Forum and the Voluntary Sector including organisations such as the Citizens Advice Bureau, Voluntary Action Maidstone, Maidstone Mediation and other important community organisations
- To represent the Council on all relevant partnerships including the Kent Waste Partnership, the Kent Community Safety Partnership and the Kent Health Overview & Scrutiny Committee, when the Council is required to provide a representative. (Health scrutiny shall be undertaken in accordance with the agreed Kent Protocols for NHS Overview and Scrutiny from time to time.)
- To take the lead on this Committee for ensuring good relationships with funders including Kent County Council and Waste & Resources Action Programme (WRAP), service delivery partners including contractors, voluntary sector and community groups
- To act as Member Safeguarding Champion and attend the MBC Maidstone Safeguarding Champions Group and Internal Safeguarding Board meetings. This responsibility may be delegated to another Member of the Communities, Housing and Environment Committee

## **MAIDSTONE BOROUGH COUNCIL**

### **COUNCIL**

**25 SEPTEMBER 2019**

## **REPORT OF THE STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE HELD ON 10 SEPTEMBER 2019**

### **LOOSE NEIGHBOURHOOD PLAN**

#### **Issue for Decision**

To make (adopt) the Loose Neighbourhood Plan.

#### **Recommendation Made**

That the Loose Neighbourhood Plan, attached as Appendix 2, be made.

#### **Reasons for Recommendation**

The Loose Neighbourhood Plan was subject to a referendum vote on 8 August 2019. The result of the referendum was successful. Under Section 38A (4) of the Planning and Compulsory Purchase Act 2004, following a successful referendum, the Neighbourhood Plan must be made (adopted) by the Council within 8 weeks. Once made the Neighbourhood Plan will be part of the Development Plan for Maidstone.

#### **Alternatives Considered and Why Not Recommended**

The Council could decide not to make the Loose Neighbourhood Plan. This would be in breach of Section 38A (4) of the Planning and Compulsory Purchase Act 2004 unless there are reasons for doing so as set out in paragraph 1.6 of the report to the Strategic Planning and Infrastructure Committee.

#### **Background Documents**

Background Document 1: Loose Neighbourhood Plan Referendum Result  
<https://www.maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/local-plan-information/tier-3-additional-areas/neighbourhood-plans>

#### **Appendices**

Appendix 1: Report to the Strategic Planning and Infrastructure Committee – 10 September 2019

Appendix 2: Loose Neighbourhood Plan



**APPENDIX 1**

**REPORT TO STRATEGIC PLANNING AND  
INFRASTRUCTURE COMMITTEE  
HELD ON 10 SEPTEMBER 2019**

**Loose Neighbourhood Plan**

<b>Final Decision-Maker</b>	Full Council
<b>Lead Head of Service</b>	Rob Jarman, Head of Planning and Development
<b>Lead Officer and Report Author</b>	Anna Houghton, Planning Officer, Strategic Planning
<b>Classification</b>	Public
<b>Wards affected</b>	Loose, South, Coxheath and Hunton, Boughton Monchelsea and Chart Sutton

**Executive Summary**

Following a decision made by this committee on 25<sup>th</sup> June 2019 the Loose Neighbourhood Plan (background document 1) was subject to a referendum vote on 8<sup>th</sup> August 2019. The result of the referendum was successful. Under Section 38A(4) of the Planning and Compulsory Purchase Act 2004, following a successful referendum (see background document 2), the Neighbourhood Plan must be made (adopted) by the Council within 8 weeks. The Committee is asked to consider the referendum result, and in accordance with the agreed Neighbourhood Planning Protocol, make a recommendation to Full Council that the Neighbourhood Plan is made (adopted). Once made the Neighbourhood Plan will be part of the Development Plan for Maidstone.

**Purpose of Report**

Decision

**This report makes the following recommendations to this Committee:**

That:

1. The result of the referendum held on 8<sup>th</sup> August 2019 on the Loose Neighbourhood Plan be noted.
2. Council be recommended to make the Loose Neighbourhood Plan.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Strategic Planning and Infrastructure Committee	10 <sup>th</sup> September 2019
Council	25 <sup>th</sup> September 2019

# Loose Neighbourhood Plan

## 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. Section 38(3A) of the Planning and Compulsory Purchase Act 2004 outlines that once a neighbourhood plan is approved at referendum it comes into force as part of the statutory development plan. This means it will assist in the delivery of the Council's four strategic objectives.	Rob Jarman
<b>Cross Cutting Objectives</b>	<p>Following the successful referendum result, the Loose Neighbourhood Plan is part of the Maidstone Development Plan. It will therefore assist in the delivery of three cross-cutting objectives of:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The Neighbourhood Plan includes policies for:</p> <ul style="list-style-type: none"> <li>• Heritage, for example the protection and enhancement of the Loose Valley Conservation Area</li> <li>• Biodiversity</li> </ul>	Rob Jarman
<b>Risk Management</b>	Already covered in the risk section	Rob Jarman
<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. The costs for referendum and adoption of neighbourhood plans are borne by the Borough Council. There is a dedicated budget for this purpose, funded by MHCLG	Chris Hartgrove (Interim Head of Finance)

	neighbourhood planning grants. The Council applied for £20k from MHCLG due to costs incurred.	
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Rob Jarman
<b>Legal</b>	Accepting the recommendations will fulfil the Council's duties under the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act (2004) and the Neighbourhood Planning (General) Regulations 2012 (as amended).	Cheryl Parks Mid Kent Legal Services (Planning)
<b>Privacy and Data Protection</b>	The recommendations will not have any implications for the volume of data held by the Council.	Policy and Information Team
<b>Equalities</b>	The Council has a responsibility to support communities in developing a Neighbourhood Plan. The Neighbourhood Planning process provides an opportunity for communities to develop an inclusive plan that meets the housing need of its population.	Equalities and Corporate Policy Officer
<b>Public Health</b>	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Paul Clarke
<b>Crime and Disorder</b>	There are no implications for Crime and Disorder	Rob Jarman
<b>Procurement</b>	There are no procurement requirements	Chris Hartgrove (Interim Head of Finance)

## 2. INTRODUCTION AND BACKGROUND

- 1.1 The Loose Neighbourhood Plan has been prepared by the Parish Council and was examined by an independent examiner. The Council received the examiner's report on 25<sup>th</sup> March 2019. The examiner recommended that, subject to modifications, the Neighbourhood Plan proceed to referendum. The Loose Neighbourhood Plan is attached to this report as background document 1.
- 1.2 Following the publication of the independent examiner's report, and in line with the Neighbourhood Planning (General) Regulations 2012 (as amended)

and the locally adopted Neighbourhood Planning Protocol, a report was presented to this committee on 25<sup>th</sup> June 2019 seeking a decision on what action to take in response to the examiner's recommendation (i.e. proceed to referendum). This committee decided to proceed with the referendum. The referendum was held on 8<sup>th</sup> August 2019.

- 1.3 Following a successful referendum (where more than 50% of those who cast their vote approve the Neighbourhood Plan) the Council must make (adopt) a neighbourhood plan. Section 38(3A) of the Planning and Compulsory Purchase Act 2004 outlines that once a neighbourhood plan is approved at referendum it comes into force as part of the statutory development plan. This means it will be used in the consideration of planning applications in the local area.

### **Referendum**

- 1.4 The referendum was held on 8<sup>th</sup> August 2019, and asked voters "Do you want Maidstone Borough Council to use the Neighbourhood Plan for Loose to help it decide planning applications in the neighbourhood area?"
- 1.5 A total of 93.95% voted 'Yes' with a turnout of 22.42% (see background document 2). Therefore, in line with Section 38A(4) of the Planning and Compulsory Purchase Act 2004, following a successful referendum the Council must make the Neighbourhood Plan.
- 1.6 However, the Committee can decide not to make the Neighbourhood Plan if to do so would breach, or otherwise be incompatible with, any EU obligation or any of the convention rights. The Neighbourhood Plan's compatibility with EU obligations and directives is tested during the examination process and cannot proceed to referendum otherwise. Unless there are any new matters in relation to this point which the Committee considers were not raised by the Examiner then the Council is under a statutory duty to make the plan following the "Yes" result.
- 1.7 The Neighbourhood Planning (General) Regulations 2012 at Regulation 18A outlines that the local planning authority must make a neighbourhood plan where there has been a successful referendum within 8 weeks of the date of the referendum. Therefore, in accordance with the Section 38A(4) of the Planning and Compulsory Purchase Act 2004, Neighbourhood Planning (General) Regulations 2012 and the agreed Neighbourhood Planning Protocol, this committee is asked to consider the result of referendum and make a recommendation to Full Council that the Neighbourhood Plan is made (adopted).

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### **3. AVAILABLE OPTIONS**

- 3.1 The Committee recommends to Full Council on 25<sup>th</sup> September that the Neighbourhood Plan is made (adopted). Taking the decision to a later scheduled meeting of Full Council will delay the adoption of the Neighbourhood Plan and therefore mean that the Council is in breach of its requirement under the Neighbourhood Planning (General) Regulations 2012

(Regulation 18A) to make the neighbourhood plan within 8 weeks of the referendum.

- 3.2 The Committee decides not to recommend to Full Council that the Neighbourhood Plan is made (adopted). This would be in breach of Section 38A (4) of the Planning and Compulsory Purchase Act 2004 which is outlined in paragraphs 1.5 and 1.6 unless there are reasons for doing so as set out in paragraph 1.6 of this report.

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

- 4.1 The preferred option is that outlined in 3.1. The result of the referendum illustrates a very strong level of support amongst those who voted for the Neighbourhood Plan. There are no clear reasons for not doing so and statute is clear as to the requirement to make the plan in such circumstances.
- 4.2 Not making the Loose Neighbourhood Plan would mean the Council is in breach of the Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning (General) Regulations 2012.

---

#### **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 3.1. 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 Committee has already considered the Loose Neighbourhood Plan at the Regulation 16 consultation stage and again after the Examiner's report. The plan itself has been the subject of all the required statutory consultation as well as informal consultation undertaken with officers as the plan was developed through its early stages.

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

- 7.1 A report will be taken to Full Council. Following a decision from Full Council to make the Loose Neighbourhood Plan, the decision and the Plan will be published on the website and relevant bodies notified.

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#### **8. REPORT APPENDICES**

None

## **9. BACKGROUND PAPERS**

Background document 1 – Loose Neighbourhood Plan:

[https://www.maidstone.gov.uk/\\_data/assets/pdf\\_file/0019/283204/109\\_Q\\_190\\_528\\_Final-Plan\\_pages-1-V2.pdf](https://www.maidstone.gov.uk/_data/assets/pdf_file/0019/283204/109_Q_190_528_Final-Plan_pages-1-V2.pdf)

Background document 2 – Referendum result:

<https://www.maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/local-plan-information/tier-3-additional-areas/neighbourhood-plans>

## **APPENDIX 2**

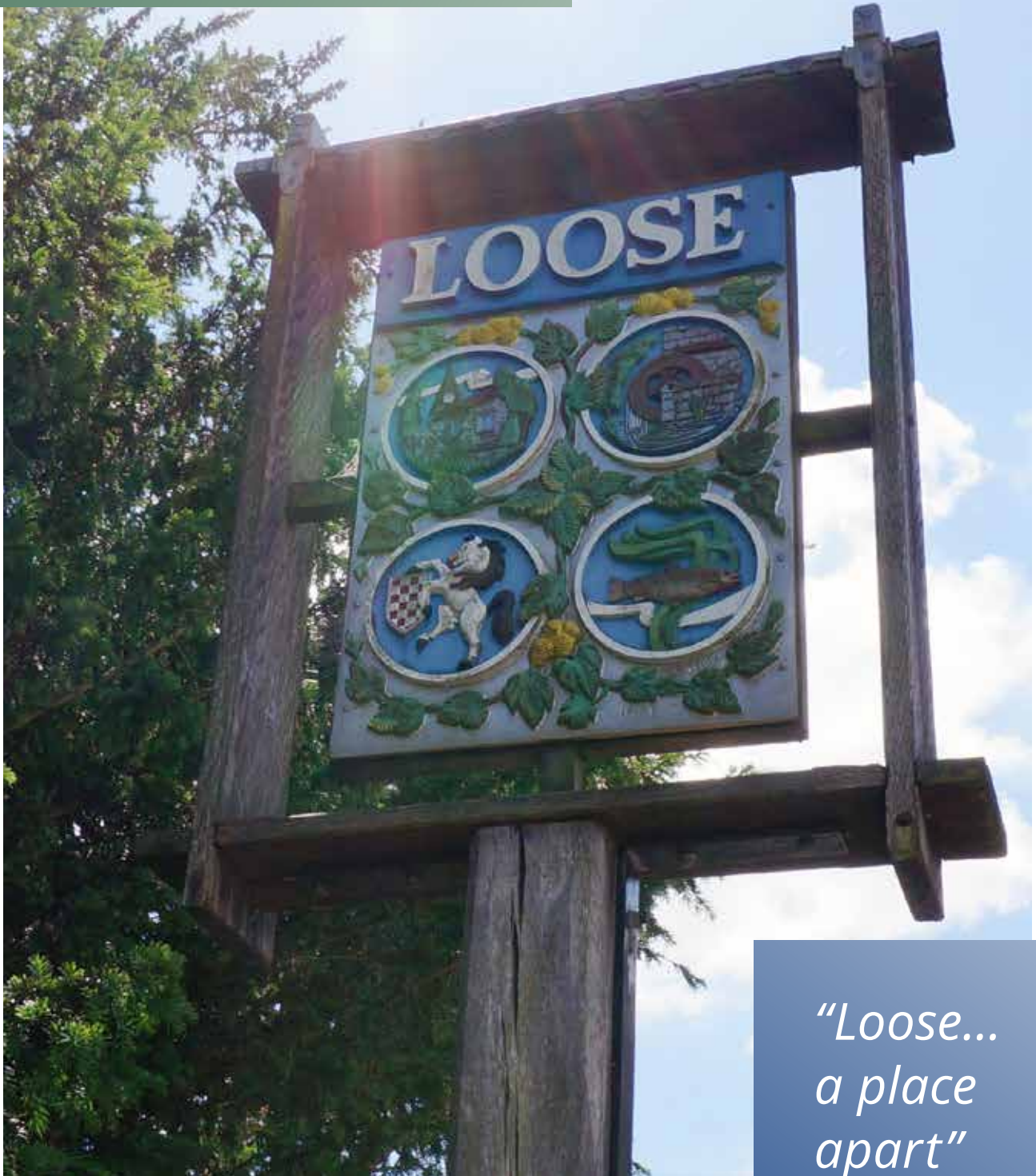
### **LOOSE NEIGHBOURHOOD PLAN**



Loose Parish Council

# Neighbourhood Plan

Final Plan 2018 — 2031



*“Loose...  
a place  
apart”*

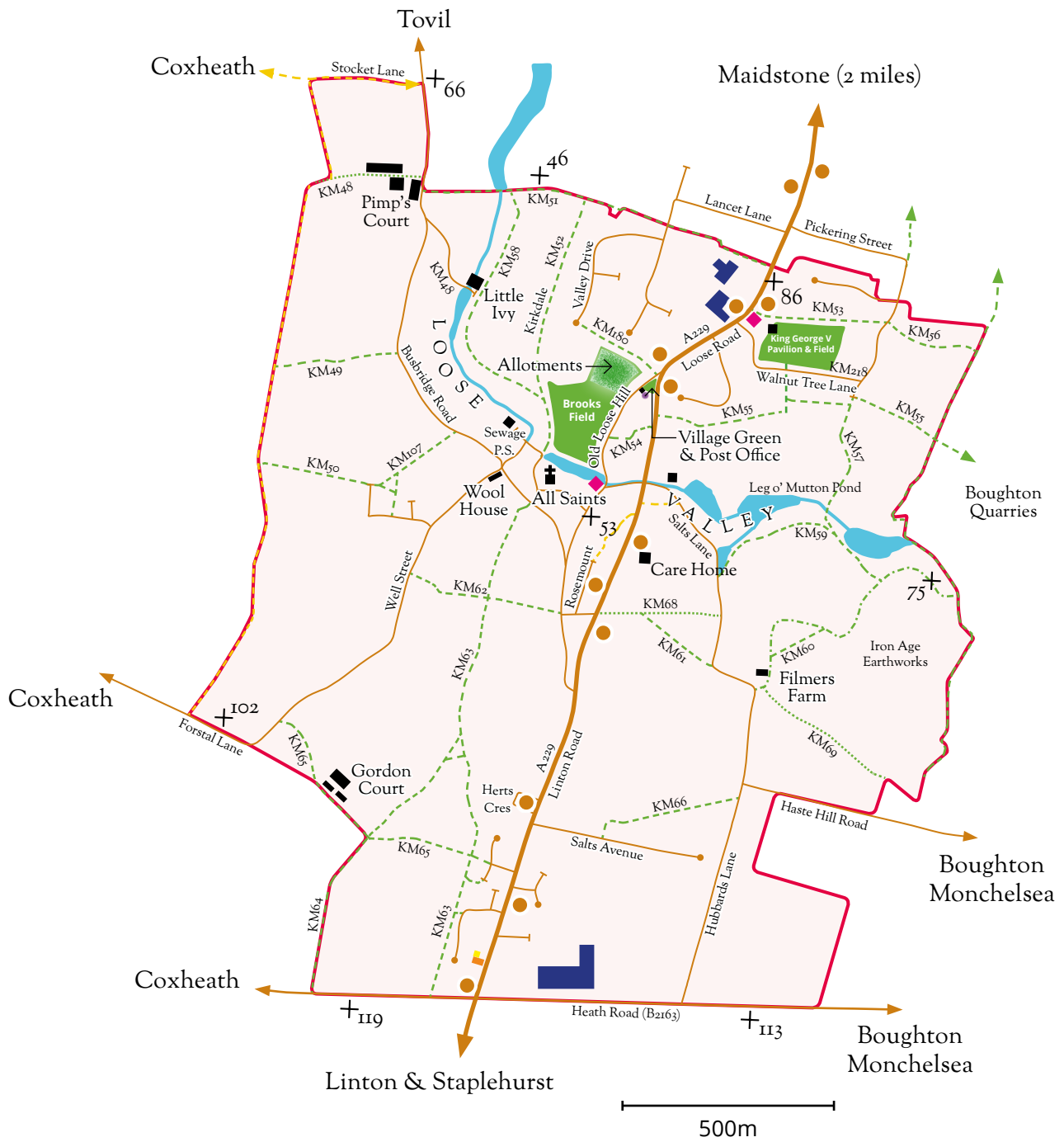













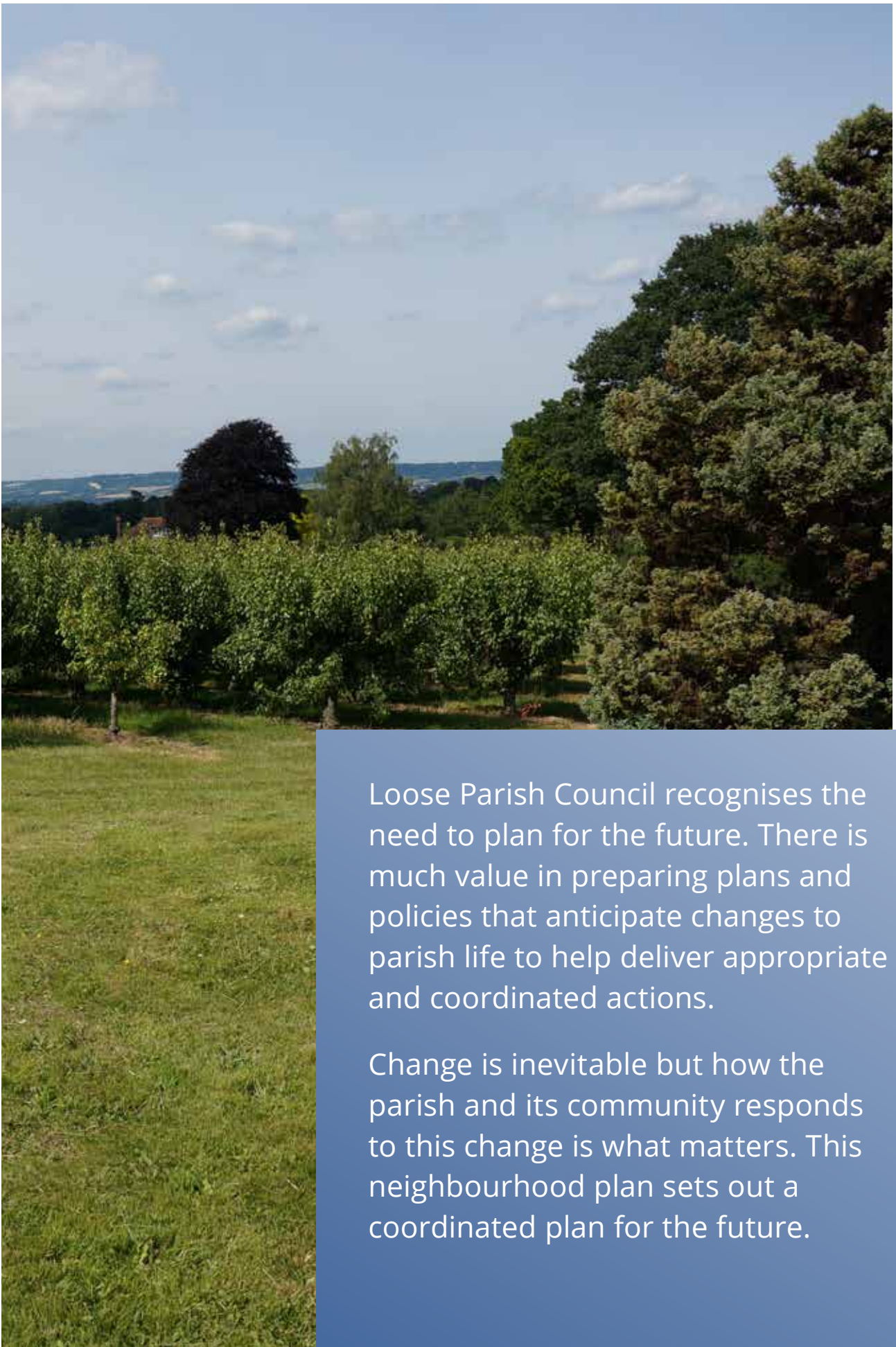
Figure 1 - Neighbourhood planning area designated by Maidstone Borough Council (4th October 2013).

### Loose Parish (2018)



- |   |                           |   |                        |
|---|---------------------------|---|------------------------|
|  | Parish Boundary           |  | Public House           |
|  | Road                      |  | School                 |
|  | Loose Stream & Mill Ponds |  | Petrol Filling Station |
|  | Footpath                  |  | Bus Stop               |
|  | Bridleway                 |  | Spot Heights (m)       |
|  | Byway                     |   |                        |





Loose Parish Council recognises the need to plan for the future. There is much value in preparing plans and policies that anticipate changes to parish life to help deliver appropriate and coordinated actions.

Change is inevitable but how the parish and its community responds to this change is what matters. This neighbourhood plan sets out a coordinated plan for the future.



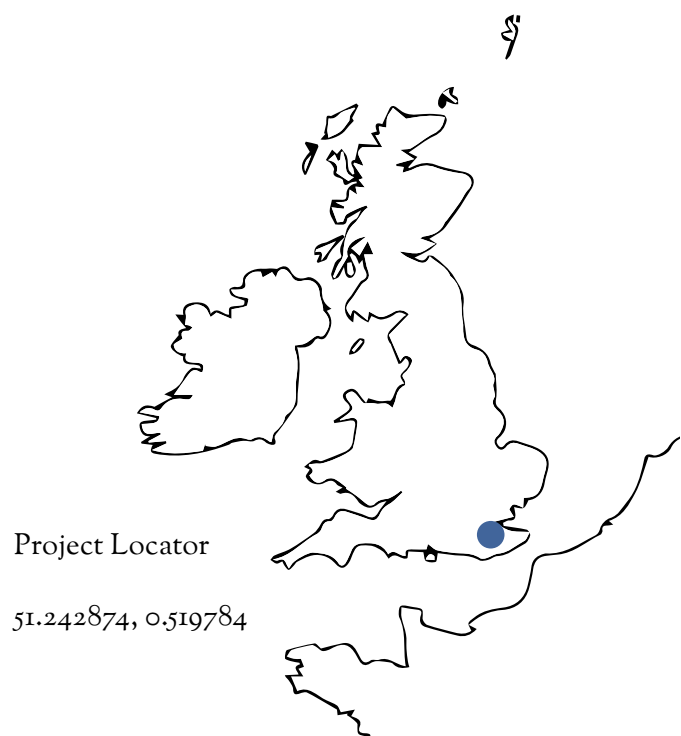
Feria Urbanism is a planning and design studio that specialises in urban design, urban planning, neighbourhood strategies, public participation and community engagement. Established in 2007, we have been involved in a diverse range of planning and design projects across the UK.

Contact for further information

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Document reference 109\_Q\_190528\_Final-Plan

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<b>26</b>	<b>Access &amp; Movement Policies</b>
27	<i>Policy AM1 Improving the Environment for Pedestrians and Cyclists</i>
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# 1. Background

How this neighbourhood plan was developed



1.1 The Loose Neighbourhood Plan 2018 — 2031 has been prepared by Loose Parish Council on behalf of those who live and work within the parish of Loose. The plan sets out a vision for the parish until 2031 and is supported by a set of planning polices and a series of specific projects.

1.2 In accordance with the neighbourhood planning regulations, this plan has been prepared through extensive community consultation.

## What is the Loose Neighbourhood Plan?

1.3 Neighbourhood planning is a community-led process introduced by the Government to encourage local people to shape and influence development within the places where they live and work. They are produced by community forum groups or parish or town councils.

1.4 Neighbourhood plans are policy-based community-led plans which correspond to the Local Plan. In this case, the Local Plan is prepared by Maidstone Borough Council.

1.5 Neighbourhood plans can influence or allocate new housing, produce design policies for allocated sites or for general development. They can protect or identify new community facilities and identify green spaces to be protected from future development proposals.

1.6 The Government introduced the opportunity for local communities to prepare neighbourhood plans through amendments to the Town and Country Planning Act 1990 and the Localism Act 2011 and through new regulations, Neighbourhood Planning (General) Regulations 2012, which set out the requirements for neighbourhood plans.

1.7 In Loose, the preparation of the neighbourhood plan was led by a steering group formed of Parish Councillors and residents that reports to Loose Parish Council.

1.8 There was an ongoing dialogue between Loose Parish Council and Maidstone Borough Council during the preparation phase to ensure the neighbourhood plan policies conform with national and local policy, as required by the regulations.

## Progress 2013 — 2019

1.9 Work on the Loose Neighbourhood Plan began on 11<sup>th</sup> February 2013 when an application was made by Loose Parish Council to Maidstone Borough Council to designate the boundary of the parish to be the boundary for the Loose Neighbourhood Plan. This application request was approved by Maidstone Borough Council on 4<sup>th</sup> October 2013.

1.10 In 2014, the parish council engaged FERIA Urbanism, a design and planning practice based in Bournemouth, to act as consultants. The process in early 2014 comprised site visits by the consultant team in March and July. There were also several key other events to engage the community:

1.11 At the Annual Parish Meeting on 30<sup>th</sup> April 2014 the outline of a neighbourhood plan and its benefits were presented to the meeting verbally and by a poster display. The well-attended meeting was supportive.

1.12 In May 2014, Loose Parish Council delivered a questionnaire to all properties and businesses in the parish. The questionnaire invited comments about Loose as a place. The comments received have been used to inform the subsequent stages of the process.

1.13 On most Saturdays throughout August and September 2014, manned poster and discussion points were set up around the parish to inform residents about the neighbourhood plan process and to receive comments. Comments were generally supportive and these views have been taken forward to assist the development of the submission plan.

1.14 Visioning Event held on 10<sup>th</sup> September 2014 to examine some of the critical issues in more detail. This event was attended by over 100 people drawn from across the parish.

1.15 Three-Day Design Forum held on 21<sup>st</sup>, 22<sup>nd</sup> and 23<sup>rd</sup> October 2014. This was a design-led exercise that examined how change can be designed and planned across Loose parish.

1.16 Two reports were produced later in 2014 following the autumn events, “Loose Neighbourhood Plan, Results Of The Village Visioning Event” and “Loose Neighbourhood Plan, Report From The Three Day Design Forum”. These two reports set out some key themes and ideas for the emerging neighbourhood plan.

1.17 Annual Parish Meeting on 15<sup>th</sup> April 2015 included a manned poster display plus a verbal presentation on progress so far, and the three possible policy areas. The display included a visitors location map (e.g. place an orange dot on the map) and a photo exhibition called “Aspects of Loose” that invited comments about what was liked or disliked. The three emerging planning policy areas were displayed and comments on them were invited. All comments received about the work were positive.

1.18 The Annual Duck Race held in Brooks Field on 25<sup>th</sup> May 2015 was a very popular and well-attended event (e.g. 2,000 to 3,000 people). There was a manned poster display again, plus photos. There was a lot of interest and comments were favourable.

1.19 Loose Valley Care Home, Open Day on 22<sup>nd</sup> August 2015 included a manned poster display. The event consisted mainly of dialogue between members of the steering group, employees and visitors. The emphasis of this event was on “hard to reach groups”.

1.20 The Loose Parish Fete held at King George V Playing Field on 5<sup>th</sup> September 2015 also included a manned poster display. The three policy areas were shown with a breakdown of the stages of neighbourhood plan preparation. Visitors were invited to support (or not) the policies with a sticky dot vote. There was a unanimous “yes” vote but not a large sample. A crowd of around 500 attended the village fete and many engaged in conversation at the stall about the neighbourhood plan.

1.21 In late 2015, the parish council held a three day exhibition event where a draft policy document was shared with the public. The event on 5<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> December 2015 was well-attended by local residents and businesses. This was an opportunity to comment on a series of draft policy themes and an outline of the neighbourhood plan that had been developed over the previous months. The themes of Landscape Protection, Access & Movement and Design Quality were shared by the steering group and were largely endorsed by those in attendance. This material became the basis for the draft plan.

1.22 Annual Parish Meeting on 4<sup>th</sup> May 2016. A time-line showing progress to date, the current situation and what remained to be done was displayed at a manned poster and discussion point. Emphasis was placed on the importance of input by stakeholders into the pre-submission plan.



1.23 Duck Race, 30<sup>th</sup> May 2016. Again, a very well attended event. A similar approach and display was presented to that at the Annual Parish Meeting.

1.24 Loose Parish Fete on the 3<sup>rd</sup> September 2016. Considerable interest was shown in the draft work which was put out for consideration. The focus of the display was to alert stakeholders about how and where they would be able to make their comments when the pre-submission draft plan was launched into the parish and the importance of these comments.

1.25 The Annual Duck Race, 26<sup>th</sup> May 2017. A stall was set up in a prime position just inside the access gate which displayed the “timeline” used at the Annual Parish Meeting and copies of the Pre-Submission Consultation Draft were again on display for perusal. Members of the Steering Group were on hand to discuss any issues raised.

1.26 Loose Parish Fête, 2<sup>nd</sup> September 2017. This was the last face to face public engagement event. Relevant documents were put out for viewing and discussion with the stall representatives. The “orange dot” map was also utilised.

1.27 This consultation and engagement work provided a body of evidence from which the Pre-Submission Consultation Draft Plan was formulated. The views of the community were sought on this draft plan between 31<sup>st</sup> October and 13<sup>th</sup> December 2016. Responses to the Pre-Submission Consultation Draft Plan were used to inform the Submission Plan.

1.28 Throughout this period, several meetings took place between Loose Parish Council and Maidstone Borough Council officers.

## Examination

1.29 In March 2019, the Loose Neighbourhood Plan passed independent examination, subject to a series of recommendations. These recommendations have been enabled to create this final version of the plan.

## Other Communication

1.30 Throughout the process, Loose Parish Council has communicated with its parishioners about the neighbourhood plan through updates in the “In and Around” newsletter, an independent monthly mail drop; through “Loose Views”, the parish council’s quarterly newsletter; its website, Facebook and once in the All Saints Church parish magazine. Updates have also been displayed on parish council notice boards and at other strategic locations. All these communications have invited opportunities for further feedback.



The combination of built heritage and landscape setting in Loose is special and this neighbourhood plan sets out to protect and enhance it.

# Community Consultation Events



Three-Day Design Forum was a design-led exercise that examined how change can be accommodated and planned across Loose parish.



Site visits across the parish have been conducted by members of the steering group and the appointed consultants.



The Visioning Event was attended by over 100 people drawn from across Loose parish, including youth groups.



Local residents and interest groups were involved throughout during the Three-Day Design Forum, sharing their opinions with the steering group and the appointed consultant team.





Three-Day Design Forum generated a lot of debate and discussion but also gave the neighbourhood planning process a clear focus.



Seeing sites first hand has been a key part of the process to date.



The Visioning Event asked questions about the challenges faced by different demographic groups in the parish.



The Three-Day Design Forum in October 2014 gathered a series of “position statements” from many different organisations, seen here pinned up on the red display board.

## 2. Loose Parish Context

### Understanding the history and setting

#### Location

2.1 Loose is located some 3 kms south of Maidstone, around the Loose Valley, with which it forms the Loose Valley Conservation Area. The fast-flowing Loose Stream, which rises near Langley, runs through the centre of the village and once supported fulling mills and paper-making industries, evidence of which can still be found. Loose village itself is situated in the Loose valley and extends along Busbridge Road towards Tovil. The parish population is currently around 2400 with around 990 individual dwellings.

#### History & Origins

2.2 The name is believed to be an Anglo-Saxon term “lose” meaning where pigs are kept. While its origins were in Saxon times its main period of growth was during the Industrial Revolution, when Loose, Boughton Monchelsea and Bockingford developed around the many mills powered by the Loose Stream. There are several remains of the mills, including millraces at Leg O’Mutton Pond, Gurney’s Mill, Loose Village Mill in Bridge Street, and the mill ponds at Little and Great Ivy. Along the valley are disused quarries where Kentish ragstone was once mined, some being used to build the Tower of London.

2.3 Old Loose Hill descends into Loose village and the valley, the hill being so steep that in the 18<sup>th</sup> and 19<sup>th</sup> Centuries additional horses were added to the wagon teams at the aptly named “The Change”. The road is still lined with haul stones around which ropes were tied to help relieve the horses of the weight of the carts. At the foot of the hill to the north of the stream is Brooks Field.

#### Housing Layouts

2.4 The civil parish of Loose lies to the south of the urban area of Maidstone. At its northern boundary with Maidstone, the area consists mainly of medium to low density housing built largely during the 1960s and 70s. There is one recent development of a much higher density at the north eastern boundary built since 2010.

2.5 Development to the south of the valley is largely along the line of the A229, Loose Road and Linton Road, which runs north-south through the parish. The housing stock dating mainly from the 1930s and 1950s with some more recent development close to the southern boundary. The Cornwallis Academy, newly built on the site of the former Cornwallis School, is the largest building and the largest employer in the parish and is also located at the southern boundary of the parish.

2.6 The historic village centre sits in the valley bottom and the building stock ranges from 12<sup>th</sup> to 20<sup>th</sup> Century. The village centre is characterised by buildings located at the back of the footway, narrow streets, steep hills and the numerous streams running through it to join the Loose Stream.

## Heritage

2.7 There are 49 Listed Buildings or structures within the parish, ranging from the viaduct, designed by Thomas Telford, which carries the A229 across the valley, through houses and agricultural buildings to a number of memorials in All Saints Churchyard. The parish and village is known as a “ragstone village” and has a number of disused ragstone quarries, mainly around Well Street and towards the eastern parish boundary with Boughton Monchelsea.



“Loose — A ragstone Village” reads the welcome sign on the village green.

2.8 Those in Well Street have been subject to intermittent housing development over the last few hundred years whilst those to the east of the A229 have “returned to nature” and are now tree covered. There are also some naturally occurring ragstone outcrops at various locations within the parish.

## Landscape Qualities

2.9 From the north of the parish southwards, the land falls sharply into the Loose Valley where the Loose Stream flows east to west from Langley through Boughton Monchelsea before following a sharp bend in the valley at Loose to run north towards the boundary with Tovil parish, from where it flows on for another mile before joining the River Medway.

2.10 The southern face of the valley initially rises as steeply as the northern face and then in a gentler slope to the southern parish boundary and the highest point in Loose, just over 120 metres above sea level. It is the many springs in this south face that feed a number of small streams which flow north, down the Green Sand Ridge, into the Loose Stream. The higher part of this face of the valley is visible from the routes crossing the North Downs ridge at Bluebell Hill and Detling, some 10 kms north.

2.11 The greater part of the land area of the parish is in agricultural use, mainly orchards with some mixed farming, horse pasture, woodland and some areas of uncultivated land. Smaller farmsteads and clusters of agricultural buildings can be found in outlying parish areas. The Loose Stream, with its steep fall, supported a large number of water mills in the past. Those buildings that remain have almost all been converted for residential use.

## Land Ownership

2.12 Several areas of land in the valley have been acquired in order to protect them from future development and provide access for the public. Loose Amenities Association owns approximately 9 hectares to the west of the village which extends past Little Ivy into Tovil parish.

2.13 Loose Parish Council has acquired Brooks Field in the centre of the historic village and is currently enhancing that land with the planting of a new community oak wood at the western end whilst restoring the rest of the land to a traditional meadow. It also owns the King George V Playing Field, the Village Green, allotments (in trust) and other small parcels of land. Loose Swiss Scouts own just over 17 hectares in the valley to the east of the village, part of which falls within Boughton Monchelsea parish. The land is leased and farmed by a local farmer and crossed by public footpaths.

2.14 The Boughton Monchelsea Heritage Trust (BMHT) has acquired about 5 hectares of land in Loose, to the east of the A229 Linton Road, bounded by Salts Place to the north, Salts Avenue to the south and Hubbards Lane to the east. This land was purchased in order to prevent development that would cause the coalescence of the built areas of Loose and Boughton Monchelsea.

## Loose Valley Conservation Area & Article 4 Direction

2.15 Loose was one of the first villages in Kent to have a designated Conservation Area. This was confirmed in 1970 under the terms of the 1967 Civic Amenities Act and comprised the historic centre of the village. More recently the Conservation Area has been extended to include large areas of the Loose Valley and extends into the neighbouring parish of Tovil, directly abutting the Parish of Boughton Monchelsea. It is now known as the Loose Valley Conservation Area.

2.16 In conservation areas, it is the protection of the quality and special interest of the neighbourhood or area as a whole that is intended, rather than specific buildings. For example, the layout of boundaries, roads, vistas and viewpoints, trees and green features, street furniture and surfaces, the characteristic building materials of the area, the mix of different uses, and the design of shop fronts may all be taken into account when deciding whether an area has a particular special architectural or historic interest.

2.17 There are additional planning controls over certain works carried out within the conservation area. For example, demolition within conservation areas requires consent. The designation does not preclude development from taking place, but does require that developments preserve or enhance the historic character of the area, for example by ensuring that new buildings are of a high quality design. Conservation area status also removes some permitted development rights that apply in undesignated areas.



2.18 An Article 4 Direction, made some years ago under the terms of the 1951 General Development Order, now incorporated into The Town and Country Planning (General Permitted Development) (England) 2015, and subsequent amendments, covers some of the Conservation Area and extends into Tovil parish. Unlike the Conservation Area the Article 4 Direction does not extend east of the A229.

2.19 An Article 4 Direction removes from an area all permitted development rights. This means that all new buildings, changes and additions to buildings, fences, surface treatments and trees require the grant of planning permission. This covers all structures including sheds, greenhouses, conservatories and patios. However, the extent of the area is not considered sufficient. Outside the scope of this neighbourhood plan, Loose Parish Council will seek an extension of the direction.



Many of the properties in the Loose Conservation Area benefit from the Article 4 direction.

## Maidstone Borough Local Plan, 2011 — 2031

2.20 The Maidstone Borough Local Plan was formally adopted at full council on 25<sup>th</sup> October 2017. The local plan includes the following policies relevant to Loose:

- SP17 Countryside
- SP18 Historic Environment
- SP20 Affordable Housing
- DM3 Natural Environment
- DM4 Development Affecting Designated & Non-Designated Heritage Assets.

2.21 The plan also references the 2012 Maidstone Landscape Character Assessment, the 2015 Maidstone Landscape Capacity Study and the 2016 Green and Blue Infrastructure. Also relevant to the Loose Neighbourhood Plan is the Kent Minerals and Waste Local Plan and safeguarding areas.

# 3. Landscape Context

How can the neighbourhood plan support and protect the current balance of uses in Loose?

## Landscape & People









3.1 Understanding the distinctive landscape character of Loose parish, and how the main services and facilities sit within that landscape, is critical to the delivery of the right type of development in the right places.

3.2 There is a variety of life and activity that occurs in Loose and the landscape is a working and living patchwork of spaces that are essentially about people. It helps the people who live, work and visit Loose to enjoy a better quality of life.












3.3 The Loose landscape comprises a variety of spaces that supports the life of the community. Figure 2 begins to explore the various landscape layers and the activities that occur across the parish. It is not intended to be precise or prescriptive but aims to give a strategic overview to inspire those involved in shaping the neighbourhood plan to think creatively about the different ways the landscape is used by Loose residents.

3.4 The names of the five neighbouring parishes, and Maidstone, are marked on the plan in white text.

### PLAN KEY

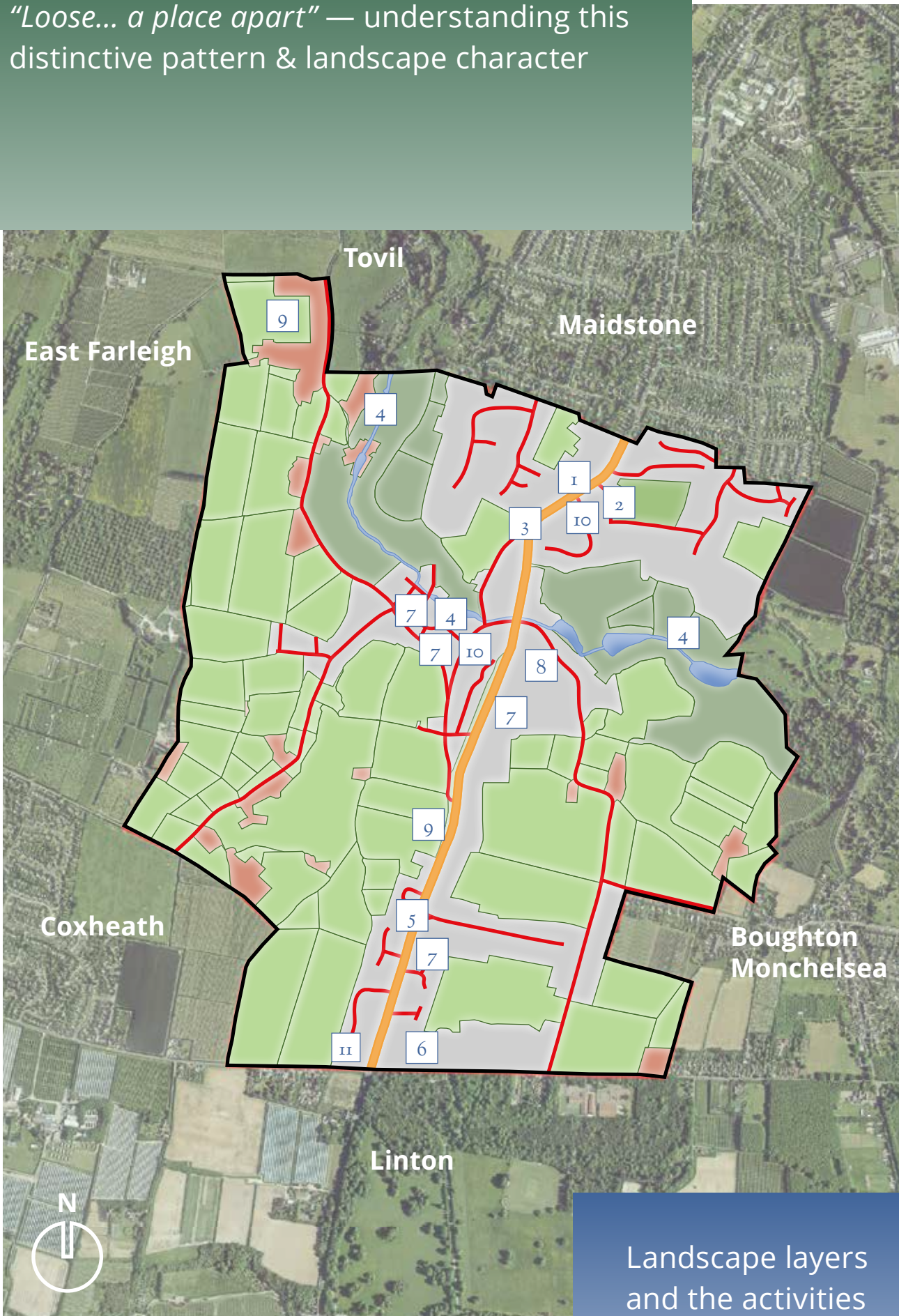
-  Main built areas of the parish
-  Outlying buildings & farms
-  Streams & watercourses
-  Loose Valley woodland belt
-  Farmland, orchards & open landscape
-  A229 main road
-  Streets & lanes
-  Neighbourhood area boundary

### KEY FEATURES & FACILITIES

-  Loose Primary School
-  King George V Playing Field & Pavilion
-  Village Green, Allotments, PO & Shops
-  The Valley (Conservation Area) & Loose Stream
-  Fish & chip shop
-  Cornwallis Academy School
-  Places of Worship
-  Care Centre
-  Small Business Units
-  Public Houses
-  Petrol Filling Station



*“Loose... a place apart”* — understanding this distinctive pattern & landscape character



Landscape layers and the activities across the parish

Figure 2

# Landscape Character Components

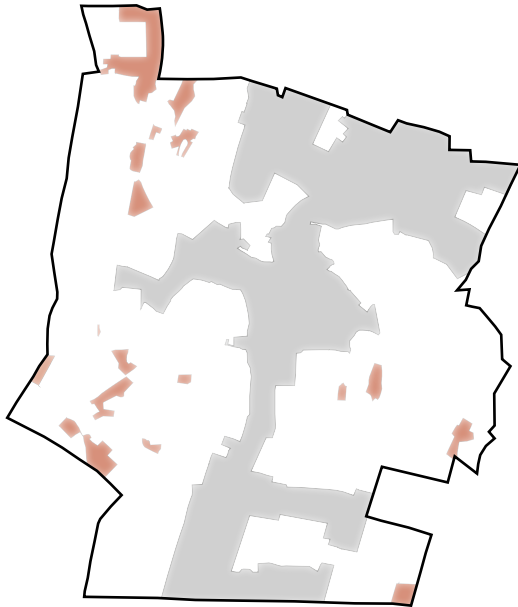


Figure 3

## Built Environment

3.5 The built environment of the parish comprises small farmsteads and clusters of agricultural buildings (brown shaded areas) in outlying areas. Larger tracts of primarily residential development (grey shaded areas) can be found to the north of the parish and along a central spine around the A229 main road. The residential areas vary in character from low-rise bungalows to clusters of heritage buildings.

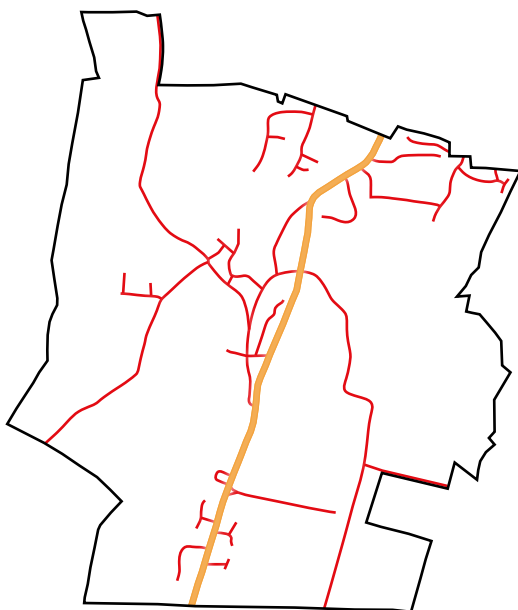


Figure 4

## Movement Network

3.6 Running the full length of the parish in a north-south direction is the A229 (orange line). This is a main movement “spine” in and out of Maidstone from the south and carries a relatively high volume of traffic. Linking to this main road is a network of country lanes and residential streets (red lines) that provide access to the wider parish areas to the east and the west.

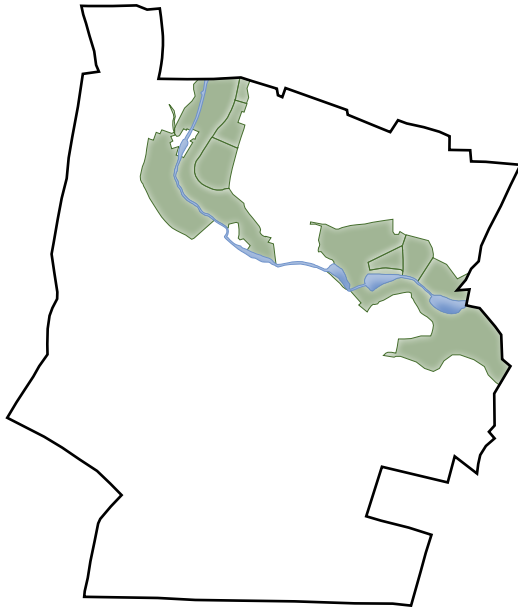


Figure 5

## Loose Valley

3.7 The Loose Valley is narrow and steep-sided, centred along the Loose Stream and ponds (blue) forming a pleasant and secluded area stretching from Boughton Quarries to Tovil. The Loose Valley, along with other special landscape areas around the periphery of Maidstone town provide local distinctiveness which is unique to the borough's identity. Other wooded areas can be found alongside the A229 and to the south west of the parish.

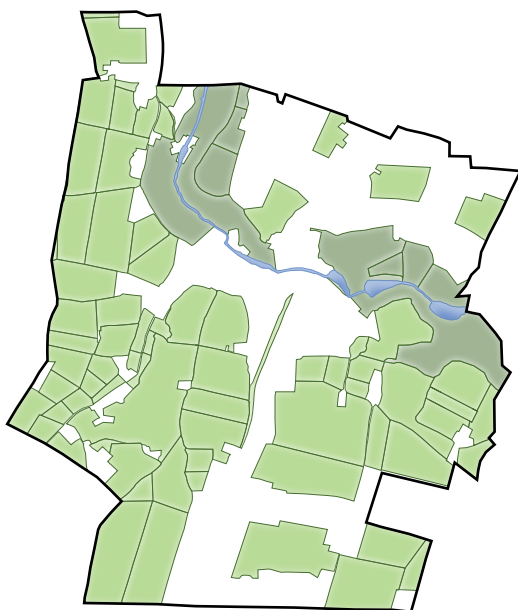


Figure 6

## Productive Landscapes

3.8 Immediately surrounding the areas of built environment and beyond the special character of the Loose Valley is a patchwork of productive landscape areas (light green). This includes orchards, arable land, managed woodland and other areas of open countryside that provide the parish with its distinctive character and green appearance.



## 4. Planning Policy Framework

How will the three policy themes help guide the development of Loose into the future?



### Loose Neighbourhood Plan Vision Statement

*“Loose is a place apart, full of energetic and welcoming people. It has a celebrated history and a clear view of the future. It will continue to be a place with a distinct character and identity where new development sensitively integrates the needs of people into a special landscape”.*

## Policy Themes

4.1 The three policy themes that have been developed through the consultation work are as follows:

### Access & Movement

4.2 The parish council, working with partners, will deliver a balanced mix of initiatives that will make moving around Loose parish a more pleasant, efficient and sustainable experience.

### Landscape Protection

4.3 All landscape works and development should respect the distinctive landscape setting of Loose and not undermine the purpose, high quality and special distinctiveness of the different landscape characters that can be found across the parish.

### Design Quality

4.4 All developments should be built to high design standards and something that improves and enhances the built environment of Loose for now and for future generations.

## Shared Vision

4.5 “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood” (para. 183 of the National Planning Policy Framework, 2012). Therefore, each stage of the Loose Neighbourhood Plan process to date has sought to extend the amount of common ground between local residents and businesses, narrowing down various options through a transparent and open process. At all stages, the neighbourhood planning process will allow room for dissent and minority views but the overall aim of the process is to build a broad-based consensus. This process has allowed a set of objectives for the neighbourhood plan to be developed with a supporting Vision Statement.

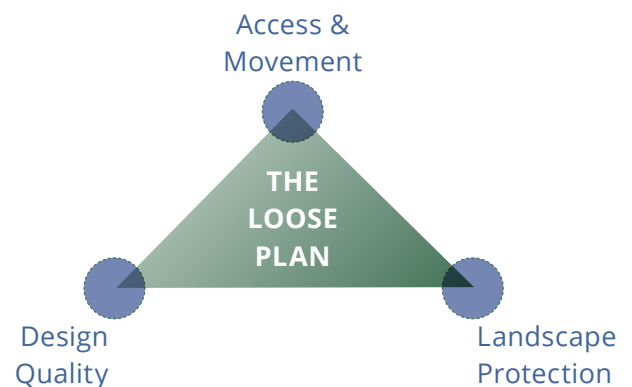


Figure 7

4.6 This diagram in Figure 7 shows how the three key themes contribute to the overall plan for Loose and demonstrates the mutually supportive quality to the three themes. Each policy theme (and the individual policies within them) has been tested against both the Vision Statement and the Neighbourhood Plan objectives to ensure that they are complementary and effective at delivering change and protection in the right ways.

## Neighbourhood Plan Objectives

4.7 The objectives of the neighbourhood plan are to:

1 — Maintain and enhance the rural character of the built elements of Loose parish, its immediate settings and the wider landscape of the parish area.

2 — Coordinate all new development so that it contributes to the creation of safe, sustainable and mixed communities with good access to jobs and essential services for everybody who lives and works in Loose.

3 — Create a robust, yet flexible, access and movement network appropriate for all modes of travel for current and future populations.

4 — Use land and resources efficiently so that new developments have a

reduced demand for energy and plan for a low carbon future.

5 — Protect and enhance the natural and historic environment, the quality of the built environment and the wider countryside.

6 — Ensure inclusive design qualities through the use of appropriate materials and details that respond to the Loose context.

7 — Ensure that land made available for development will be developed in such a way as to improve people's quality of life, for both new and existing residents.

8 — Deliver the community infrastructure necessary to support Loose in the 21<sup>st</sup> Century.





The protection of the watercourses in Loose must be an integral part of all planning applications and permissions (Objective 5).



Protection of the built environment is a critical aspect of the plan (Objectives 1, 2, 5, 6 and 7).



Protection of the landscape setting of the village and parish is also important (Objectives 1, 5 and 6).

## Background to the Neighbourhood Plan Objectives and Policies

4.8 The objectives and policies of the neighbourhood plan have been informed by the following themes and ideas raised during the consultation process. The background is explained here.

### Built environment protection

4.9 The landscape protection offered by the Loose Conservation Area status and the Article 4 Direction has, to an extent, been diminished through a general unawareness of both measures, but particularly the Article 4 Direction, by parish residents.

4.10 Therefore, the neighbourhood plan includes a policy to lift the level of design quality expected in new developments across the parish, including in the Loose Conservation Area. See Policies DQ1 and DQ2.

### Protection of long distance views

4.11 The protection of long distance views has been identified as an important factor in the public surveys and workshops held in connection with the plan. In order to protect long distance views, no new development should be permitted along the “valley rims” where it could be viewed from within the Loose Conservation Area or from the higher ground on opposite sides of the valley if it detracts from the view. See Policy LP1.

### Natural environment protection

4.12 Across the Loose Valley the landscape is typified by the Loose Stream and the numerous small streams that flow into it from the southern side of the valley. All of the watercourses in the plan area are also wildlife habitats. There have been several large pollution incidents involving the main stream and some of the smaller streams. There have been several incidents of sewage overflows from the wastewater pumping station onto private land and into the Loose Stream. All planning applications should consider the management of rain water run-off from buildings and hard surfaces so that pollutants are not carried into the streams and where large volumes of water are involved the streams are not overwhelmed.

4.13 Not only is the stream important but so too is the need to protect the rest of the natural environment. Hedgerows, orchards, woodland, grassland, scrubland and meadows are all features that contribute to the attractive distinctiveness of Loose. They provide important flora and fauna habitat and movement corridors. Consideration needs to be given to the protection of these. The reduction in species such as the song thrush, bats, water vole and dormouse is evident. Planning applications should consider their impact on these areas and not compromise their well-being. See Policy LP4.



## Tree planting projects

4.14 For many years now Loose has been noted for its trees and has on several occasions received regional awards and commendations for the way in which trees have been managed and protected in the parish. The yew tree in All Saints churchyard is considered to be over 1,500 years old and is of national significance. The importance of continuing this practice cannot be overstated in the overall management of the landscape across the whole of the parish.

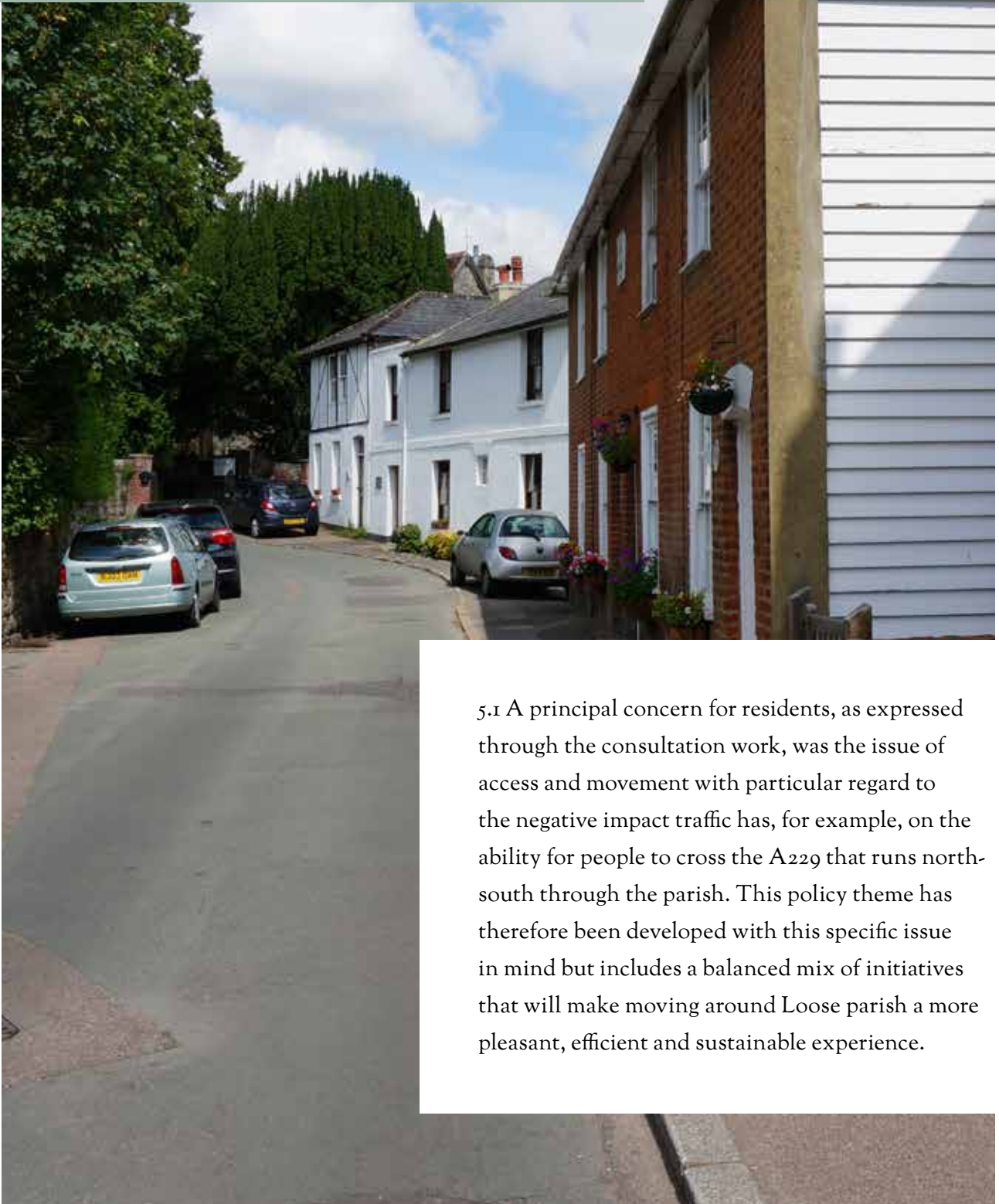
4.15 Trees are the most civil company. They provide shelter and protection from the extremes of weather and soften the hard edges of the built environment. Many of the responses to the neighbourhood plan survey and workshops cited trees and their protection as a key factor for consideration in the Loose Neighbourhood Plan and for many, along with the stream, typify the landscape of the parish of Loose.

4.16 In considering trees, the plan should not just think in terms of the open country and woodlands but also the trees within gardens that enhance both village and suburban areas providing shelter and privacy as well as the many diverse garden landscapes for which Loose is so well known.

4.17 Within the Loose Conservation Area any trees lost due to age, storm or other damage should be replaced with specimens of the same type or a type approved by the borough council. Planning applications across the parish should consider the impact of the change or development upon trees within the site or adjacent to it regardless of the type of application. Where the application includes new building whether it is an extension to an existing building, a single new build or a larger development it should include a landscaping scheme which takes into account the impact upon the amenity of neighbours as well as longer distance views. See Policy DQ2.

# 5. Access & Movement

## Planning Policies



5.1 A principal concern for residents, as expressed through the consultation work, was the issue of access and movement with particular regard to the negative impact traffic has, for example, on the ability for people to cross the A229 that runs north-south through the parish. This policy theme has therefore been developed with this specific issue in mind but includes a balanced mix of initiatives that will make moving around Loose parish a more pleasant, efficient and sustainable experience.

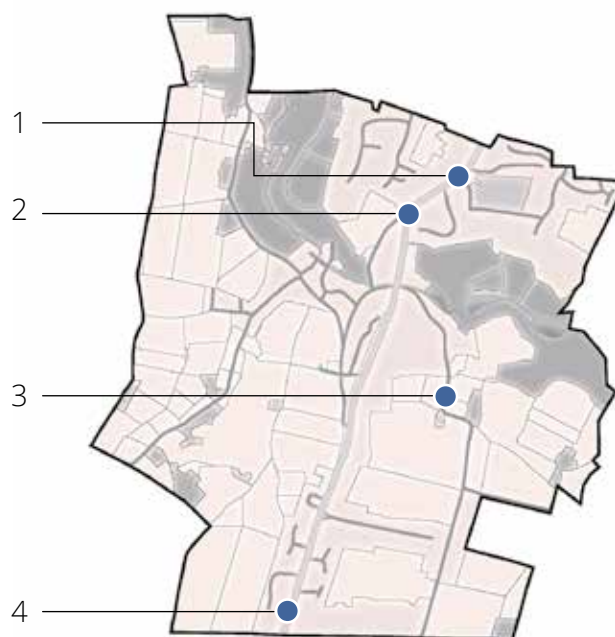
## Policy AM1

### Improving the Environment for Pedestrians and Cyclists

1) SEEK IMPROVEMENTS TO THE NETWORK OF FOOTPATHS, FOOTWAYS AND CYCLE ROUTES THROUGHOUT THE PARISH TO ENSURE THAT THEY ARE SAFE, CONVENIENT AND COMFORTABLE.

2) NEW PEDESTRIAN CROSSING FACILITIES WILL BE SUPPORTED ALONG THE A229 AT AGREED LOCATIONS TO ENABLE EASIER CONNECTIONS BETWEEN THE EAST AND WEST OF THE PARISH.

3) FOOTWAY WIDENING AND RESURFACING WHERE NECESSARY WILL BE ENCOURAGED.



*Figure 8* — This policy is to be applied at specific locations (1) the area adjacent to Loose primary school; (2) the village green; (3) country lanes and; (4) Cornwallis Academy and Linton crossroads.

Three locations for new pedestrian crossings have found favour with residents. These are:

Rosemount Close to No. 51 Linton Road; at the Loose Primary School, where a pelican or toucan crossing is required; and a dedicated pelican crossing at the Linton crossroads adjacent to Cornwallis Academy.

## Policy Justification

5.2 The parish council, working with partners, will deliver a balanced mix of initiatives that will make moving around Loose parish a more pleasant, efficient and sustainable experience.

5.3 The present day layout of the roads, streets, lanes and track ways of the parish can be traced back to the movements of early Saxon settlers. Over the centuries, the parish has been shaped by the influence of the transport routes from north to south.

5.4 The need for a contemporary high quality access and movement strategy is at the heart of this policy theme along with a determination to create a more pleasant village centre with strong walking links to the outlying areas. Design and planning principles must inform this ambition and should be incorporated into every new development.

5.5 When considering the users of the streets and roads within Loose, the following hierarchy of needs should be observed so that a balanced and sustainable approach can be developed: Pedestrians, cyclists, public transport users, specialist service vehicles and other motor traffic. This movement hierarchy will help ensure that the correct priority is given to the preferred user during the policy formulation, planning, design, construction and management phases.

## Some Key Projects & Actions Arising from this Policy Area

5.6 Some key projects and actions arising from this policy area are:

- Enhanced public realm projects at the village green, Old Loose Hill / A229 junction.
- Support for new cycling routes projects.
- Review of lower speed limits and new, dedicated pedestrian crossings along the A229.
- Improving the Public Rights of Way (PRoW) network

5.7 There are further opportunities to enhance the landscape of Loose through public realm projects e.g. new benches, seats and useful street furniture (including more waste bins) similar to those implemented in the last few years around the parish with the assistance of ward councillors and the Loose Amenities Association, private individuals and Loose Parish Council.

5.8 Future projects could include work around the Village Green, along the A229 on the southern approach and around the Pickering Street/Leonard Gould Way area. These projects could be initiated by the parish council or other bodies in the area with funding provided from either public, charitable or local commercial sources.

## Footways (Pavements)

5.9 The network of existing footways throughout Loose does not always allow for safe and convenient access. In many places they are too narrow to be used comfortably. There is also a need to address the perceived threat to pedestrian safety that results from narrow footways, the passage of HGVs and the associated issue of air pollution, especially along the A229.

5.10 To encourage more people to walk in Loose, the existing and future footways around the village need to be generous, well-surfaced, safe and well-connected. Some footways could be widened to make walking more comfortable.

## Footpaths

5.11 Many residents value living close to some of the most attractive countryside in England. Opening up more land around the edges of Loose to create highly-valued recreational routes will be one way to ensure the new village edges have a sense of permanence and will reassure village residents that growth will not go unchecked.

5.12 The neighbourhood plan intends to support the maintenance of existing routes as a benefit to the Parish and make improvements to the PRow network, and to Kent County Council's Rights of Way Improvement Plan 2018 — 2028 (ROWIP).

5.13 The neighbourhood plan will seek an appropriate level of signage in keeping with the rural nature of the area with natural surface materials that are robust and all-weather.

## Cycle Routes

5.14 The creation of streets that are safe for cycling and walking will encourage healthy active lifestyles for all ages. In certain areas, segregated or dedicated cycling infrastructure may be required, for example, at key junctions.

5.15 These measures will help raise the level of utility cycling (e.g. riding to work, to the shops or to school). Good quality cycle infrastructure will give cyclists the space they need to ride safely on the roads and keep the pavement space for pedestrians. Facilities that are to be shared between pedestrians and cyclists must be avoided if at all possible within the built part of the village.

## Off-Road Cycle Routes

5.16 Loose is surrounded by attractive open green spaces. The creation of off-street recreational cycling routes will enhance existing access and connections between the built-up parts of the village and the green spaces beyond. These routes need to be convenient, accessible, well-signed and enjoyable if they are to help encourage cycling as a recreational activity which in turn, may help raise levels of utility cycling.

5.17 Such off-road routes through the countryside can often be safely and successfully shared between walkers and cyclists. Cycle routes should blend in with the local landscape. Regular access to green open space has a significant positive impact upon an individual's mental health. Access to the countryside setting of Loose parish can be promoted by well-connected cycle routes.



5.18 The proposal for a shared pedestrian-cycle route at Kirkdale was met with considerable objection and alternative options are now being considered. There is an option for a potential route alongside the allotments going into Bray Gardens and Waldron Drive from Old Loose Hill. This is supported in principle by Loose Parish Council and negotiations are on-going with Kent County Council about how this route could be delivered.

5.19 It is feasible that the cycle route terminating at Old Drive could be extended eastwards along Lancet Lane to the rear entrance of the primary school in Waldron Drive. Although outside this neighbourhood plan area, the proposal is supported by the North Loose Residents Association with a made neighbourhood plan covering Lancet Lane.

5.20 There are three byways in the parish, currently open for walking, horse riding and cycling. These are Filmers Farm to Camp Field Farm; Filmers Farm to Atkins Hill and Linton Road to Salts Lane.

## Better & More Frequent Pedestrian Crossings

5.21 The A229 carries a combination of through-traffic and local traffic. It is also a vital walking route between different neighbourhoods and village services, such as the schools and bus stops. Better and more frequent pedestrian crossings at specific points are required to provide safer and more convenient access between where people live and where people want to get to. In Loose, these locations with support are:

- Rosemount Close to No. 51 Linton Road;
- At the Loose Primary School, where a Pelican or Toucan crossing is required;
- A dedicated pelican crossing at the Linton crossroads adjacent to Cornwallis Academy. This could align the school entrance with the school crossing. The timing and sequence of the traffic lights could also be changed to give greater pedestrian priority.

## Lower Speed Limits

5.22 There has been widespread support during the consultation phases for reduced speed limits along the A229 and other roads. In response to this, Loose Parish Council has agreed to set up a community “speed watch” group to monitor this route through the parish. Findings from this group will form the basis of recommendations to Kent County Council Highways. The speed monitoring will be taken between Linton crossroads and the viaduct, although monitoring of speed elsewhere on the A229 could be a later consideration.

## Protection Of Country Lanes

5.23 The consultation work has identified that “rat-running” (i.e. vehicles using minor country lanes rather than the main road) is prevalent along Busbridge Road, Salts Lane, Church Street, Well Street and Highbanks.

5.24 The neighbourhood plan identified that these roads need to be protected, and that any further development along these routes should be resisted in order to maintain that protection longer term.

5.25 The designation of these routes as “Quiet Lanes” or similar may be a way to deter use by non-essential traffic. The designation could be accompanied by traffic-calming features and new signages, appropriate for a rural area.

## Traffic-Calming & Car Parking

5.26 Areas around the village green, the north end of Northleigh Close, Leonard Gould Way, Well Street, and Loose village centre have been identified as having on-street parking problems. There are no easy answers to these parking issues. The compact form of Loose means that the narrow streets, with a positive village character, often do not have the room to accommodate many vehicles.

5.27 Neighbours, residents and visitors in these areas should act responsibly with courtesy to one another.



Parked cars can often block narrow pavements and obstruct sight lines.

## Policy AM2

### Land adjacent to the post office at Old Loose Hill and Loose Road junction — “The Village Green”

1) NEW PUBLIC REALM PROJECTS AT THE JUNCTION OF OLD LOOSE HILL AND THE A229 ON LAND AT AND NEAR THE VILLAGE GREEN WILL BE SUPPORTED SUBJECT TO THE FOLLOWING CRITERIA:

THAT THE DESIGNS AND REVISED LAYOUTS:

— PROVIDE A BETTER SETTING FOR THE VILLAGE GREEN

— PROVIDE A BETTER SENSE OF ARRIVAL

— HELP TO SLOW TRAFFIC

— FACILITATE THE TURNING OF LARGER VEHICLES LESS THAN 7.5T WEIGHT & BUSES

— PROVIDE CLEARER ACCESS TO OLD LOOSE HILL

— HELP PRESERVE THE WELL-BEING OF THE LOCAL SHOPS

## Policy Justification

5.28 The neighbourhood plan supports a public realm project at the junction of Old Loose Hill and the A229 on land at and near the village green. The aims of this project will be several, as follows:

— To provide a better setting for the village green, one of the few publicly accessible small-scale green spaces in Loose;

— To provide a better sense of arrival and a “gateway” for those arriving in the parish from the north, helping to slow traffic and make the lower speed limit ambition more deliverable;

— Implement a revised traffic layout that better facilitates emergency vehicles and buses which could allow the return of a bus service to the village;

— Revisions to the layout and design of the area should be done with the express aim of helping to preserve the well-being of the local shops in the immediate area, with a more appropriate parking regime.

5.29 These measures are supported in principle by Loose Parish Council and negotiations are on-going with Kent County Council. A final package of agreed measures, supported by both Kent County Council and Loose Parish Council, may be promoted through the neighbourhood plan.



## Access & Movement Issues



Crossing the A229 can be difficult. There is just one pedestrian crossing in the parish which is at the Linton cross roads and this is incorporated within the traffic light system which is less than satisfactory.



The village green area is often congested with cars and this can make some traffic movements difficult.



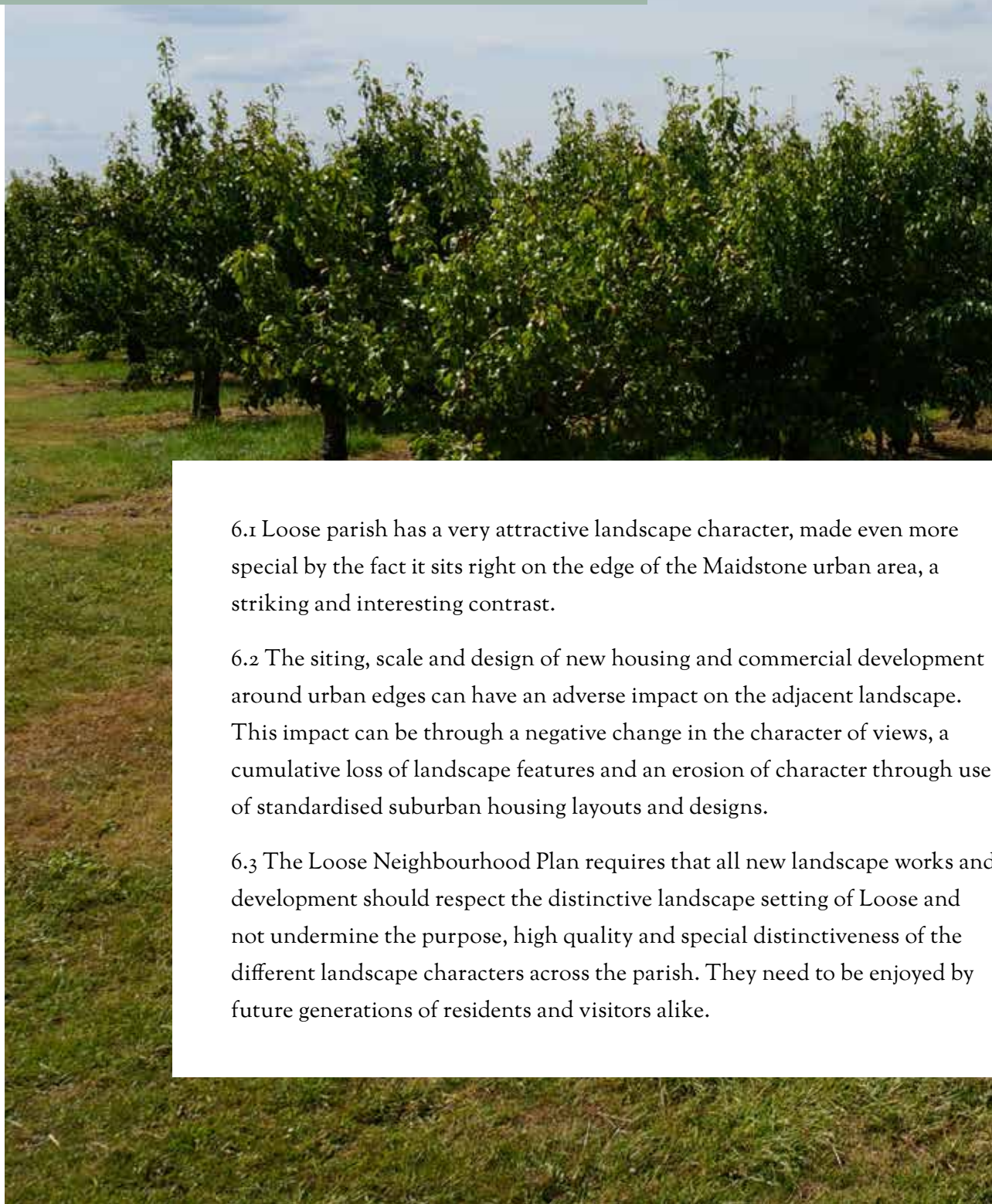
Pavements are narrow and in the absence of any dedicated cycle infrastructure, they are often used as safe routes to and from schools by some cyclists.



The drop-off and pick-up times at the primary school can add to driver delays along the A229.

# 6. Landscape Protection

## Planning Policies



6.1 Loose parish has a very attractive landscape character, made even more special by the fact it sits right on the edge of the Maidstone urban area, a striking and interesting contrast.

6.2 The siting, scale and design of new housing and commercial development around urban edges can have an adverse impact on the adjacent landscape. This impact can be through a negative change in the character of views, a cumulative loss of landscape features and an erosion of character through use of standardised suburban housing layouts and designs.

6.3 The Loose Neighbourhood Plan requires that all new landscape works and development should respect the distinctive landscape setting of Loose and not undermine the purpose, high quality and special distinctiveness of the different landscape characters across the parish. They need to be enjoyed by future generations of residents and visitors alike.

## Policy LP1

### Views Across Village & Countryside

1) DEVELOPMENT PROPOSALS SHOULD GIVE CONSIDERATION TO IDENTIFIED SHORT AND LONG-RANGE VIEWS ACROSS THE COUNTRYSIDE AND THE VILLAGE, AND WHERE APPROPRIATE SHOULD SEEK TO SAFEGUARD THESE VIEWS.

*See supporting photos on pages 36 — 37 and plan in Figure 9, page 38.*

## Policy Justification

6.4 There is a strong relationship between the built elements of Loose parish and its wider landscape setting. At various points in and around the parish, there are clear lines of sight out to open countryside and back again from open countryside towards and across the village. This experience is enhanced through several elevated locations in the parish. This locally distinctive context provides a sense of identity and a particular character to Loose.

6.5 The neighbourhood plan process has made an assessment of the key views, explained their qualities and recorded them on the plan in Figure 9. This assessment process has helped to formulate a protection policy.

6.6 Applications for new development should demonstrate an understanding of this assessment and show how their proposals respond in an appropriate manner.



## LP1 Views Across Village & Countryside



1. The long-distance view looking south from the allotments across the village towards the southern edge of the valley and parish boundary, predominantly orchards. From map ref. TQ75875229.



2. The open view over agricultural land, looking east from the path leading north east from Salts Avenue to Hubbards Lane. From map ref: TQ75985129.



3. The view looking south east, following the Loose valley, towards the village, from Busbridge Road near Pypmes Court Farm. Predominantly Conservation Area. From map ref: TQ75435263.



4. Long distance view looking north across the orchards of the Loose Valley and allotments to the North Downs on the horizon. From the fruit farm packing station, approx. 400m due south of church. From map ref: TQ75555168



5. The view looking south over the village and Conservation Area from approx. 100m north of Kirkdale cottages on west side of footpath. From map ref: TQ75685233..



6. One of the views across the Loose Valley and Conservation Area into the village, from the east side of Busbridge Road. From map ref: TQ75365238 to TQ75545218.



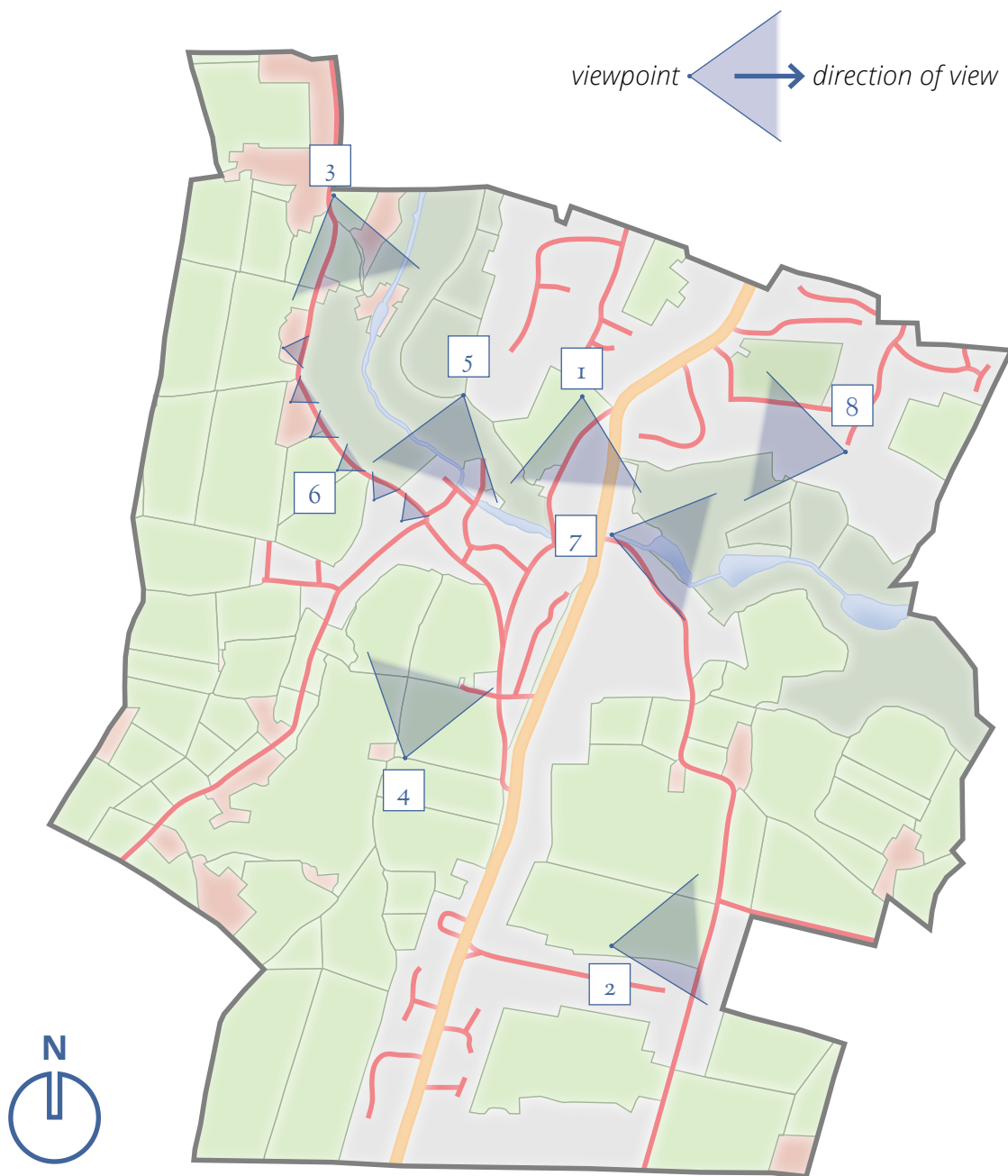
7. Views of the Loose Valley looking east through the Conservation Area, from the Loose Viaduct on the A229. From map ref: TQ75955207.



8. The view of open and working countryside in the Conservation Area, looking westwards from the Pickering Street (Old Lakenham) footpath to Boughton Woods. From map ref: TQ76395205.

# Policy LP1 Key Views

Figure 9 — Eight key views to be protected



## Policy LP2

### Loose Valley Landscape of Local Value

1) DEVELOPMENT PROPOSALS IN THE LOOSE VALLEY LANDSCAPE OF LOCAL VALUE SHOULD HAVE PARTICULAR REGARD TO THE SCENIC QUALITY AND DISTINCTIVE CHARACTER OF THE AREA, AND SHOULD MITIGATE ANY IMPACTS.

## Policy Justification

6.7 The Loose Valley performs a vital local function by demarcating particular distinctive features which are important to Maidstone specifically. The Loose Valley provides local distinctiveness which is unique to Maidstone's identity.

6.8 Protection will be given to the Loose Valley, a narrow and steep-sided valley centred on the Loose stream and mill ponds which forms a pleasant and secluded rural area stretching from Boughton Quarries to Tovil.

6.9 This neighbourhood plan policy seeks landscape protection as part of other planning considerations. This specific policy will therefore become an important planning mechanism to protect the wider parish from intrusive development proposals.

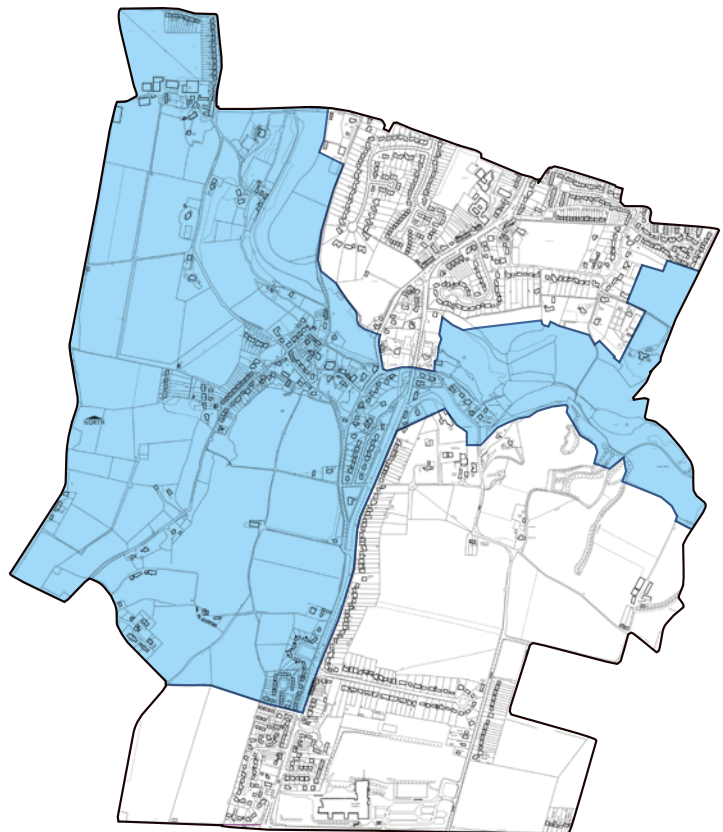


Figure 10 — Land within the parish that is designated part of the Loose Valley Landscape of Local Value



## **Policy LP3**

### **Design of Development in the Countryside**

1) DEVELOPMENT PROPOSALS WITHIN THE PARISH BOUNDARY AND OUTSIDE THE BUILT AREAS OF LOOSE, AS ILLUSTRATED IN FIGURE 11, WILL HAVE REGARD TO THE SPECIFIC LANDSCAPE DESIGN PRINCIPLES FOR THIS AREA SET OUT IN THIS NEIGHBOURHOOD PLAN. IN PARTICULAR, NEW DEVELOPMENT PROPOSALS AND SUPPORTING INFRASTRUCTURE SHOULD:

- a) PROVIDE FOR HIGH QUALITY DESIGN
- b) BE LOCATED TO AVOID THE LOSS OF IMPORTANT VIEWS
- c) SEEK TO RETAIN KEY LANDSCAPE FEATURES
- d) RESPECT THE CHARACTER AND DISTINCTIVENESS OF THE LOCALITY
- e) ENSURE THAT SITE ENTRANCES AND ACCESS RESPECT AND INCORPORATE LANDSCAPE FEATURES, WHERE APPROPRIATE
- f) PROTECT AND ENHANCE BIODIVERSITY FEATURES.



2) DEVELOPMENT PROPOSALS WITHIN THE BUILT AREAS OF LOOSE, AS ILLUSTRATED ON FIGURE 11, WILL HAVE REGARD TO THE SPECIFIC DESIGN PRINCIPLES FOR THIS AREA SET OUT IN THIS NEIGHBOURHOOD PLAN. IN PARTICULAR, NEW DEVELOPMENT PROPOSALS AND SUPPORTING INFRASTRUCTURE SHOULD:

- a) PROVIDE FOR HIGH QUALITY DESIGN
- b) ENSURE NEW DEVELOPMENT RESPECTS AND COMPLEMENTS THE RURAL SETTLEMENT FORM, PATTERN, CHARACTER AND ITS LANDSCAPE SETTING
- c) MAINTAIN THE RELATIONSHIP BETWEEN THE HISTORIC SETTLEMENT CORE AND THE LANDSCAPE SETTING THROUGH THE PROTECTION OF VIEWS AND VISTAS
- d) USE APPROPRIATE LOCAL MATERIALS
- e) SEEK TO RETAIN EXISTING LANDSCAPE FEATURES
- f) PROTECT AND ENHANCE ON-SITE BIODIVERSITY FEATURES.

3) PROPOSALS FOR DEVELOPMENT WILL BE REQUIRED TO RETAIN THE CHARACTER AND SETTING OF THE AREA AND SHOULD SEEK TO AVOID COALESCENCE WITH THE SETTLEMENTS OF COXHEATH, BOUGHTON MONCHELSEA, TOVIL, EAST FARLEIGH AND LINTON.

## Policy Justification

6.10 Landscape is not a subject which stands alone. It can be the integrating framework for the parish and its setting, within which everything else interacts: the people, the buildings, the wildlife, the water courses and so on. Therefore ensuring the landscape framework is properly considered in relation to all new and existing developments is important as the implications can be far-reaching.

6.11 Good development can add to the character of the village and can also fund and deliver many benefits for the community. Carried out without proper care and consideration it can erode landscape character and local distinctiveness. In order to achieve the aspirations of this neighbourhood plan, these landscape policies need to inform development. Without this, local character and distinctiveness may not be retained and enhanced as it should be.

## Landscape design principles for development outside the built areas of Loose

### *in support of Policy LP3 (1)*

6.12 Any new buildings and infrastructure within the parish boundary and outside the built-up areas of Loose need to be located to avoid loss of important views towards features such as church towers or the wider landscape, as well as avoiding intrusion onto sensitive ridge lines, prominent slopes and damage to distinctive landscape settings.

6.13 New development should seek to retain key landscape features on development sites, such as woodland, shaws (narrow belts of woodland), hedgerows, orchards, mature trees, watercourses and ponds as a basis for the new landscape structure and setting of the site.

6.14 Development should avoid regimented buildings on the settlement edge for new developments.

6.15 Designs should integrate new development with local character, using open space and planting to provide a visual link to the countryside and an attractive backdrop to development.

6.16 Secure and manage native woodland, shaw, hedgerow and tree planting to integrate and/or screen new and existing developments.

6.17 Consider massing, form, height and colour, texture of buildings and structures, taking account of local distinctiveness and characteristics through the use of locally sympathetic materials. In the case of Loose, this will include ragstone, red brick, tile hanging and weatherboarding.

6.18 Coordinate building colour to secure a complementary effect between buildings and the surrounding landscape (e.g. use of matt neutral colours to minimise reflectivity).

6.19 Ensure that site entrances and approaches are designed to fit within the landscape, and use discrete signage.

6.20 Consider the need for lighting and where essential, seek to minimise its impact in the landscape through choice of light source and control of light spillage.

6.21 Consider the need for fencing. Where security fencing is required use wooden posts and galvanised wire and screen with thorny hedges of native plants.

6.22 Consider the impact of development on the Public Rights of Way network. Any development proposals which would adversely affect the existing Public Rights of Way network will not be permitted.

6.23 Sufficient space is to be included within site layouts to meet obligations linked to ecological requirements, such as the retention of mature hedgerows and trees and the creation of wetland habitats, linked to a SuDS (Sustainable Urban Drainage System) implementation plan. New development should seek to include sustainable drainage systems within green infrastructure. Additional information is available in Kent County Council's Drainage and Planning Policy Statement (June 2017)

## Landscape design principles for development within the built areas of Loose

### *in support of Policy LP3 (2)*

6.24 Recent development in rural areas has not always reflected the character and form of the host settlement. Furthermore, without respect for the relationship with the surrounding landscape, such developments can “suburbanise” the character of Loose.

6.25 Meanwhile, choice of materials does not always reflect local distinctiveness, often using standardised bricks and tiles. To avoid such situations in the future, all new developments in Loose should:

6.26 Ensure new development respects and complements the rural settlement form, pattern, character and its landscape setting, reinforcing local distinctiveness.

6.27 Conserve sensitive parts of settlement settings.

6.28 Maintain a direct relationship between the old settlement core and the surrounding landscape, allowing views in and out.

6.29 Use native woodland, shaw, hedgerow planting as appropriate to local character and open space to integrate new development. Use advance planting of native local trees and shrubs, where appropriate.

6.30 Avoid the introduction of features such as close board fencing, suburban style walls and fast growing conifers, particularly on the boundaries with rural lanes or with the wider landscape.

6.31 Use appropriate local materials. In the case of Loose, this will include ragstone, red brick, tile hanging, weatherboarding and peg tiles.

6.32 Seek to minimise the impact of new residential accesses by retaining existing hedgerows or traditional walls where possible.

6.33 Use new native hedge species and sympathetic grass mix verges where new sight lines are necessary. Where possible, use local provenance wildflower and grass-seed mixes.

6.34 Avoid the introduction of urban bollards, concrete block paving, concrete or plastic kerbs and highly coloured signage.

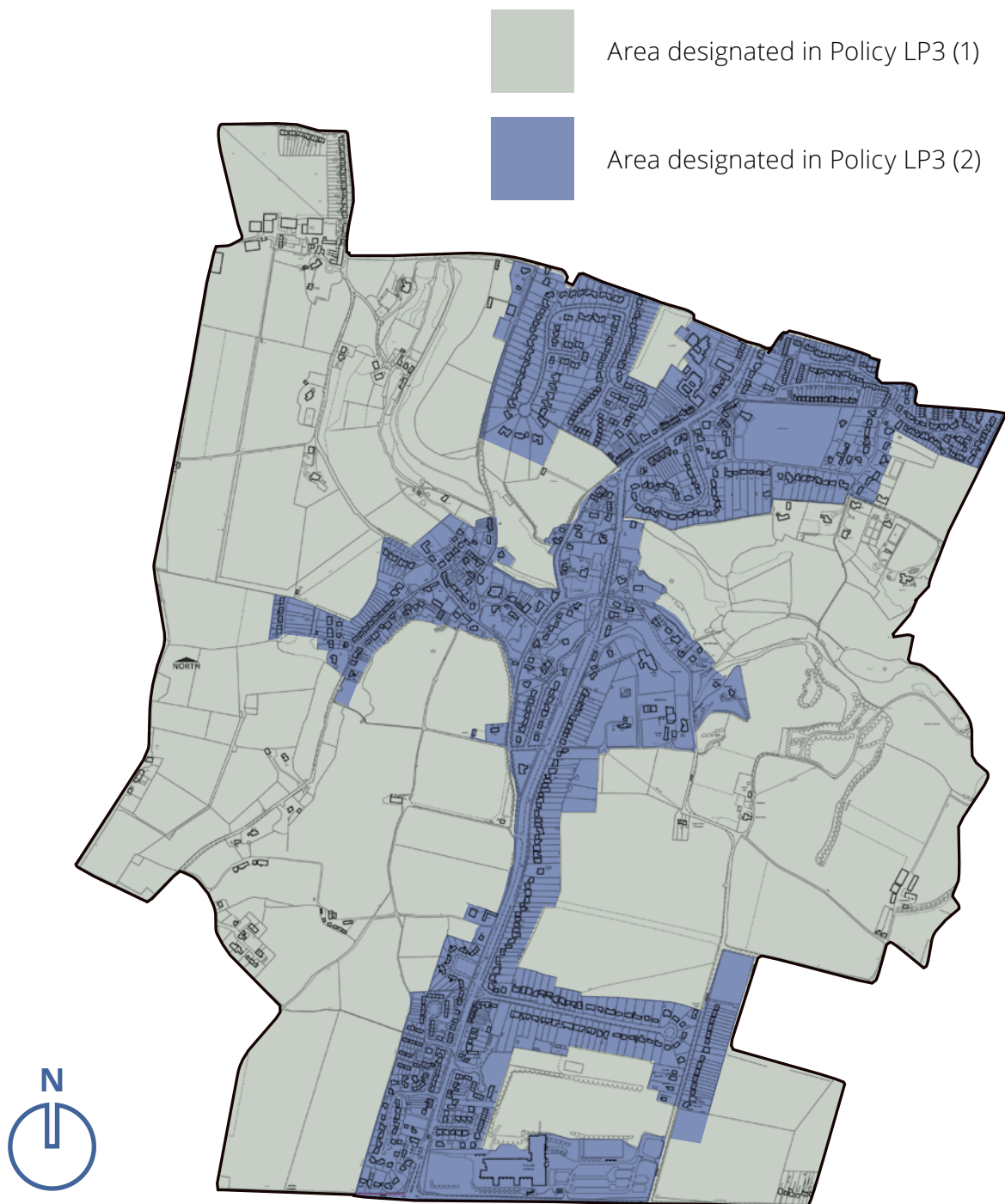
6.35 Use local stone on kerbs and surface dressings to complement local materials for carriageways and pavements.

6.36 Consider the need for lighting and minimise its impact.

6.37 Sufficient space is to be included within site layouts to meet obligations linked to ecological requirements, such as the retention of mature hedgerows and trees and the creation of wetland habitats, linked to a SuDS (Sustainable Urban Drainage System) implementation plan.

# Policy LP3 Design of Development in the Countryside

Figure 11 — Plan in support of Policy LP3



## Policy LP4

### Natural Environment in Loose

1) DEVELOPMENT PROPOSALS SHOULD SEEK TO PROTECT AND ENHANCE THE NATURAL ENVIRONMENT ACROSS THE PARISH, WITH PARTICULAR EMPHASIS ON THE LOOSE VALLEY AND LAND THAT SURROUNDS IT. NEW DEVELOPMENTS SHOULD BE DESIGNED TO TAKE INTO ACCOUNT AND TO SAFEGUARD EXISTING HABITATS WITHIN THE SITE AND ITS SURROUNDING AREA.

2) PLANNING APPLICATIONS FOR DEVELOPMENT IN THE PLAN AREA SHOULD INCLUDE AN ECOLOGICAL SURVEY AND A FLOOD SURVEY IN ORDER TO INFORM THE DEVELOPMENT PROPOSALS, AND TO IDENTIFY ANY MITIGATION MEASURES THAT MAY BE NECESSARY.

3) DEVELOPMENT PROPOSALS OF ALL SCALES SHOULD MAKE PROVISION FOR HABITAT AND CONSERVATION ENHANCEMENTS, AS PART OF THE DESIGNS.

### Policy Justification

6.38 The Loose Valley and the areas surrounding it support a broad diversity in both flora and fauna, including many species regarded as under threat. Numbers have dropped dramatically in recent years for the song thrush, turtle dove, grey wagtail and spotted flycatcher. In order to ensure that this diversity is maintained and that rare and threatened species are encouraged to thrive, biodiversity must be given a high priority when planning new developments and determining planning applications. This policy is applicable across the parish, not just to the areas of open countryside or agriculture, but in the built areas as well.

6.39 As well as the woods, meadows and fields across the parish, gardens and transport routes (e.g. roads, footpaths, tracks and watercourses) also provide important migratory routes for small mammals as well as nesting and feeding habitats for birds, from wrens to buzzards, and increasingly red kites, and various waterfowl. The neighbourhood plan area also includes a wide range of habitats supporting many species of fauna and varied ecosystems, some of which are now regarded as rare or endangered.

6.40 Plans for development should include a comprehensive biodiversity survey, having regard not only to the immediate location but also the effect the development may have on the Loose Stream and migratory routes. The removal of trees or hedgerows should be avoided and, if necessary, the plans should be adapted to ensure their retention. Development plans should also make provision for “mini-habitats” such as nesting boxes, swift bricks, bat boxes and bug hotels together with safe road crossings on identified migratory routes.

## Policy LP5

### Designated Local Green Spaces

TO PRESERVE, PROTECT AND ENHANCE THE LOCAL CHARACTER AND SETTING, THE FOLLOWING GREEN SPACES ARE TO BE DESIGNATED AS LOCAL GREEN SPACES AND BE AFFORDED PROTECTION:

1. King George V Playing Field
2. Brooks Field
3. Village Green
4. Allotments
5. Green verges on the western side of A229, from the viaduct to just south of Herts Crescent
6. Green triangle at western end of Salts Avenue
7. Green verges at western end of Copper Tree Court
8. Junction of Leonard Gould Way and Pickering Street
9. Coppiced slope on southern side of Salts Lane
10. Herts Crescent Green
11. North verge of Holmesdale Close



## Policy Justification

6.41 Good planning and design requires an integration of the landscape features with the built form. A local green network of landscape infrastructure has been identified and this will be protected and enhanced through the provisions of this policy.

6.42 Local green space designation is a way to provide special protection against development for green areas of particular importance to local communities.

6.43 In Loose, the spaces to be protected are considered important through a combination of being beautiful, acting as a green edge, having historic qualities, being of recreational value or providing a tranquil space or being a wildlife habitat. These designations will not only continue to provide the village with its rural character and identity but will also provide recreational opportunities for residents and support biodiversity. Blue infrastructure, in the form of ponds, lakes and watercourses has been integrated into this network.

6.44 The neighbourhood plan has identified on a map green areas for special protection (see Figure 12 on page 50). The designation of these spaces is consistent with local planning for sustainable development in the area. Further opportunities for pocket parks, street trees and enhanced landscape planting should also be explored and offered as part of all development proposals across the parish.

6.45 It should be noted that all landowners, including MBC and KCC, were individually consulted over the designation of their landholdings as local green spaces.

6.46 If it proves necessary to install essential statutory utilities infrastructure, and no other feasible site is available then the Parish Council will liaise with the utility providers to ensure that such infrastructure is provided with minimum impact upon the Local Green Space.



## Designated Local Green Spaces *with the reasons for designation*

### 1. King George V Playing Field

G R T

### 2. Brooks Field

B G R T

### 3. Village Green

B H T

### 4. Allotments

G R T

### 5. Green verges on the western side of A229, from the viaduct to south of Herts Crescent

B G T

### 6. Green triangle at western end of Salts Avenue

B T

### 7. Green verges at western end of Copper Tree Court

G T

### 8. Junction of Leonard Gould Way and Pickering Street

B G T R

### 9. Coppiced slope on southern side of Salts Lane

B G T

### 10. Herts Crescent Green

G R T

### 11. North verge of Holmesdale Close

G T

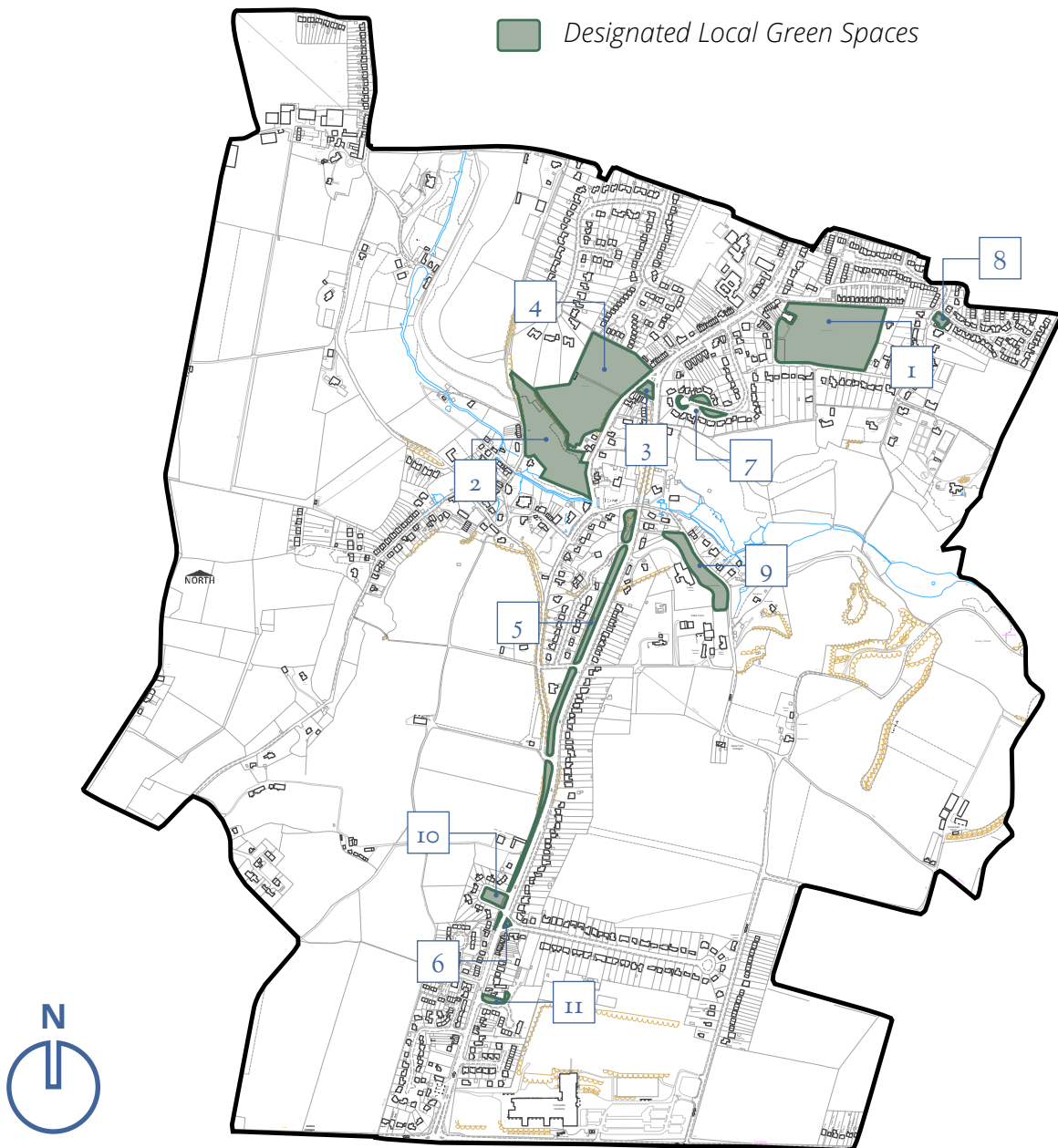
*See supporting photos on pages 51 — 53 and plan in Figure 12, page 50.*

#### KEY TO LOCAL GREEN SPACE TYPOLOGIES

- B Beauty
- G Green Edge
- H Historic Qualities
- R Recreational
- T Tranquillity & Wildlife Habitat

# Policy LP5 Designated Local Green Spaces

Figure 12 — Designated Local Green Spaces





1. King George V Playing Field, viewed from the south west corner.



2. Part of Brooks Field, viewed from the south east corner.



3. Village Green, viewed from south west corner.



4. The allotments, viewed from northern boundary.





5. A229 verge, looking north from the mid-point of the space.



6. Salts Avenue triangle, viewed from the east.



7. Part of Copper Tree Court, viewed from western end.



8. Leonard Gould Way and Pickering Street, viewed from the north.



9. Typical part of a coppiced slope, Salts Lane.



10. Herts Crescent, viewed from south east corner.



11. Part of Holmesdale Close, viewed from the west.



# 7. Design Quality

## Planning Policies



7.1 Any new housing development must be shaped and influenced by the traditional character and style of the parish. The Loose Neighbourhood Plan requires all new developments to reference the local context and demonstrate the use of high quality materials and styles appropriate to the place. For example, any small-scale in-fill and extensions to existing properties and developments adjacent to the built areas of Loose must be sensitive to the rural and more historic context, by reflecting the character of housing in proximity to countryside.

7.2 The aim for all new developments must be for them to leave a positive architectural legacy, to be sensitive to their local context and environment and add to the positive character of the Loose parish.



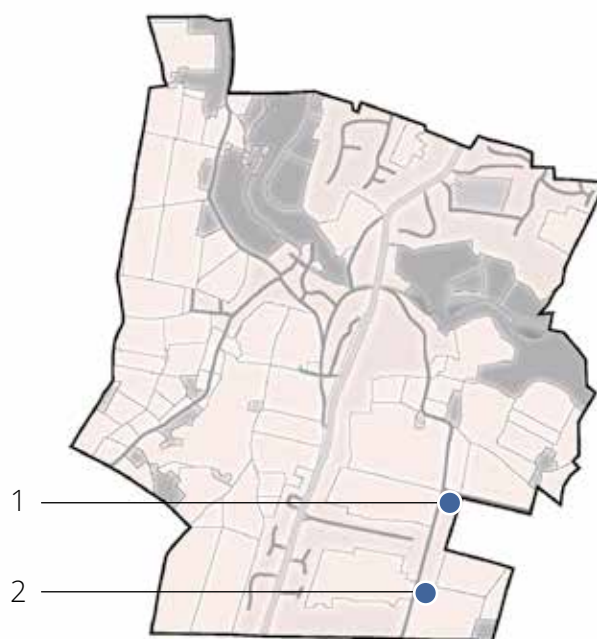
## Policy DQ1

### Design Quality

1) THE DESIGN, FORM AND DETAIL OF DEVELOPMENTS SHOULD BE PRINCIPALLY INFORMED BY THE TRADITIONAL FORM, LAYOUT, CHARACTER AND STYLE OF THE PARISH'S VERNACULAR ARCHITECTURE. THIS WILL BE APPLICABLE TO NEW BUILD HOMES, COMMERCIAL AND EMPLOYMENT USE BUILDINGS AND TO ALTERATIONS TO EXISTING PROPERTIES.

2) CAREFUL INNOVATION IN DESIGN OR THOUGHTFUL MODERN OR CONTEMPORARY ARCHITECTURE WILL NOT BE PRECLUDED. SUCH DESIGNS ARE ENCOURAGED, PROVIDED THEY ARE SYMPATHETIC TO THE SCALE AND CHARACTER OF LOOSE.

3) PROPOSALS FOR NEW DEVELOPMENTS IN THE PLAN AREA SHOULD TAKE FULL ACCOUNT OF THE DESIGN GUIDE CRITERIA SET OUT AT PARAGRAPHS 7.16 — 7.33 IN THE PLAN.



*Figure 13* — This policy on good design will apply across the whole parish as well as having specific application on two sites allocated in the Maidstone Borough Local Plan, Adopted 25<sup>th</sup> October 2017:

1 — Approx. 20 dwellings at Hubbards Lane and Haste Hill Road, Loose. This is Policy H1 (51) in the adopted MBC Local Plan.

2 — Approx. 8 dwellings at Hubbards Lane south. This is Policy H1 (55) in the adopted MBC Local Plan.

## Policy Justification

7.3 Loose needs to promote good architecture through better definition of what is considered to be good quality design. The transitional spaces between private and public space are critical and parameters need to be set to guide development. There should be a consideration of the massing of buildings, with detailed design from the street and eye level upwards to the skyline. Local designers and construction companies should combine with local labour and material supplies. This combination can provide positive ecological and economic impacts and help the local community to have a greater say on the future of the village. Energy efficiencies and alternative sources of power should be introduced at the earliest design stage. It is important for new developments to reflect the historic and unique values that have contributed to Loose's character and identity whilst still looking to the future through modern designs.

### Local character

7.4 Any new housing development must be shaped and influenced by the traditional character and style of the village. The Loose Neighbourhood Plan requires all new developments to reference the local context and demonstrate the use of high quality materials and styles appropriate to the place. For example, any small-scale in-fill and extensions to existing properties and developments that may come forward within the built environment area need to respect the local and historic context, by reflecting the character of housing in the immediate proximity. Small clusters of new housing may have their own distinctive characters, to add to the overall variety and mix of Loose.

## Consultation response

7.5 Through the consultation, the residents of Loose are generally agreed that they wish to see any new development in their village to be of a high design standard. They are also keen to see new developments improve their environment rather than downgrade it. They are proud of the local built environment and want to protect and enhance this legacy into the future.

### Leaving a legacy

7.6 The aim for all new developments must be for them to leave a positive architectural legacy, to be sensitive to their local context and environment and add to the positive character of Loose. This policy will not exclude innovation or modern and contemporary architecture. Such designs are encouraged across the parish on individual sites as exemplar projects.

7.7 Where appropriate, architects are encouraged to create new designs that reflect both the local context and the technology and materials of the era within which they will be built.

### Internal space standards

7.8 The size of new homes often falls short of existing space standards. The now defunct "Parker-Morris" space standards created more spacious buildings than those often being built today. All new developments are therefore to have space standards in accordance with the DCLG Technical Housing Standards. Housing development should also consider the storage and parking of bicycles.



## Homes for modern living

7.9 The Loose Neighbourhood Plan will require all future housing development to support modern lifestyles through innovative design. These will include reducing energy costs through meeting high design standards as well as internal space standards and layouts that will encourage working from home.

7.10 Design details, such as the ability to receive parcels securely when not at home, meter reading, storage of several bicycles, flexible use of garage and garden spaces and the effective storage of waste and recycling bins must all be considered. All housing should seek to meet “Lifetime Homes” standards to ensure properties are sustainable and can be easily adapted to meet the needs of a changing population. The development of bungalows must also be considered.

7.11 All housing designs must promote efficient use of water, electricity and energy. The introduction of on-site generation technology, smart meters and other measures to reduce energy consumption should be considered across all housing sites.

7.12 The use of locally-sourced and recycled materials for use in construction should also be considered. Consideration should also be given to self-finish and/or self-build homes, as well as innovative hybrid housing that can respond to modern lifestyles.

## Investment in community facilities

7.13 Loose currently has no dedicated community hall suitable for use by the wider population of the parish. The pavilion at the King George V playing field has provided sterling service over recent years but is now considered too small for many events and is hampered by the lack of smaller rooms to run events in parallel. A dedicated parish council office is badly needed. It is no longer appropriate for the parish office to be run from a private house and an extended building here could incorporate a dedicated operational space.

7.14 The majority feeling amongst residents through the consultation was that an investment in this location through an expansion of the existing building will be better than trying to secure a new site elsewhere in the parish. Furthermore, this site is probably the only one where publicly owned land is available for a project of this size and type.

7.15 The Loose Neighbourhood Plan has therefore identified a project for a new community hub facility at the King George V playing field. This will be supported subject to the following criteria: the provision of additional meeting spaces, including multiple rooms of different sizes; the inclusion of a dedicated parish office; and the use of high quality materials and external landscape works. The scale and design of this community hub will be subject to consultation.

# Loose Neighbourhood Plan Design Guide

## DESIGN CHECK-LIST

7.16 The following design topics should be addressed through a Design & Access Statement (DAS) by any applicant seeking planning permission for development or redevelopment in the neighbourhood plan area:

### Amenity

7.17 Green spaces of appropriate scale and quality within new developments will be encouraged. All new houses to have private amenity space and/or gardens, at the front, back or side of the property, as appropriate.

### Construction

7.18 The build quality of new developments, and the materials selected as part of the construction process, should ensure a high standard of appearance over time. Construction techniques and materials should prevent a rapid deterioration that can lead to buildings with an unsightly or neglected appearance. Building maintenance should be cost-effective and easy to administer.

### Density

7.19 The density of new development should be in character with the local surrounding area, respect the character of the area and be designed to give an impression of spaciousness with opportunity for green landscape between buildings.

### Discretion

7.20 Car parking should be discreet, with a proper provision of off-road parking as appropriate. On-road parking needs to be accommodated carefully to ensure that footways are not blocked or narrowed.

### Domestic

7.21 The scale of new dwellings to be of a small or domestic scale suitable for the Loose local context. This is especially true within the existing built areas.

### Evolution

7.22 Loose is to evolve gradually and not to experience rapid large-scale development. All development proposals are required to demonstrate how they will contribute to this positive evolution.

### Extension

7.23 House extensions are to be sympathetic with the style of the host house and use similar materials and fenestration. Modern style extensions to traditional houses will be resisted.

### Integration

7.24 New buildings should be well-integrated into the site and become part of a unified and interrelated composition, both with other buildings on site and with existing buildings adjacent to the site.

## Layout

7.25 New developments should incorporate access routes and footpaths within the layout that reflect the historic character of Loose.

## Lighting

7.26 Consideration should be given to the need for lighting, and where it is deemed essential, efforts should be made to seek to minimise its impact in the landscape through choice of light source and control of light spillage. Lighting should only be installed in areas of need. Areas adjacent to open spaces should be left unlit to avoid light pollution.

## Locality

7.27 New buildings are to use local construction materials and techniques and reflect local building traditions. Materials should be obtained from local sustainable sources.

## Resource Efficiency

7.28 Measures to help conserve water and energy in new buildings will be encouraged. The reuse and recycling of building materials will be encouraged, as will the use of locally sourced timber in construction.

## Security

7.29 All developments and improvements in Loose parish should be designed to ensure that safety and security are built in. Designs should ensure people feel safe during hours of darkness through unobtrusive path lighting and active frontages (i.e. doors and windows facing onto the street) and safe, permeable routes where appropriate.

## Ecology

7.30 New development should seek for ecological enhancement to the immediate area, such as provision for birds and bats to be incorporated into new buildings.

## Tradition

7.31 Styles and materials that relate to those found in the more historic parts of the locality will be encouraged.

## Gateway

7.32 Development on gateway sites that fail to take advantage of opportunities to improve the entrance points into Loose will be resisted.

## Skyline

7.33 Developments should maintain and enhance the character views out to open countryside.

# Built Environment Design Issues



Short rows of linked houses and the use of timber cladding is a design approach that will be supported.



On-site energy generation is an issue that must be considered as part of the design quality assessment of any proposal.



Use of ragstone on boundary treatments creates a robust and distinctive Loose identity.



This building has been successfully enlarged, with the new build wing blended effectively with the host property. A good example of how older buildings in Loose can be converted for modern use.



# Landscape Design Issues



The landscape around Loose is rich agricultural land with a long history of fruit production, including cherries and apples. The neighbourhood plan wishes to see this productive quality maintained and enhanced.



The topography of Loose creates a higher plateau on the east of the parish with elevated views out towards open countryside.



Many footpaths are narrow and can feel overgrown at certain times of the year.



Sites within the parish afford residents and visitors long distance views out to open countryside and beyond the parish boundary.

## Policy DQ2

### Protection and Enhancement of the Loose Valley Conservation Area

1) NEW DEVELOPMENT OR ALTERATION TO AN EXISTING STRUCTURE WITHIN THE LOOSE CONSERVATION AREA WILL BE REQUIRED IN ITS DESIGN, SCALE AND MATERIALS TO PRESERVE OR ENHANCE THE SETTING OF THE AREA AND THE HISTORIC CHARACTER OF LOOSE AND TO HAVE REGARD TO THE GUIDANCE CONTAINED WITHIN THIS NEIGHBOURHOOD PLAN.

2) WITHIN THE CONSERVATION AREA ANY TREES LOST DUE TO AGE, STORM OR OTHER DAMAGE SHOULD BE REPLACED WITH SPECIMENS OF THE SAME TYPE OR A TYPE APPROVED BY THE BOROUGH COUNCIL.

## Policy Justification

7.34 The Loose Valley Conservation Area (LVCA) was established in 1970 and seeks to protect and enhance a defined area of the parish due to its heritage value. While this designation affords the area a high degree of statutory protection, key points that the neighbourhood plan wishes to emphasise include:

7.35 Within the LVCA any trees lost due to age, storm or other damage should be replaced with specimens of the same type or a type approved by the borough council. Planning applications across the parish should consider the impact of the change or development upon trees within the site or adjacent to it regardless of the type of application.

7.36 Where the application includes multiple new buildings, it should include an appropriate landscaping scheme which takes into account the impact upon the amenity of neighbours as well as longer distance views.

### Future conservation projects

7.37 Loose already benefits from both the Conservation Area and an Article 4 direction that removes certain permitted development rights for the betterment of the built environment. However, the extent of this power is not considered wide enough. Loose Parish Council will seek an extension of the Article 4 direction area. An associated project will be to create a Loose Valley Conservation Area Appraisal & Management Plan, currently absent from the local planning framework.





## DQ2 Conservation Area & Trees



The commemorative oak tree in the village green provides shade during the summer months, making the village a more hospitable and pleasant place to be.



Trees within private gardens can have a positive impact on public streets and spaces.



Smaller species of tree and shrubs within the conservation area help provide the distinctive setting for Loose.



Trees can help frame views and soften the view of development within landscape.





## Parish Contact Details

Parish contact for further information:

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*“Loose...  
a place  
apart”*